



Home of the Tualatin River National Wildlife Refuge

Planning Commission Meeting Packet

FOR

May 27, 2014

At 7 PM

**Sherwood City Hall
22560 SW Pine Street
Sherwood, Oregon**



City of Sherwood
PLANNING COMMISSION
Sherwood City Hall
22560 SW Pine Street
Sherwood, OR 97140
May 27, 2014 – 7:00 PM

AGENDA

- 1. Call to Order/Roll Call**
- 2. Agenda Review**
- 3. Consent Agenda**
 - a. January 28, 2014 Planning Commission Minutes**
 - b. February 11, 2014 Planning Commission Minutes**
 - c. March 11, 2014 Planning Commission Minutes**
 - d. April 8, 2014 Planning Commission Minutes**
 - e. May 13, 2014 Planning Commission Minutes**
- 4. Council Liaison Announcements (Robyn Folsom)**
- 5. Staff Announcements (Brad Kilby)**
- 6. Community Comments**
- 7. New Business**
 - a. Public Hearing – PA 14-01 Transportation System Plan Update (Brad Kilby)**

The City proposes to adopt the 2014 Sherwood Transportation System Plan (TSP) as an element of the City Comprehensive Plan and amend the policies in Chapter 6, Transportation, of the City Comprehensive Plan. To implement the TSP, amendments to the following chapters of the City Zoning and Community Development Code are proposed: Chapters 16.10, 16.80, 16.90, 16.94, and 16.106.

For more information visit the City website at:

<http://www.sherwoodoregon.gov/planning/project/transporation-system-plan-update>

9. Adjourn

Consent Agenda

City of Sherwood, Oregon

Planning Commission

January 28, 2014

Planning Commission Members Present: Staff Present:

Chair Jean Simson

Vice Chair James Copfer

Commissioner Michael Cary

Commissioner Russell Griffin

Commissioner Lisa Walker

Julia Hajduk, Community Development Director

Bob Galati, Civil Engineer

Brad Kilby, Planning Manager

Michelle Miller, Senior Planner

Kirsten Allen, Planning Dept. Program Coordinator

Karen Brown, Building Permit Specialist

Planning Commission Members Absent:

Commissioner John Clifford

Commissioner Beth Cooke

Council Members Present:

Councilor Robyn Folsom

Legal Counsel:

Chris Crean

1. Call to Order/Roll Call

Chair Jean Simson called the meeting to order at 7:11 pm.

2. Agenda Review

The agenda consisted of the Consent Agenda, and two Public Hearings under old business; PA 13-03, TSP Amendment for Adams Ave N and PA 13-04, TSP Amendment for Baler Way.

3. Consent Agenda:

a. December 10, 2013 Planning Commission Minutes

Commissioner Walker indicated there was an error regarding quorum on page 11 of the minutes. Chair Simson agreed that there were some errors and read her suggested changes aloud.

Motion: From Vice Chair James Copfer to accept the corrected Consent Agenda with corrections as stated. Seconded by Commissioner Russell Griffin. All present Planning Commissioners voted in favor (Commissioners Clifford and Cooke were absent).

4. Council Liaison Announcements

Councilor Robyn Folsom, Council Liaison alternate said the Council has had a work session so far this year and one of the topics was medical marijuana dispensaries.

5. Staff Announcements

Brad Kilby, Planning Manager, stated that the City is underway with the Transportation System Plan (TSP) Update with the next Citizen and Technical Advisory Committee meetings scheduled for February 12th, with an Open House on February 13, 2014.

Brad said there was a tentative schedule for the Planning Commission and the City Council to meet together on February 18th to give a progress report on the TSP Update process to date. Several Commission members indicated their availability to attend.

Brad said that on February 11, 2014 there is a scheduled hearing with the Planning Commission to discuss front yard setbacks that will need a Planning Commission recommendation to Council.

There will not be a Planning Commission meeting on February 25, 2014 in lieu of the joint session on the 18th.

6. Community Comments

Ann Reid, Roses Restaurant and Bakery in Sherwood said they were looking for an update regarding how Tualatin Sherwood Road would change. She said Roses was located in the Sherwood Cinema Center and the Tualatin Sherwood Road and Baler Way extension would have a huge impact on the restaurant. Ms. Reid said that ODOT had verbally approved a right in option off of Hwy 99W and combined with the Baler Way extension they felt it would be a great alternative for the signal being removed. She said they were looking for updates regarding where they were and how they could help. Ms. Reid asked that the City keep Rose's and other small businesses in mind when making decisions. She said Rose's had been serving Sherwood for over ten years and hoped to be included in future decisions when determining access to the restaurant. Ms. Reid stressed that access and timing were huge issues for the restaurant.

7. Old Business

a. Public Hearing – PA 13-03 Transportation System Plan Amendment for Adams Avenue North

Chair Simson read the public hearing statement and indicated that the Planning Commission's decision would be a recommendation for action by the City Council. She asked for any conflict or bias.

Commissioner Michael Cary stated he had a potential conflict and since he had recused himself at the previous hearing he would continue to recuse himself for the project.

Chair Simson asked for the staff report.

Brad Kilby, Planning Manager gave a presentation (see record, Exhibit 1) said the application, from Washington County, was to amend the Transportation System Plan to include an extension of SW Adams Avenue North, which is now known as SW Langer Farms Parkway per a resolution from City Council. He said the intent of the amendment was to serve the commercial properties near the corner of Hwy 99W and Roy Rogers Road. Brad said the properties included property that was not yet annexed and those within the city are zoned General Commercial or Light Industrial. He said there is a seventy foot deep ravine at the back of the properties and it is not financially feasible that there will be enough development to justify putting a bridge across the ravine adjacent to Hunter's Ridge or the wildlife refuge. The road is proposed to only connect to a signalized intersection on Hwy 99W at the Home Depot. Brad said the applicant was proposing that the road be placed on the TSP as a collector street for the purpose of providing access to those properties and to address capacity and safety issues in the area. Brad said that Hwy 99W and Roy Rogers / Tualatin Sherwood Road are designated freight routes by the State and Washington County so it is desired to minimize the number of accesses onto those streets.

Brad explained that the road would be an addition to the Functional Classification Plan in the TSP and said the forecasted traffic generation of the area was about 5000 average daily trips. He said that staff recommends that the Planning Commission forward a recommendation to the City Council to place the proposed collector onto the City's TSP function classification map.

Commissioner Copfer asked for confirmation that the road would not go through but would be a cul-de-sac and strictly for access. Brad confirmed and said it was basically a line on the TSP map that shows the connectivity. There would not be any highway access back onto Roy Rogers so the likely scenario is a cul-de-sac. He said the actual location and configuration would be determined when a development proposal is received.

Chair Simson asked for applicant testimony.

Stefanie Slyman with Harper Houf Peterson Reghillis (HHPR), the applicant's representative, and Dan Erpenbach of Washington County came forward. Ms. Slyman explained that the amendment would add a new collector street to the TSP map and the design would not be determined at this time and the amendment was a high level planning level approval to show how connectivity in the city would be served. She remarked that the Planning Commission's role was to provide a recommendation to the final decision maker, the City Council.

Dan Erpenbach said that the project area is partially developed. He said that 50,000 cars go through the Tualatin Sherwood / Roy Rogers/ Hwy 99W intersection per day and the property is valuable in that it is one of the most seen properties in the county. Mr. Erpenbach asserted that traffic was jamming up the intersection and the potential development would create more cars. He said the County was trying to get ahead of the curve by showing the road in the TSP. Mr. Erpenbach explained that access was important and the current access off of Roy Rogers Road was not capable of handling a commercial development. He said he could not answer whether that access on Roy Rogers would remain but safety is a concern for the County and, as is, the driveway is too close to the intersection. Mr. Erpenbach said that Hwy 99W is under ODOT jurisdiction with Tualatin Sherwood/ Roy Rogers being under County jurisdiction. He said the proposed road is designated a collector so that it comes to a signalized intersection and addresses the safety aspect. Mr. Erpenbach said the County's approach to dealing with traffic the area is a four pronged approach.

1. Widen Roy Rogers/ Tualatin Sherwood Road.
2. Implement an Intelligent Traffic System (ITS). This has partially been implemented on the eastern half of Tualatin Sherwood Road and there is an ITS system in design that will go from Baler street to the existing system towards Tualatin.
3. Manage access along Tualatin Sherwood/Roy Rogers Road and Hwy 99W and limit the number of driveways off of arterials.
4. Create off corridor circulation which is being addressed with the TSP Amendment.

Mr. Erpenbach expressed that the County wanted to get people to the businesses in a safe manner and to control how that happens.

Ms. Slyman asked the Commission if they had any questions regarding the traffic study. She added that the County met with City Staff twice to ensure that the approval criteria was met and there was a neighborhood meeting before the proposal was put together. She said the County had listened to the Sherwood citizens at the neighborhood meetings, because the County was considering having the road continue all the way through, but amended the proposal so it stops to only serve the commercial and industrial properties and not cross the ravine.

Chair Simson indicated that the applicant had 23:24 remaining. She asked for public testimony from any proponents.

John Anderson, Sherwood property owner, said he was representing his wife, Barbara, and sister, Katherine Shack and recounted that he grew up on the property and was a lifetime resident of Sherwood. Mr. Anderson explained that they have had the property up for sale since 1991, after the intersection of Roy Rogers /Hwy 99W went in. He said the property had five accesses to the highway when ODOT put that in, but they were taken away and only given one. Mr. Anderson commented that the property has not sold because there is no access to the property. He related that he has worked with Dan Erpenbach before and he appreciated getting access to the property because it will continue to sit unsold without access. Mr. Anderson expressed that his personal preference would be to have a road parallel to Hwy 99W and behind Sherwood Business Park for a more efficient use of the land and a cost effective way of getting access to the whole property. He said a road cost \$1000 per foot and he was not in favor of high development costs for the property. Mr. Anderson said he was in favor of access. He stated that he was told by ODOT, in a meeting with the City and Washington County, that it was still a possible option to open a driveway on the south side of Sherwood Business Park depending on the development.

Vice Chair Copfer asked staff about the alignment of the road. Brad responded that the alignment would be dependent on how the property develops and a new development would, at a minimum, be required to provide a right of way and possibly the road depending on the intensity of the development. Typically the road is brought to the edge of the property.

Brad spoke about Mr. Anderson's comment on the access south of the business park and said he did not think the County or ODOT would be opposed to a private agreement between property owners.

Mr. Anderson asked that it be taken into consideration that the Fire Marshall often requires two accesses. He said he would like this to be considered before the existing access is vacated.

Brad clarified that Mr. Anderson was asking that the access on Roy Rogers Road remain for potential fire access. He said the access was not on the TSP map now so there is no need to take any action until a development application comes in for the property.

René Duricka, Sherwood resident, indicated that she attended the neighborhood meeting with Washington County in July where the road was shown as connecting onto Borchers Drive. She said she wanted to ensure that there would not be any future interest in connecting the proposed road to the neighborhood. Ms. Duricka expressed her concern that the County talked about light to light access between Borchers and the light at Home Depot. She said the County was originally looking to reduce peak traffic flow from Hwy 99W to Roy Rogers Road by adding this road and said she did not want the road to connect in the future. Ms. Duricka commented about the connection being cost prohibitive and

asked who would fund the road. She said that with enough money a developer could build a bridge across and indicated that the neighbors would like to see the property become a park because there are no major parks on that side of Roy Rogers Road. Ms. Duricka repeated her opposition for access from Hwy 99W to Borchers Drive for the reason that it would be dangerous for the kids and there is already so much traffic coming through the neighborhood using Borchers.

Amber Dahl, Sherwood resident said she lived in the same subdivision as Ms. Duricka and said she was concerned that it was vague as to whether the road might go through in the future and asked that the cars not be diverted into her neighborhood, ever. She said that physical constraints and expense are hurdles that can be crossed and she would prefer that the plan was firm on this point. Ms. Dahl said she was confused that it was called off corridor circulation and asked how the traffic would circulate on a dead end street and if it was to circulate she did not want it to come to Borchers Drive.

Robert James Claus, Sherwood resident came forward and said he wanted to point out to the Commission that the whole area was non-conforming, illegal. He commented that Home Depot was low density industrial, was then zoned as a lumber yard and turned into Retail Commercial. Mr. Claus commented on the legality of development on the other side of the highway and said he did not think that mattered in Sherwood. He held that the Planning Commission was a façade and decisions made by the body are made outside of this room. Mr. Claus commented on the business operations and patronage of Walmart. He commented regarding Washington County planners contacting Walmart for circulation information. Mr. Claus commented on the city having two light industrial areas with one of them not legal per the IRS. He remarked that the Planning Commission was putting a collector status road into an area that was created illegally over a situation that caused a former City Manager to be dismissed. Mr. Claus suggested that city planning in Sherwood was done on a case by case basis having nothing to do with what the law says and if the City wants a collector, it is put there. He commented on the construction of Meinecke by ODOT, and suggested there were payments for silence. Mr. Claus indicated he did not care what was done and commented that the decision is already made.

Chair Simson asked for applicant rebuttal.

Stefanie Slyman of HHPR and Dan Erpenbach of Washington County came forward and addressed questions raised in public testimony.

Ms. Slyman informed the Commission that the alignment of the road was illustrative and the actual map amendment was shown in the Traffic Study has a flattened alignment into the area (see record, page 56, December 10, 2013 Planning Commission Meeting packet). She said the actual alignment design will be a function of whatever development comes in and the County would have no issue with the road moving slightly either way.

Ms. Slyman described that the intent was for the road to stop as shown in the alignment and the County has no interest in it continuing it further. She said that light to light comment from the County was referring to bringing traffic to a signalized intersection and not necessarily taking it across to another light (Borchers Drive). Ms. Slyman responded that the circulation is achieved through the east end of Langer Farms Parkway that creates a loop [to Tualatin Sherwood Road] as well as internal circulation to nearby properties served by the road. She confirmed with Chair Simson that without going through the

intersection at Hwy 99W and Roy Rogers Road, the proposed road would provide a safe crossing from Hwy 99W to Tualatin Sherwood Road or the businesses that will be served by the Baler extension.

Ms. Slyman asked if Mr. Erpenbach had anything to add. He answered that he did not.

Chair Simson asked about a second access that may be required by the Fire Marshall. Brad Kilby responded that the TSP does not address fire access to every piece of property. However, if someone were to inquire of City regarding developing Mr. Anderson's property with an industrial use and the Fire Marshall said two accesses were required, one access could be through the proposed road and the second access could be limited fire and emergency access off of SW Roy Rogers Road. He added that if the Fire Marshall did not get his hydrant flow or mitigation (measures that can be used to fight fires) he will require two accesses for a clear in and out. Brad stated that this action would not prevent a second access.

Chair Simson asked if the Planning Commission could add language to the recommendation to City Council to ensure that there would not be a future connection to Borchers Road.

Brad responded that this action was a legislative decision and the extent of the request was to show the alignment in its current location and said it was highly unlikely that the connection will ever be made. He acknowledged that Ms. Duricka and Ms. Dahl were correct in that a road could be created across the ravine, but that it would require another development review and a public process. Brad commented that it would be uncharacteristic of the Planning Commission to say that a street would never go through, because circumstances change.

With no other questions for the applicant, Chair Simson closed the public hearing and asked for final comments from staff.

Brad said that in the Traffic Study the road runs parallel to Hwy 99W and he would suggest that the recommendation to Council include that figure as an example of how the TSP map should be amended.

Commissioner Walker explained that she would like the Commission's intention that the road not go through be indicated in writing.

Commissioner Griffin added that showing the alignment and having it stub at the end with verbiage supporting what the County said about it not being feasible or reasonable to continue the road shows the Commission's position.

The following motion was received.

Motion: From Vice Chair James Copfer to forward a recommendation of approval to the Sherwood City Council on PA 13-03, Adams Avenue North TSP Amendment with the following modifications; that the map where is shows stubbed on page 56 shows the intent that the Commission is not looking at having that road go through to Borchers at any time, knowing that somebody may come in the future to look at that, but currently the intent of the Commission and the residents of the Hunter's Ridge area do not wish to have that go through, based on the applicant testimony, public testimony received, and the analysis, findings and conditions in the staff report and applicants materials. Seconded by Commissioner Russell Griffin. All present Planning Commissioners voted in favor (Commissioners Clifford and Cooke were absent).

Note: See page 56 the December 10, 2013 Planning Commission Packet for the map specified in the motion or page 5 of the Traffic Report by DKS Associates dated September 17, 2013.

Commissioner Cary returned to the dais.

b. Public Appeal Hearing - PA 13-04 Transportation System Plan Amendment for Baler Way

Chair Simson called to order the public hearing for PA 13-04 and read the public hearing statement. She indicated that this was a continued hearing and the applicant had twenty minutes remaining from the previous hearing to split between presentation and rebuttal. Chair Simson reminded that the Planning Commission would be making a recommendation to the City Council and asked for a staff report and update.

Brad Kilby, Planning Manager gave a presentation and explained that the proposal would be for an extension of Baler Way (see record, Exhibit 2). He showed the location of Les Schwab, underdeveloped property next to it, and Sentinel Storage. He said that there was currently a signal at the intersection of Baler Way and Tualatin Sherwood Road. Brad explained that the proposal was to designate an extension of Baler Way on the TSP as a collector that would go from the Baler Way signal, behind the Sentinel Storage to the Langer Farms Parkway that is being constructed.

Brad showed that there was already an extension of Baler Way to connect with Langer Farms Parkway further north by the Home Depot shown on the TSP because of the Adams Avenue North Concept Plan. He explained that there were power lines from the Bonneville Power Administration (BPA) and Portland General Electric (PGE) in the area which made it difficult to develop, but by leaving that road on the TSP gives the city the future option of a local street up to the northern extension of Langer Farms Parkway [by Home Depot]. Brad described that it is important to have this northern connection because the property in that area is zoned for Commercial and Light Industrial development in the Concept Plan and it is likely that connectivity would be needed.

Brad ensured that the proposed road gets a collector to a collector at a signalized intersection. He advised that the County has asked that the Planning Commission leave the northern portion as a local connector and designate the new portion of the road that goes behind the sentinel storage as a collector.

Brad showed a map of the Adams Avenue North Concept Plan that has been adopted by the City and relayed that a large portion of the land will remain undeveloped (under the power lines).

Brad said the proposed road is not currently in the Transportation System Plan and the County has requested that it be put on the TSP and designated as a collector. He explained that a collector was a higher classification of road and that it makes sense to have a wider, higher class road there if the signal is removed at the cinema and Albertsons location, because there will be more traffic in that corridor.

Staff recommended that Planning Commission forward a recommendation of approval to the City Council to place the proposed collector onto the City's TSP Functional Classification Map.

Chair Simson asked for bias or conflict of interest.

Commissioner Cary said he was curious what the landowners thought of the proposal and indicated that he spoke at length about the project with city councilman, Matt Langer about Baler Way going through Les Schwab to his property.

Chair Simson said that Ty Wyman had contacted her the previous Friday to ask about the process and time permitted for testimony. She said she did not engage in a discussion about the project.

No conflicts or bias were declared and Chair Simson asked for application testimony.

Stefanie Slyman with Harper Houf Peterson Reghillis (HHP), the applicant's representative, and Dan Erpenbach of Washington County came forward.

Ms. Slyman stated that there was no new information for the Commission and the County had not met with TakFal Properties. She said that Russ Knoebel had pointed out at the start of the previous hearing date that those design details TakFal had asked for would not be forthcoming in this timeline. Ms. Slyman said the details were not relevant to the approval criteria nor was it the level of detail that is required in a TSP Amendment. She repeated that the application was for the alignment and functional classification designation of a road and deferred the rest of their time for questions and rebuttal.

Chair Simson asked for public testimony beginning with proponents.

Phil Grillo, from Davis, Wright, Tremaine representing, the owner of Sherwood Cinema Center, TakFal Properties, handed out written testimony (see Planning file PA 13-04, Exhibit D). Mr. Grillo said he wanted to update the Commission on the status of conversations with Washington County since the hearing on December 10, 2013. He said WH Pacific was hired to help refine the alternative access needed. A drawing of the alternative access was provided to the Commission as Exhibit A of the letter. Mr. Grillo expressed that they had hoped to have discussions with the County and City in order to bring an agreement that could be integrated into the Commission's decision, but the County did not want further discussions until the LUBA decision was completed and the TSP Amendment approved.

Mr. Grillo stated that TakFal's position was to continue to support the TSP Amendment conditionally. He showed two conditions pages on 2 and 3 of the letter that he wanted to have added if the decision was approved. The first condition stated that prior to the elimination of TakFal's existing traffic signal and left turn lanes on Tualatin Sherwood Road, Washington County would provide alternative access that was reasonably consistent with the alternative access plan shown in Exhibit A. Mr. Grillo said that Exhibit A was a conceptual idea of what the access should be as it refines how the Cinema Center would connect with the extension of Baler Way and shows the entrance off of Hwy 99W that has been orally approved by ODOT.

Mr. Grillo explained that the second condition asks that prior to the elimination of the traffic signal and left turn lanes the applicant:

- a. Amends TakFal's site plan approvals to be consistent with the alternative access plan. Mr. Grillo said the access is governed by the approved Site Plan and they wanted to be sure that the Site Plans are consistent with the access that happens.
- b. Amends Figure 8-10 of the Sherwood TSP. Mr. Grillo felt that if the Commission was going to allow the signal and left turns to be eliminated the figure should be amended.

- c. Amends Figure 8-11 of the TSP to eliminate Project 15 which calls for the elimination of the signal at Baler Way and blocks the crossing of Tualatin Sherwood Road.

Mr. Grillo ended with a letter to the Commission that explains why what TakFal's position is relevant to the applicable policies of the cities TSP and Comprehensive Plan (see Planning file PA 13-04, Exhibit E).

Ty Wyman, attorney for Merlone Geier Partners came forward. Mr. Wyman explained that Merlone Geier was the managing member of MGP X Property LLC which owns and operates the Sherwood Market Center (by Albertsons). He introduced Barron Caronite as Merlone Geier Partners' Director of Land Development with a background in Civil Engineering and said Merlone Geier owns and operates retail centers up and down the west coast. Mr. Wyman stated that his background was in Land Use process. He said they were testifying in opposition because Washington County is determined to remove the traffic signal that constitutes the main entrance to the Sherwood Market Center. He asserted that the removal of the signal would decimate the center. Mr. Wyman said the legislative process before the Commission afforded them some luxury, particularly after the testimony of Mr. Grillo and as a legislative process, was not under the 120 day rule. Mr. Wyman asked the Commission to think about what they would do and stated that timing has not been the County's strong suit. He explained that the County rendered a decision, last September, to remove the signal and widen the traffic lanes in front of the MGP X and TakFal properties and said that the decision has been appealed at the Land Use Board of Appeals (LUBA), but may end up in circuit court. Mr. Wyman specified that the removal of the signal was a serious matter and the problem with the amendment before the Planning Commission was that it was premised on the removal of the signal at Tualatin Sherwood Road, which is not a forgone issue. He stated that the removal of the signal directly contradicts the Sherwood Transportation System Plan. Mr. Wyman said that land owners across the state, like Merlone Geier depend on comprehensive planning and for a Comprehensive Plan to have meaning, that property owners must be able to put reasonable expectations into it and to be able to rely on plans that show the existence of the traffic signal. Mr. Wyman commented that what was before the Commission was not comprehensive planning, but ad hoc traffic engineering with a summary signal removal decision; the proposed TSP Amendment premised on that decision; and a TSP process underway that may remove the signal from the TSP in the process of the update.

Barron Caronite commented in terms of the County's four pronged approach and said that what was before the Commission was only the off corridor issue and suggested that in order to modify [the TSP] they would like to see all those issues addressed. He said that if the traffic signal is to be removed, public notification should be made for the removal of the signal and there should be a discussion of that. Mr. Caronite advised that the removal of the signal from the TSP, as reflected in Figure 8-10 in the Traffic Control Master Plan should be in the County's proposal and said that the analysis from DKS assumes the traffic signal has been removed, but no action has been taken to do that. He said all four issues should be bundled together as a modification to the City's TSP and addressed as part of the Tualatin Sherwood Road Project. Mr. Caronite expressed that they did not feel that adding a road and making a modification to the Plan had been fully vetted, because the traffic analysis assumes the traffic signal has been removed and the impact that the syncing of the signals would have on the corridor through the Intelligent Traffic System (ITS) had not being fully analyzed.

Ty Wyman offered his regrets that they opposed the action. He said they have spoken with the County for many months and would be happy to continue those discussions. He asked the Commission not to forward a recommendation to City Council.

James Copfer asked if the Commission was being asked to continue the hearing. Mr. Wyman responded that they would like the Commission to forward a strong negative recommendation, but would be open to a continuance. Mr. Wyman suggested that everyone “go into the hallway” and sit at the table because it was an important issue. He explained that both Merlone Geier and TakFal Properties had retained traffic professionals and presented alternatives to the County.

Michael Cary asked if the loss of the signal would leave two entrances into the property.

Mr. Caronite responded that the loss of signal represents no left movements; no left turn out or in to the property. He said that people know there is more than one driveway into the property, but with the removal of the light the circulation for the property can only be approached from one aspect. Mr. Caronite commented on the testimony from Rose’ Restaurant that expressed concern about how access works and how it will impact their business. He said Merlone Geier remains very concerned for their tenants and their ownership as to access modifications to the property.

Robert James Claus, Sherwood resident noted that he marked other on the form, because he did not have an opinion regarding the application and said it was a problem created by the Planning Commission and the City Council. He commented that the Commission did not have enough data to make a decision and suggested that decisions in Sherwood were made economically and not professionally. Mr. Claus asked regarding what the origin destination of the trips was and what the timelines were. He commented about the number of people that pass the intersection daily and said there was not a dot map for the area, but one could be put together. Mr. Claus said the area was more square footage than Washington Square and the proposed amendment would change the profile of the city, coming into Sherwood. He said a dot map should have the origin destination, profile of the motorists, and the hours they would come.

Mr. Claus commented that the stop sign was the only sign that has ever been traced to cause accidents as identified by Travis Brooks, author of the Manual of Uniform Traffic Control Devices. He commented regarding the Home Depot and said that the “transportation net” was being dragged behind that decision. Mr. Claus commented on the state of the wildlife refuge and suggested that someone from the National Academy of Science should attest to what has been done. He asked where [the County] was when Walmart went in and commented that on certain days 37,000 cars would be generated.

With no other public comments, Chair Simson asked for rebuttal from the applicant.

Stefanie Slyman, the applicant’s representative from HHPR and Peter Coffey, Traffic Engineer from DKS Associates came forward. She thanked Mr. Grillo and Mr. Wyman for their testimonies and commented that they have put thought into it. Ms. Slyman said there was new information received from the testimonies.

Chair Simson commented that it was a good point. In order to review the new information, she called for a recess at 8:34 pm and reconvened at 8:42 pm.

Stefanie Slyman addressed the new information submitted by Mr. Grillo by stating that the land use action was a high level plan map amendment about creating better access in the area through the addition of Baler Way and not about access details or site development. She said the issues that are brought forth in the letter regarding site and access details are being handled through a separate Right-of-Way process for Tualatin Sherwood Road. Ms. Slyman argued that “apples and oranges” were being mixed together and the conditions for Site Plan approvals are not part the application

Ms. Slyman commented about further amending the TSP and said the County did not have any problem with doing that, but would not like to include them as part of this TSP amendment which is about creating access at Baler Way. She said that if the city could entertain those suggestions as part of its current TSP update. Ms. Slyman related that the items that deal with access and design in Mr. Grillo’s letter could be handled through the Right-of-Way process for the Tualatin Sherwood Road widening and commented that off-site property impacts were being comingled in a larger discussion of the City’s circulation.

Peter Coffey added that the proposed amendment was a stand-alone project to add a collector facility to the TSP in order to improve circulation. He said the questions should ask if it improves access and circulation to the area and if it meets the requirements of the State’s Transportation Planning Rule found in OAR 660.012-0060. He confirmed that it did. Mr. Coffey commented that the transportation analysis did the appropriate level of traffic analysis and has met the requirements. He supported Ms. Slyman’s assertions that the details about site circulation and access were not part of the process for the TSP amendment.

Commissioner Griffin asked if the stoplight (in front of the cinema and Albertsons) was not removed in the remodeling of Tualatin Sherwood Road, would the County still be recommending the extension of Baler Way in this TSP amendment.

Ms. Slyman confirmed and added that in rebuttal to Ty Wyman’s testimony, this amendment was not premised on the removal of the signal, but premised on the fact that the County is trying to manage access and circulation in four different ways, and this is one of those ways. She remarked that when you look at the map it make sense to continue Baler Way northward through the North Adams Concept Plan area. She listed that the road aligns with the City’s previous plans for circulation in the area, helps to manage circulation onto Tualatin Sherwood Road, and provides more access for existing businesses.

Ms. Slyman commented that it would be a bad precedent to condition a high level planning TSP amendment with on the ground details to be used for a separate project.

Commissioner Cary asked regarding the spacing of the lights on Tualatin Sherwood Road and asked regarding the impact of a signal at Langer Farms Parkway.

Mr. Coffey responded that the intersection at Tualatin Sherwood Road and Hwy 99W was the critical bottleneck intersection of the corridor and where the longest vehicle queues formed. He said that the issue was the close spacing of signals and the long vehicle queues extending from one intersection to another. Mr. Coffey commented that the Baler and [Langer Farms Parkway] signals are closer than desired, but there is still enough capacity at the intersection to service the vehicles without the long vehicle queues; the long queues out there today are caused from Hwy 99W and head east.

Chair Simson noted that the design presented at the open house, with the removal of the lights, included the removal of turn lanes, which will improve the storage space and get more lanes moving straight.

Mr. Coffey described that they would get longer left turn pockets [at Hwy 99W] and were adding capacity with more left lanes and through lanes.

Commissioner Cary questioned how Baler Way would be impacted, said that he used the road in his daily commute, and commented that the traffic will just back up further down Tualatin Sherwood Road.

Commissioner Russell commented on first time travelers of Tualatin Sherwood Road who may not be aware that there is only one lane across to Roy Rogers. He said that space is being taken up by the left turn lanes and those lanes need to go further back. He said he agreed with that, but not necessarily with taking away the light.

Mr. Coffey commented that the County was trying to focus on the Baler Way extension and not the other elements. Commissioner Cary voiced that they were tied together. Mr. Coffey said that whether the signal is removed or not, doing this TSP amendment was relevant and beneficial to the circulation to the area.

Ms. Slyman said it was one piece of the puzzle and there are many elements and because you cannot do them all, does not mean you do not do any.

Commissioner Cary asked if so much has changed in 22-24 years and asked if the traffic was poorly forecasted.

Mr. Coffey responded that the close proximity of the shopping center signal to Hwy 99W was discussed before it was put in and how long it would stay. He informed the Commission that if you go back to studies a long time ago, they knew the signal was too close to Hwy 99W, but that is where they could gain their access. They gained their access and documented that alternative access needed to be developed in the future. Mr. Coffey said that this TSP amendment to extend Baler Way helps develop that.

Commissioner Cary asked who was responsible for allowing the light to go in if it was known that it was in the wrong spot. Mr. Coffey supposed that you have to consider the time when those decisions were made, and at the time, there were no options for alternative access. He said that traffic volumes are significantly greater today than when the signal first went in and you can see the ramifications of it. Mr. Coffey explained that the left turn lanes are too short and there needs to be more space for queuing, there needs to be more distance between signals. Those are all the things that the county has been going through and analyzing.

With no further questions for the applicant, Chair Simson closed the public testimony and asked staff for additional comments.

Brad Kilby deferred to City Engineer, Bob Galati. Bob asked for specific questions the Commission may have.

Commissioner Cary asked if the decision by Planning Commission on this matter had any effect on the signal at the cinema and Albertson's.

Bob answered that the decision today should be taken independently, but in context for the rest of the project. He commented that Transportation System Plan amendments are geared toward helping the whole system work by analysis with given constraints. Bob said the extension of Baler Way was a system improvement that was not based on any one item and you could not attribute it to just the signal, because the whole project affects the whole area. He added that the proposed amendment would benefit the system operation with better capacity and improved functionality.

Chair Simson asked regarding the review done by Engineering staff on the traffic information provided. Bob replied that the project met the criteria set forth for the Regional Transportation Plan requirements for connectivity. Chair Simson commented that the extension would do no harm and it remained to be seen if it would do any good. She followed that the expectation to provide additional connectivity to those commercial and industrial areas up to Home Depot frontage road was envisioned in the North Adams Comprehensive Concept Plan.

Chair Simson asked staff what the process was for citizens of Sherwood to be engaged at the next level; changes to the site plan or lanes being added or removed.

Bob responded that it would be through the County's right-of-way negotiations with the local business and property owners. He explained that the expectation the City has always presented to the County was that the functionality and viability of the businesses remain during construction and during this phase of the design and right of way acquisition the business and property owners are going to be negotiating these things with Washington County. To support them and make them whole the City will work with them to ensure that this is accomplished. Bob explained that the second aspect of this was that when development occurs there will be public input as part of this whole process for site development. Bob commented that this project will be a part of the TSP update itself. He stated there was an opportunity for the community to respond through public hearings as part the TSP update process at the Planning Commission and City Council levels.

Commissioner Cary asked how it would impact the Tualatin Sherwood Road widening project if the amendment did not get approved. Bob responded that he would need to ask the applicants and the main question was what this TSP amendment would do. He said that Tualatin Sherwood Road project is a major change that is impacting a very large system and the amendment is trying to help connectivity on that system wide change. Bob said that it would help mitigate the connectivity to an extent and bring the system back into balance.

Commissioner Cary said he had concerns about the Baler Way and Langer Farm Parkway lights being too close together twenty years down the road. He commented that it was not foreseen that this light being close to Hwy 99W being an issue and now it is and asked if it would be the same problem in 2025.

Bob offered that Mr. Coffey could discuss how Walmart was forecasted to impact traffic and how much delay there would be to get through all the intersections with or without the project going through. He said it was not a perfect fix for the next one hundred years and he did not think any system could survive that long in its original configuration and still work appropriately. Bob stated that he believed that the County has looked at it well enough to know that if something is not done, based on simple growth patterns, we are looking at significant issues in the short term. Bob said the growth may be outside of

Sherwood. He said that the calculations that DKS Associates provided gave him confidence that the County is doing the right thing in trying to provide alternatives to the system.

Commissioner Walker expressed that her concern was for the business owners and the removal of the light. She discerned that the Planning Commission's decision about the TSP amendment would not have any bearing on whether the light is going away or not.

Chair Simson suggested that the language in the findings on page 6 of the staff report where it identified that future *development or improvements would likely require the City to evaluate and possibly relocate existing access locations for the purposes of improving safety along the future collector* be changed to add language to the TSP that said the process for doing that would be an engaged public process. Chair Simson expressed her understanding that it is Washington County's facility, but that the road goes through the heart of our city and she felt as though, between ODOT with Hwy 99W and the County with Tualatin Sherwood Road, the citizens do not have a say on what happens in our community.

Brad explained that the access that he was speaking of in the staff report had nothing to do with the signal on Tualatin Sherwood Road, but had to do with the access location of Les Schwab onto Baler Way which would be a collector. He said the driveway for Les Schwab was at, or close, to an intersection and those impacts had to be evaluated.

Brad added that the Commission was asking fundamental and valid questions that the Commission was right to ask. He requested that they keep in mind that every Comprehensive Plan document including the Transportation System Plan is a living document, so what is in place today may not work twenty years down the road. Brad asserted that we have to adjust as time goes on and conditions change, and to be cognizant of that. He stated that he did not want to hurt any businesses, but those hard decisions have to be made by somebody. Brad said the Commission could add language, but the question was if the TSP amendment to include a Baler Way extension as a collector street should be included, independent of what happens with the light. He related that City Council had expressed support for the removal of the light to the County and adding language may not change that. Brad reminded the Commission that there was a question before LUBA regarding if the removal of the light was a land use decision. He asked if the Commission thought it made sense to have a collector in this location and suggested the Commission forward a recommendation to Council accordingly.

Chair Simson asked for any further questions for staff to answer or comments from the Commission.

Vice Chair Copfer commented he did not disagree that it was a bad precedent to condition a high level TSP amendment, but argued that it was not time sensitive and there is a lot of information that the Commission did not have. He said he believed the two projects were tied together and acknowledged that there was conflicting plan language. Vice Chair Copfer endorsed continuing the hearing.

Commissioner Walker commented that there was a push to make a decision without all of the information. Discussion followed.

Chair Simson commented that the collector would add the connectivity that was in the Langer Farms Parkway (Adams Avenue North) Concept Plan.

Commissioner Walker asked if there would be public process when it was time for the street to be put in and if access to the back of the theater would be discussed then.

Brad answered that it would be through site plan modification process; any time you modify the access in such a way to affect off site traffic you go through a major or minor modification to an approved site plan. He said there may be other opportunities for public involvement through the process of establishing access points and locations. Brad said that if the Commission concurred to continue the hearing in order to receive additional information, the direction to staff should be specific.

Vice Chair Copfer asked if they could look at Figures 8-10 and 8-11 in order to see the how the Baler Way extension and the other intersection correlate in the current TSP based on those figures. Brad confirmed that he had it available. Vice Chair Copfer expressed interest in reading the TSP language with the figures per Mr. Grillo's testimony.

Commissioner Walker commented that whether or not the Commission holds this decision hostage based on the light makes no difference. It needs to go through based on our previous approval of the concept plan.

Chair Simson called a recess at 9:14 pm to look at the figures and in order to answer the question if it provides a conflict. She said the two documents would be added as exhibits. The hearing reconvened at 9:17 pm.

Chair Simson asked Brad Kilby to explain the information provided to the Commission during the recess. Brad responded that he showed the commission Figure 8-10 and Table 8-11. Brad described Figure 8-10 as the Traffic Control Master Plan which shows the locations in the City of Sherwood that are signalized. He said the conflict is that it shows in the Transportation System Plan that there is a signal at the shopping center. Brad explained that the City was in the process of updating the Transportation System Plan and if during that process the signal is removed the dot will have to come off the map. He compared it to Elwert Road being changed from a County rural collector to an urban collector.

Brad described Table 8-11 as a listing of projects. He said Project 15 is a city funded project to remove a traffic signal and install raised medium at Langer Drive and Tualatin Sherwood Road. The project is slated to cost \$100k. Brad remarked that the last evaluation of the TSP was in 2005 and one of the planned traffic control enhancements was to remove the traffic signal at Tualatin Sherwood Road and Langer Drive, but there is not a signal there.

Bob clarified that Langer Drive connects into Baler Way at the Target site. He said there is a signal at Baler Way and Tualatin Sherwood Road, but development took a different course in that area and the land use actions changed how the road structure was put in.

Vice Chair Copfer asked if the TSP amendment was a separate decision from the intersection at the theater. Bob confirmed.

Chair Simson asked for further discussion.

Commission Griffin commented that he often used the shortcut through the shopping center to get to the theater and would often stop for gas, groceries or banking while he was there. He said he did not like to see that option go away, however we cannot control the amount of traffic on Tualatin Sherwood Road,

which will only get worse with the Walmart shopping center. Commissioner Griffin noted that the County was being proactive and the light is a separate issue. He said he was already planning how he would get to Home Depot from his house without having to drive on Tualatin Sherwood Road or Hwy 99W. Commissioner Griffin commented that he was pro-business and did not want to hurt anyone, but felt it was top level enough.

Commissioner Walker commented that the Commission will have some oversight when development comes in.

Commissioner Griffin commented on who would develop the road and recounted his driving patterns through Tualatin's recently developed light industrial areas and the foresight used. He inferred that Sherwood should think ahead also.

With no further discussion the following motion was received.

Motion: From Vice Chair James Copfer to forward a recommendation of approval to the Sherwood City Council on PA 13-04 Baler Way TSP Amendment based on the applicant testimony, public testimony received, and the analysis, findings, and conditions in the staff report and applicants materials. Seconded by Commissioner Michael Cary. All present Planning Commissioners voted in favor (Commissioners Clifford and Cooke were absent).

Vice Chair Copfer expressed that if the Commission was making a decision on the signalized intersection at Albertsons he would feel differently. He said the amendment was for the Baler Way connector and he felt the signal to be a serious issue. Commissioner Cary concurred.

8. Planning Commission Announcements

Commissioner Griffin commented that Sherwood was such a great city to live in and spoke of a character from the television show, *The Good Wife*, who hails from Sherwood.

9. Adjourn

Chair Simson adjourned the meeting at 9:29 pm.

Submitted by:

Kirsten Allen

Planning Department Program Coordinator

Approval Date: _____

City of Sherwood, Oregon

Planning Commission

February 11, 2014

Planning Commission Members Present:

Chair Jean Simson
Vice Chair James Copfer
Commissioner Michael Cary
Commissioner John Clifford
Commissioner Russell Griffin

Staff Present:

Julia Hajduk, Community Development Director
Bob Galati, Civil Engineer
Brad Kilby, Planning Manager
Kirsten Allen, Planning Dept. Program Coordinator

Planning Commission Members Absent:

Commissioner Beth Cooke
Commissioner Lisa Walker

Council Members Present:

Mayor Bill Middleton

Legal Counsel:

Chris Crean

1. Call to Order/Roll Call

Chair Jean Simson called the meeting to order at 7:11 pm.

2. Agenda Review

The agenda consisted of the Consent Agenda and a Public Hearing for PA 13-05 Front Yard Setbacks. The minutes for January 14, 2014 were added through an amended agenda and emailed to the Planning Commission earlier in the day. Chair Simson called a recess at 7:14 pm to allow time for Commission members to review the minutes and reconvened the meeting at 7:28 pm.

3. Consent Agenda:

- a. December 18, 2013 Planning Commission Minutes
- b. January 14, 2014 Planning Commission Minutes

Chair Simson indicated two corrections on the January 14, 2014 minutes: on page 13 changing the first sentence of 3rd paragraph to *Chair Simson asked for a final staff report* and the last paragraph of the same page changing it to read *the Commission chose to review the parts of the site that would be impacted*. On page 15, the exhibit was changed from Exhibit 15 to Exhibit 16. Chair Simson and Commissioner Russell Griffin gave staff some scrivener's errors.

Motion: From Vice Chair James Copfer to accept the Consent Agenda with changes as stated. Seconded by Commissioner John Clifford. All present Planning Commissioners voted in favor (Commissioners Walker and Cooke were absent).

4. Council Liaison Announcements

Mayor Middle deferred his announcements to the Planning Manager to discuss the zone change and text amendment that was recently passed by the City Council.

5. Staff Announcements

Brad Kilby, Planning Manager, reminded that the Planning Commission recommendation was to approve the rezone, but to prohibit apartments or multi-family and to deny the text amendment unless there was a sunset clause. He reported that the City Council approved the rezone with no limitation on uses and approved the text amendment only in the high density residential zone with a one year sunset clause. Brad commented that the ordinance was primarily targeted towards a specific property, but there may be other properties that would be subject to the same limitations within that one year time frame. He noted that the Planning Commission should reconsider adding conditions to rezones because a note has to be placed on the zoning map. He gave the example of the mobile home property on Hwy 99W that was rezoned and the applicant did not want to go through the Transportation Planning Rule analysis so the property was conditioned; to this day the City has struggles with implementing that property separately. Brad stated that it may be better to deny a rezone than to try to condition it.

Brad informed the Commission that there was a Citizen's Advisory Committee and Technical Advisory Committee meetings for the Transportation System Plan Update on February 12, 2014 and a public open house on February 13, 2014 in the mezzanine at City Hall.

6. Community Comments

There were no community comments.

7. New Business

a. Public Hearing – PA 13-05 Front Yard Setbacks

Chair Simson read the public hearing statement and indicated that the Planning Commission would be making a recommendation to the City Council. She said because the action was legislative there was no ex parte contact and asked for any conflicts of interest or bias. Chris Crean, city legal counsel, clarified that there was no bias, just conflicts of interest.

Chair Simson disclosed that the company she works for supplies materials that are sold to DR Horton. She said that the company has multiple customers and many people provide materials to DR Horton so she was not in an exclusive class, but there was a limited potential conflict.

Chair Simson asked for the staff report.

Brad Kilby, Planning Manager explained that *Exhibit 2- Proposed Development Code Changes - Clean Format* in the packet was not the clean format, but the existing code language. He directed the Commission to use *Exhibit 3- Proposed Development Code Changes Track Changes Format* for the proposed language.

Brad gave a presentation for PA 13-05 (see record, Exhibit A) said the application was a proposal received by DR Horton to amend the front yard setbacks within the Medium Density Residential Low (MDRL), Medium Density Residential High (MDRH), and High Density Residential (HDR) zones. He said that all residential zones currently have a minimum front yard setback of twenty feet with a few exceptions; primarily in Planned Unit Developments. Brad related that the City has some residential areas with setbacks at fifteen feet and some at ten feet. He indicated that the proposal does not include amending the side or rear yard setbacks. Brad explained that the proposal asks for a setback to the primary structure to change to fourteen feet; the face of the garage remains twenty feet which is customary with variable setbacks, because there needs to be room in front of the garage to park a car on the driveway; and to allow ten feet to the front of a porch.

Brad had some points of consideration for the Planning Commission before making the recommendation to the City Council:

- Setbacks were originally put in to American zoning standards to ensure light and air could circulate in and around buildings.
- Setbacks were increased in the U.S. to promote larger yards and suburban development.
- The City requires an eight foot Public Utility Easement along the front property lines of all new lots /parcels (The proposed would not encroach on this easement).
- The City currently allows architectural features to project five feet into a front and rear yard setbacks in 16.50.050. For example: if the face of the house at 14 feet, with a 5 foot projection into the setback, the setback is down to 9 feet.

Brad gave some examples of setbacks from surrounding jurisdictions.

Zoning	Tualatin	Lake Oswego	Tigard	Beaverton*	Newberg
Low Density	15 feet <i>(12 feet to an uncovered porch)</i>	25 Feet	30 Feet	10 Feet	15 Feet
Medium Density	20 feet for 1 story, 25 feet for 1 1/2-story, 30 feet for 2-story, and 35 feet for 2 1/2-story	20 Feet	20 Feet	15-17 Feet	12 Feet
High Density	Same as Above	10-20 Feet	10 Feet	25 Feet	12 Feet

Brad explained that Lake Oswego has variable setbacks in high density zones and the ten foot setback typically applies to the attached single family developments, but allows reduced setback standards. He said that Beaverton has a tiered system where you can ask for reduced setbacks based on neighborhood consent.

Brad remarked that from a staff prospective, planners are generally in favor of flexible and variable standards because it affords the developer an opportunity to provide a variety of types of housing at different price points. He related that in this case the developer could move the house forward and get a bigger house or a bigger back yard. Brad indicated that there is plenty of air and space that flows around the development and the proposal does not include the side or rear yard setbacks.

Brad suggested that if the Commission chose to allow the reduced setbacks, they should consider the provision in the code that allows for projections into the front yard setback (see 16.50.050). He recommended an asterisk in the dimensional table for the applicable zones that says if the house is built to fourteen feet then no projections would be allowed beyond fourteen feet.

Chair Simson clarified that the provision for projections was in a different location in the code and the asterisk would be below the setback grid in the code. Brad added that the strictest standard applies and the provision to allow projections would remain in the code, because it would apply in other zones, not included in the amendment.

Commissioner Clifford asked for a clarification of what a front porch was and if livable space above would be considered the porch. Brad responded that something with a roof over it would be considered a front porch and livable space that projects out would be considered part of the primary structure as an architectural feature. Brad explained that the Planning Commission could allow the architectural features to come five feet into the front yard setback, but that would drop the setback to nine feet.

Vice Chair Copfer asked where the setback is measured from. Brad responded that it is measured from the property line or the back of the sidewalk from the street.

Chair Simson asked how a variance would impact the setbacks.

Brad explained that there are three basic adjustments to the setback found in Section 16.84. He explained that a Class A Variance was the most difficult to obtain, not used a lot with setbacks, allowed the minimum relief necessary, and the situation had to be outside of the owners control which is difficult for new construction. Brad said an adjustment allows a 10% increase in the front yard and that it is fairly easy to meet the requirements with a \$50 application fee; on a ten foot setback they would be allowed an additional foot. Brad explained that a Class B variance was more difficult and expensive and allowed up to a 20% reduction in the front yard setback.

Julia added that subdivisions are specifically exempt in some variances. Brad confirmed that a *Class A* Variance could not be utilized for lots yet to be created and said it was typically a homeowner adding to their house that asks for an adjustment to the setbacks. Brad said there are variances to some site plan applications, like the Community Center, but we would not grant a variance to the setback requirements because it is something within the owner's control.

Commissioner Clifford commented that the language in Section 16.142.060 regarding street trees will have to be adjusted because it refers to front yard setback and that will be changing.

Brad responded that there will still be front yard setbacks, but the front yard may be smaller.

Chair Simson pointed out that Front Yard Setbacks was changed to Building Setbacks and said there are probably many references in the code to Front Yard Setbacks.

Brad responded that it would be listed under the Front Yard Setback standards in the table and Front Porch, Garage Entrance and Building setbacks would be further defined in the table.

With no other questions for staff, Chair Simson asked for applicant testimony.

Andy Tiemann, Project Manager for DR Horton, 4380 SW Macadam Ave, Ste. 100, Portland 97239 said DR Horton was currently building a subdivision called Daybreak in Sherwood and had been through a subdivision process with the Hearings Officer. He said they were aware that the front yard setback was a twenty feet, had inquired about variances or adjustments to setbacks, and decided to take the opportunity for a code amendment to apply to all zones. Mr. Tiemann indicated that over the years there has been a trend to have more pedestrian oriented homes, which means the porch closer to the street. He stated that most of their house plans in the Portland metropolitan area have porch dominant homes for a better street scene; the front door and porch are in front of the garage. Mr. Tiemann related that a code amendment was applied for a couple of months ago and said it would help in the subdivision currently being built. He explained that it would allow a larger buildable area for homes in a higher price range or allow a larger back yard which customers would rather have.

Mr. Tiemann gave a presentation (see record, Exhibit B) which showed a plot plan with the proposed setbacks. He summarized that Washington County and the cities of Happy Valley and Hillsboro also have flexibility in their front yard setbacks and further define the front yard setback to covered porches and the

front of the dwelling wall. Mr. Tiemann showed several examples of houses, some of them in Sherwood, and discussed the porch dominant design that still enables front yard landscaping and a street scene. He said DR Horton would like to build the same type of homes in the Daybreak subdivision.

Commissioner Clifford asked regarding street trees and asked if there was any concern that the reduced setback would intrude on the tree canopies.

Mr. Tiemann responded that street trees usually have a canopy around thirty feet and when they are planted in the planting strip with a five foot sidewalk and ten feet to the porch, it still allows for a full tree canopy.

Commissioner Clifford asked if most of DR Horton's projects had planter strips.

Mr. Tiemann responded that most subdivisions had planter strips in the low and medium density zones. The higher density subdivisions have a trend for narrow streets in Portland that attempts to minimize development impacts and save trees in topo-constrained areas. He added that other trees are available that have a smaller canopy and are more columnar that can be used for curb tight sidewalks.

Commissioner Clifford commented on a situation where that there might be a four foot sidewalk and stairs leading up to a porch the front yard is essentially eliminated.

Mr. Tiemann replied that with the porch up front and the front door in close proximity to the driveway, it allows a larger area for the front yard. He reviewed some of the pictures from his presentation and said with larger homes the space between the garage and front door is greater. He asserted that there was still space for a green area and decent landscaping.

Commissioner Clifford asked if the homes would use random setbacks in the Daybreak subdivision.

Mr. Tiemann responded that they would like to use the proposed setbacks on all of the homes, that DR Horton had eight different floor plans, each with different elevations so the porches would be different. He said he did not think a ten foot setback would be used on every lot, but the varied setbacks gave them flexibility to push the houses closer to utilize living area and rear yards in order to maximize those areas.

Chair Simson pointed out that the garage would still have to be set back twenty feet, and with the porch at ten feet, and the front door at fourteen feet there would still be some articulation from the street.

Mr. Tiemann added that the neighborhood would have a variety of architectural plans so it would not be the same thing over and over, because the trend is also to have a variety of architectural styles. He added that "snout houses" look similar to each other and with flexibility in front yard setbacks there is a variation in the architecture to get a nice street scene.

Commissioner Cary asked Mr. Tiemann who wanted pedestrian friendly setbacks.

Mr. Tiemann answered that it was the general public and Metro. He said Metro wanted higher density developments.

There were no more questions for the applicant; 17:45 remaining for rebuttal.

Chair Simson asked for other testimony for or against the application. There was none. Chair Simson closed the public hearing and asked for final comments from staff.

Brad commented that Sherwood generally asks for a planter strip between the curb and sidewalk in all new developments. There may be curb tight sidewalks in older existing or approved Planned Unit Developments.

Commissioner Copfer indicated that there were streets in the Woodhaven neighborhoods that did not have planter strips. Brad confirmed and said that it has been an evolution. He said that engineers like the curb tight sidewalks, but as a community, the City has adopted standards that generally require planter strips. Brad added that the County may not always require planter strips, like on Edy Road, but will require a visual corridor.

Chair Simson asked if the Commission was ready to forward a favorable recommendation to the City Council. She expressed concerns about a fourteen foot setback for high density residential for the attached versus detached houses. Brad responded that the code does not differentiate between attached and detached, because it speaks to lot sizes when differentiating between product types.

Chair Simson said that she lived in a “snout house” and her personal observation was that it was better to have the eyes of the neighborhood where people can see them; the windows and front door out front where it feels like a small community and everyone can see what is going on. She said a better product could be realized by not having the garage as the prominent feature.

Commissioner Clifford agreed and said many of the craftsman and bungalow style houses built in the 1920’s and 30’s had front porches with garages set back. He said his concern was having the porches so close to the street that the beauty of the landscape would be lost to row after row of houses.

Vice Chair Copfer commented regarding existing communities with 20 foot setbacks and changing all the new development to reduced setbacks.

Brad commented that the City does have neighborhoods with setbacks other than twenty feet, although they are primarily approved through a Planned Unit Development. He said Woodhaven was an example of that, as there are variable setbacks throughout Woodhaven.

Chair Simson asked if the concern was the front porch at ten feet, not the fourteen feet to the front of the structure.

Commissioner Clifford confirmed and said ten feet was too close. He added that once you get the sidewalk in or a utility vault by the driveway you lose the opportunity for the homeowner to do anything with the front yard.

Vice Chair Copfer acknowledged that he supported the change, but was unsure about the ten feet.

Commissioner Cary concurred, alluded to the look of Sherwood, and commented that he would have liked more public input in order to know what the community wanted.

Commissioner Griffin said that he thought the twenty foot setback to the garage should remain and expressed that the front of the building or porch could be somewhere between twelve and fourteen feet. He said he would not want anything closer than twelve feet which is more appropriate for a city more urban than Sherwood.

Vice Chair Copfer commented that he did not think Sherwood was the Metro urban “cookie cutter” type of town and that we are different.

Commissioner Cary commented that he did not think the community wanted to be influenced by Metro.

Commissioner Griffin added that in some cases like the PUD development by Target it was okay, but he felt that it filled a specific niche, with a specific need. He said the Daybreak neighborhood was farther out and needed room to breathe.

Vice Chair Copfer said he did not want to take away the ability to have a variance for specific lots, if a ten foot porch was wanted, but he was not comfortable changing the code for every project going forward.

Chair Simson demonstrated that the fourteen foot building setback variance on a building would be 20% or 2.8 feet and said it would be pushing that ten foot envelope. She said changing the setbacks as proposed would encourage people to build neighborhood friendly communities by allowing the front door closer and the garage further back. Discussion followed with the general consensus that a ten foot setback was too close.

Chair Simson moved to the discussion to the architectural features.

Brad commented that a fourteen feet setback allowing the architectural features to project into the setback, (porches and canopies are included in that language) then there is a potential of having a structure set nine feet back. He recommended that if the Commission's intent was to have the minimum distance at fourteen feet, then a footnote should be added to the table that says it would not include the architectural features of 16.52.050 in MDRL, MDRH, and HDR zones.

Brad spoke to Commissioner Cary's concern about public outreach and pointed out that Staff was also concerned about not having more input from the public. He said there was an article in the Gazette, The Archer city newsletter, and on the website but had not heard from anyone. The Commission commented that they had no idea how the community felt about it. Brad remarked that there are some setbacks within the city at that distance and there are not many complaints associated with it.

Vice chair Copfer asked if those setbacks were in pockets of Sherwood.

Brad confirmed and recounted that there is a variation of housing types in the city and he suspected that neighborhood monument signs were no longer permitted, because *one community* was wanted as opposed to individual neighborhoods. He acknowledged that there are some neighborhoods that pre-date that, but that it gives a sense of the community as a whole.

Commissioner Cary asked how many acres of undeveloped property were available in Sherwood. Brad responded that there currently was not a great deal of vacant land, however the change could apply to vacant land, land that can be redeveloped, or land annexed into the city. He stressed that it does not apply to all zones, but to MDRL, MDRH, and HDR that have smaller lots and in the lower density residential zone the twenty foot setback remains.

Commissioner Clifford suggested that a covered porch be defined, because other architectural elements besides a porch could be by a front door such as a stoop, or an overhang. Brad responded that if the ten foot setback for a porch is removed from the recommendation, then any portion of the structure must be outside the fourteen foot setback. Brad gave the example that eaves generally project away from the house, so with a two foot eave the structure would start at sixteen feet and the eave would meet the fourteen foot setback.

Chair Simson went over the changes discussed:

- The title Front Yard Setbacks would remain on the table, because it is reflected in other portions of the code.

- The proposed Front Porch Setback was eliminated; Garage Setback and Front Building Setback would remain.
- A Fourteen foot setback would be the recommendation going forward to the City Council with a numbered footnote that says that 16.50.050 Architectural Features was not allowed in the reduced setback zones.

The following motion was received.

Motion: From Vice Chair James Copfer to forward a recommendation of approval to the Sherwood City Council on Front Yard Setbacks Amendment PA 13-05 based on the applicant testimony, public testimony received, and the analysis, findings and conditions in the staff report with the following modifications: keep the title of Front Yard Setbacks, remove front porch, leaving garage and front building with the garage set at twenty feet across the board and with front building set at fourteen for medium, medium high, and high residential. With an annotation that states 16.050.50 does not apply. Seconded by Commissioner Michael Cary. All present Planning Commissioners voted in favor (Commissioners Clifford and Cooke were absent).

8. Planning Commission Announcements

There were no Planning Commission Announcements.

9. Adjourn

Chair Simson adjourned the meeting at 8:33 pm.

Submitted by:

Kirsten Allen

Planning Department Program Coordinator

Approval Date: _____

**City of Sherwood, Oregon
Planning Commission
Work Session Meeting Minutes
March 11, 2014**

Planning Commission Members Present:

Chair Jean Simson
Vice Chair James Copfer
Commissioner John Clifford
Commissioner Lisa Walker

Staff Present:

Julia Hajduk, Community Development Director
Brad Kilby, Planning Manager
Kirsten Allen, Planning Dept. Program Coordinator

Planning Commission Members Absent:

Commissioner Michael Cary
Commissioner Beth Cooke
Commissioner Russell Griffin

Council Members Present:

Mayor Bill Middleton

Legal Counsel:

None

1. Call to Order

Chair Simson called the meeting to order at 7:03 pm.

Brad Kilby, Planning Manager informed the Commission that there were two Planning Commission terms expiring at the end of April 2014 and applications were currently being accepted.

Brad explained that there was a hearing with the Hearings Officer on Monday, March 17, 2014 for Threat Dynamics a firearms training facility. He said it was a permitted use in the zone, but was a Conditional Use Permit because of the retail space requested.

Brad said there were two meetings for the Southwest Corridor Project: March 19, 2014 at the Tigard Town Hall beginning at 6:30 pm and March 20, 2014 at the Tualatin Police Department at 6:00 pm.

Brad passed on that there was a Land Use Board of Appeals (LUBA) decision regarding Washington County's decision the removal of a signal on Tualatin Sherwood Road. LUBA remanded the decision indicating that it was a Land Use action. Discussion followed.

2. Preparation for Public Workshop

Brad began the preparation about the workshop by giving out a worksheet for the discussion (see record, Exhibit 1) and went over some of the options for public outreach. Discussion followed.

There was a dialog about how to set up the room to accomplish the purpose of allowing the Planning Commission members to engage with the public to get their views about the subject matter. Brad gave out an example of some of the material that is available to the Commissioners on Plannersweb.com (see record, Exhibit 2) and opened the conversation about the discussion topics for the Public Work Session on April 8, 2014.

Discussion Topics:

Medical Marijuana – Planning Commission members were aware that this may be a hot topic and wanted to provide rules already placed on dispensaries by the state to the public. A representative from the Police Department will be available at the meeting.

Sherwood Transportation System Plan Update – Brad gave an article about Transportation Plans to the Commission (see record, Exhibit 3) and said Engineering staff will be present to give an overview of the project to the public. Planning Commission members expressed an interest in knowing more about the update before discussing it with the public and a work session with DKS (consultant on the TSP Update) will take place prior to the public meeting.

Development Code Issues (Code Clean up) – Brad provided a list of proposed staff amendments for the development code clean up (see record, Exhibit 4).

Staff secured a list of questions the Commission would like to ask the public and gave direction regarding how a handout or questionnaire might look.

Before adjourning, Chair Simson asked if the public present at the work session had any additional comments. Gene Stewart asked regarding any changes for a Citizen Involvement Plan. Discussion followed that included the possibility of forming sub-advisory groups for code or Comprehensive Plan Updates.

3. Adjourn

Chair Simson adjourned the meeting at 8:12 pm.

Submitted by:

Kirsten Allen
Planning Department Program Coordinator

Approval Date: _____

City of Sherwood, Oregon
Planning Commission
Work Session Meeting Minutes
April 8, 2014

Planning Commission Members Present: Chair Jean Simson
Commissioner John Clifford
Commissioner Beth Cooke
Commissioner Lisa Walker

Staff Present: Julia Hajduk, Community Development Director
Brad Kilby, Planning Manager
Bob Galati, city Engineer
Kirsten Allen, Planning Dept. Program Coordinator

Planning Commission Members Absent: Vice Chair James Copfer

Legal Counsel: None

Council Members Present: Councilor Robyn Folsom

Others Present: Chris Maciejewski, DKS Associates
Darci Rudzinski, Angelo Planning Group

Note: The term for Commissioners Russell Griffin and Michael Cary expired on March 31, 2014. Commissioner Griffin attended the meeting. Commissioner Cary did not.

Planning Commission Work Session

1. Transportation System Plan Update Overview

Brad Kilby, Planning Manager, started the meeting at 6:10 pm with an introduction of Chris Maciejewski from DKS Associates and Darci Rudzinski from Angelo Planning Group; the consultants for the City's Transportation System Plan (TSP) Update. Mr. Maciejewski gave a presentation (see record, Exhibit 1) and said it contained a high level overview of the Transportation System Plan of the update process. He said the update looks twenty years out to the year 2035 and is intended to be more user friendly. A draft of the update is available online at <http://www.sherwoodoregon.gov/engineering/project/transportation-system-plan-tsp-update-project> and comments will be received through April 9, 2014 and a public hearing with the Planning Commission is tentatively scheduled for May 27, 2014.

Public Work Session

Brad Kilby, Planning Manager began the work session at 7:05 pm. Members of the community, Planning Commissioners, Staff and Consultants split up into four table groups. Groups discussed three topics: Medical Marijuana, The Transportation System Plan, and the Development Code. Each table was provided information about the topics (see record, Exhibit 2). After the roundtable each group gave a summary of the ideas and concerns expressed in the dialogue.

Sherwood Transportation System Plan Update – Bob Galati

- Time was used to inform the public of proposed changes to the Transportation System Plan.
- Main concern is Safety
- Brookman Road will need to be addressed
- General support for the removal of the Capacity Allocation Program
- Keep Sherwood open on all sides
- Use and modify transportation system best and most affordable ways possible

- Hwy 99 crossing should improve pedestrian safety and balance with traffic movement
- Concerns about using the Target and Albertsons parking lots as cut through areas

Development Code Issues (Code Clean up) – Julia Hajduk

- The Conditional Use process can be cumbersome and expensive
 - Possible staff level process with reduced fee structure
- Ideas for Multi-Family Development include:
 - Having an architectural variety on the front facade
 - Providing Open space
 - Should be proportionate to adjacent properties
 - Incentives for courtyards
 - Parking concerns
 - Process for converting existing buildings into multi-family
- Density increases should happen in the Sherwood Town Center area

Old Town Standards

Buildings should have cohesive architectural features similar to existing buildings
Different development process for buildings without significant changes within the overlay
Pedestrian only streets at center
Thematic areas

Medical Marijuana Dispensaries– Brad Kilby

- City has a moratorium through May 2015
- There are just over 4000 Medical Marijuana card holders in the Washington County
- Dispensaries should be 1000 feet from parks, residential areas, and daycare facilities
- Utilize the Conditional Use Process
- Use should be treated similar to liquor stores
- Similar to adult regulated businesses
- Locations should be out in the open, not hidden
- Not allowed in Neighborhood Commercial zones

Before adjourning, Brad reminded the public that there would be other opportunities to be involved in the processes as each of the topics discussed will need to go through the public hearing process with the Planning Commission and the City Council.

3. Adjourn

The meeting adjourned the meeting at 9:13 pm.

Submitted by:

Kirsten Allen
Planning Department Program Coordinator

Approval Date: _____

City of Sherwood, Oregon
Planning Commission
Work Session Meeting Minutes
April 8, 2014

Planning Commission Members Present:

Chair Jean Simson
Vice Chair James Copfer
Commissioner John Clifford
Commissioner Beth Cooke
Commissioner Russell Griffin
Commissioner Sally Robinson
Commissioner Lisa Walker

Staff Present:

Julia Hajduk, Community Development Director
Brad Kilby, Planning Manager
Bob Galati, city Engineer
Kirsten Allen, Planning Dept. Program Coordinator

Council Members Present:

Mayor Bill Middleton

Others Present:

Chris Maciejewski, DKS Associates
Darci Rudzinski, Angelo Planning Group

1. Transportation System Plan Update Overview

Chair Simson called the meeting at 7:03 pm and welcomed the new Planning Commissioner, Sally Robinson.

Brad Kilby, Planning Manager, announced upcoming meetings for the Budget Committee on May 14, 2014, a DEQ Informational meeting regarding the Ken Foster Farms Site, the Charter Review Committee Meeting and the Cedar Creek Trail Local Trail Advisory Committee (LTAC) were meeting on May 15, 2014.

Brad explained to the Commission the different chapters of the Sherwood Comprehensive Plan, how it tied in with the Transportation System Plan (TSP), and that the last TSP update was in 2005.

Brad turned the time over to Chris Maciejewski, from DKS Associates, and Darci Rudzinski, from Angelo Planning Group; the consultants for the City's Transportation System Plan (TSP) Update. Mr. Maciejewski gave a presentation (see record, Exhibit 1) recapping the Transportation System Plan update process to date. He said the update addresses the city's transportation needs to the year 2035 and folded in Concept Plans and Plan Amendments that have been approved since the last update.

Ms. Rudzinski discussed code and policy amendments to the Comprehensive Plan and commented that they were intended to make sure the policy language reflected language that was wanted and that most of the changes were refinements of existing language. She explained that text language that was struck out was removed language, underlined was added language, and text with nothing was existing language.

Discussion followed with the Commission going through work session packet page by page indicating questions they had regarding the text. The Commission was cautioned in discussing proposed language or

making decisions. Staff was directed to fix scrivener's errors and provide a new draft prior to the public hearing so that the Commission could focus on the content of the draft.

Chair Simson called a recess at 8:35 pm and reconvened at 8:42 pm.

Upon reconvening Chair Simson explained the project list contained in the Draft TSP and explained how the list was ranked and classified as Conservatively Funded, Projected Fundable, or Aspirational. She asked regarding Figure 5 on page 18 of the draft that showed projections of jobs or households through 2035. The Commission was informed that the projections were based on potential build out and the analysis assumed the highest case scenario.

A draft of the update is available online at <http://www.sherwoodoregon.gov/engineering/project/transportation-system-plan-tsp-update-project> a public hearing with the Planning Commission is scheduled for May 27, 2014 at 7 pm.

3. Adjourn

The meeting adjourned the meeting at 8:58 pm.

Submitted by:

Kirsten Allen
Planning Department Program Coordinator

Approval Date: _____

New Business Agenda

Item A

CITY OF SHERWOOD
Staff Report
PA 14-01 –Transportation System Plan Update

Date: May 20 2014

To: SHERWOOD PLANNING COMMISSION

From: PLANNING DEPARTMENT


Brad Kilby, AICP, Planning Manager

Proposal overview: The City of Sherwood is updating the City's Transportation System Plan (TSP) to address community needs and regional requirements. The TSP provides a framework for the long-term vision of Sherwood's transportation system and includes strategies and planned improvement projects for a variety of travel modes (pedestrian, bike, auto, and transit). In addition to addressing local needs, the proposal includes updating the plan so that it is consistent with state and regional policies, such as the Oregon Transportation Planning Rule (TPR), Metro's Regional Transportation Plan (RTP), Metro's Regional Transportation Functional Plan (RTFP), and complements other local plans, such as the Washington County TSP. There is also a map amendment associated with this request that would remove a trip cap that was applied under City Ordinance 2008-003. This trip cap is no longer necessary given that the appropriate modeling has been completed through update process and proposed Traffic Impact Analysis (TIA) requirements will help protect the function of Highway 99W.

I. OVERVIEW

- A. Applicant: This is a City initiated amendment to the City Transportation System Plan.
- B. Location: The City's Transportation System Plan (TSP) is a long term guide for the City's transportation system, and applies city wide.
- G. Review Type: The proposed plan amendment requires a Type V review, which involves public hearings before the Planning Commission and City Council. The Planning Commission will make a recommendation to the City Council who will make the final decision. Any appeal of the City Council decision would go directly to the Oregon Land Use Board of Appeals.
- H. Public Notice and Hearing: The project is a legislative amendment. Notice of the first evidentiary hearing was provided to the Department of Land Conservation and Development (DLCDC) and Metro on April 11, 2014. Notice of the May 27th Planning Commission hearing was published in the May edition of the Sherwood Gazette, the May edition of the Sherwood Archer, and in the Times on both May 15th, and May 22, 2014. Notice was also posted in 5 public locations around town and on the web site on May 6, 2014.
- I. Review Criteria:
The required findings for the Plan Amendment are identified in Section 16.80.030 of the Sherwood Zoning and Community Development Code (SZCDC). In addition, the

amendment must be consistent with Goals 1, 2 and 12 of the Statewide Planning Goals and Chapter 6 of the Comprehensive Plan.

J. Background:

The TSP went through its last major update in 2005. Since that time, there have been eight amendments; four for concept plan areas, one amendment to change the functional classification of Columbia Street (related to Cannery project) from a collector to a local street, one amendment to identify the future classification and designation of SW Cedar Brook Way, one amendment to identify and classify a future extension of SW Baler Way, and one amendment to identify and classify a future extension of SW Langer Farms Parkway north of Highway 99W.

Sherwood has grown significantly and experienced numerous changes since the current Sherwood TSP was adopted in 2005. The updated TSP is intended to address these changes as well plan for conditions and needs over a 20-year planning horizon. The update, funded through a state Transportation and Growth Management grant, will bring the current TSP into compliance with the latest requirements of the Oregon Transportation Planning Rule (TPR), Metro's Regional Transportation Plan (RTP), and Metro's Regional Transportation Functional Plan (RTFP). At the outset of the project, it was determined that the following key questions would be addressed through the process:

- How is the transportation system today? (Existing conditions)
- What needs are present today and in the future? (Needs assessment)
- How do we address the needs? (Project options)
- What changes to our TSP and implementation documents are needed to address local needs and regional requirements?

II. PUBLIC COMMENTS

The City posted notices of this public hearing in five locations around the city on May 6, 2014. Notice was also published on the City's website, in the May edition of the Sherwood Gazette, the May edition of the Sherwood Archer, and in the Tigard Times on May 15th and May 22nd. It should be noted that there have been several other opportunities for public involvement throughout the past six months including two Planning Commission work sessions, two public open houses, and three meetings with the Citizens Advisory Committee. In addition, the City has maintained a project website with monthly updates in both English and Spanish. The draft version of the Transportation System Plan has been made available to the public since late March 2014. Comments that were received through any of the events listed above have been incorporated into the draft version of the TSP. Community Comment Cards collected during the process have been compiled and are attached as Exhibit A. The comments have been considered and, where the comment could be incorporated with good reasoning, they were.

III. AGENCY/DEPARTMENTAL COMMENTS

The City requested comments from affected agencies. The following information briefly summarizes those comments:

- The Department of Land Conservation and Development (DLCD) provided an e-mail from Anne Debbaut, dated March 13, 2014 indicating that the DLCD transportation staff did not have any

concerns at this time, and appreciate the City's efforts to develop a multi-modal approach to identifying transportation solutions.

- Metro, the Oregon Department of Transportation, Washington County Transportation and Land Use, The City of Tigard, the City of Wilsonville, and the City of Tualatin have all been partners in the review and preparation of the Transportation System Plan. To date, no comments were received from these jurisdictional partners, aside from their input on the Technical Advisory Committee.

Clean Water Services, Tualatin Valley Fire and Rescue (TVF&R), Kinder Morgan, Pride Disposal, Bonneville Power Administration, The Sherwood Building Department, Portland General Electric, Northwest Natural Gas, and Raindrops to Refuge were provided the opportunity to comment on this application but did not provide written or verbal comments.

IV. APPLICABLE DEVELOPMENT CODE CRITERIA

16.80.030 – Review Criteria

A. Text Amendment

An amendment to the text of the Comprehensive Plan shall be based upon a need for such an amendment as identified by the Council or the Commission. Such an amendment shall be consistent with the intent of the adopted Sherwood Comprehensive Plan, and with all other provisions of the Plan, the Transportation System Plan and this Code, and with any applicable State or City statutes and regulations, including this Section.

The last Transportation System Plan update for Sherwood occurred in 2005. The 2014 update became a priority for the City to address growing transportation needs. This update was funded through an Oregon Department of Transportation -Transportation and Growth Management grant. In addition to addressing local needs, the plan is intended to be consistent with state and regional policies, such as the Oregon Transportation Planning Rule (TPR), Metro's Regional Transportation Plan (RTP) , Metro's Regional Transportation Functional Plan (RTFP), and the Washington County TSP.

Key items that were studied through this process were the existing conditions, an assessment of the community's transportation needs to the year 2035, and identification of projects needed to address those transportation needs. The specific amendments proposed through the proposed language would amend the goals and policies of Chapter 6 in Volume II of the Comprehensive Plan. The proposed amendments to the goals and policies reflect direction provided by regulations such as the RTFP, establish a policy basis for implementing the recommended projects and standards in the updated TSP, and incorporate policies and strategies from planning work adopted since the 2005 TSP, in particular the Town Center Plan. Those amended goals and policies are included in Exhibit B of this report.

The proposed amendments also affect Volume III of the Comprehensive Plan, which is the Development Code. The changes to the language within the Development Code are to Section 16.10 Definitions, 16.80 Plan Amendments; 16.90 Site Planning; 16.94 Off-Street Parking, and 16.106 Transportation Facilities. All of the amendments proposed within these sections are intended to implement the changes to the goals and policies of Volume II, to comply with regional and state (TPR and RTFP) provisions related to the Development Code, to assist in implementing the improvements recommended in the updated TSP, and to provide consistency in references and standards between the TSP, the Engineering Design Manual, and the Development Code. The proposed Code amendments are included in Exhibit C of this report.

FINDING: The proposed amendments are needed to address the City's transportation needs based on forecasted growth in the region, and to be consistent with state and regional policies. Findings of compliance with the RTFP and TPR are provided in the TSP, Volume II, Section H (Exhibit F).

B. Map Amendment

An amendment to the City Zoning Map may be granted, provided that the proposal satisfies all applicable requirements of the adopted Sherwood Comprehensive Plan, the Transportation System Plan and this Code, and that:

- 1. The proposed amendment is consistent with the goals and policies of the Comprehensive Plan and the Transportation System Plan.**
- 2. There is an existing and demonstrable need for the particular uses and zoning proposed, taking into account the importance of such uses to the economy of the City, the existing market demand for any goods or services which such uses will provide, the presence or absence and location of other such uses or similar uses in the area, and the general public good.**
- 3. The proposed amendment is timely, considering the pattern of development in the area, surrounding land uses, any changes which may have occurred in the neighborhood or community to warrant the proposed amendment, and the availability of utilities and services to serve all potential uses in the proposed zoning district.**
- 4. Other lands in the City already zoned for the proposed uses are either unavailable or unsuitable for immediate development due to location, size or other factors.**

The proposed map amendment would affect the zoning map as it applies to WCTM 2S130D, tax lot 001200 also addressed as 21305 SW Pacific Highway. In 2008, the zoning of the property was changed from Medium Density Residential Low to Retail Commercial (Ord. 2008-003) with a finding that stated that the rezone would not be consistent with the TPR without a condition that would limit development on the site to no more than 460 vehicular trips per day until the City's Plan was amended consistent with Statewide Planning Goals to provide otherwise. The modeling that was completed with the proposed amendment to the TSP considered traffic that could be generated by developing this property as zoned Retail Commercial, and identifies mitigation measures within the project list to offset potential impacts of redevelopment of the property under that designation.

FINDING: Provisions of B2 and B4 above are not applicable to the request. Provisions B1 and B3, are addressed through the adoption of the proposed amendments to the Comprehensive Plan. Considering this premise, the proposed map amendment would be consistent with the goals and policies of the applicable plans and is timely considering the future provision of transportation services that would be constructed with any future development allowed under the Retail Commercial Zoning designation. As discussed above the proposed amendment is consistent with the TSP and comprehensive plan elements. Ordinance 2008-003 is attached as Exhibit D to this report. Proposed TSP Volumes I and II include the background data and project list to support the request. See Exhibits E and F to this report.

C. Transportation Planning Rule Consistency

1. Review of plan and text amendment applications for effect on transportation facilities. Proposals shall be reviewed to determine whether it significantly affects a transportation facility, in accordance with OAR 660-12-0060 (the TPR). Review is required when a development application includes a proposed amendment to the Comprehensive Plan or changes to land use regulations.

2. "Significant" means that the transportation facility would change the functional classification of an existing or planned transportation facility, change the standards implementing a functional classification, allow types of land use, allow types or levels of land use that would result in levels of travel or access that are inconsistent with the functional classification of a transportation facility, or would reduce the level of service of the facility below the minimum level identified on the Transportation System Plan.

3. Per OAR 660-12-0060, Amendments to the Comprehensive Plan or changes to land use regulations which significantly affect a transportation facility shall assure that allowed land uses are consistent with the function, capacity, and level of service of the facility identified in the Transportation System Plan. This shall be accomplished by one of the following:

- a. **Limiting allowed uses to be consistent with the planned function of the transportation facility.**
- b. **Amending the Transportation System Plan to ensure that existing, improved, or new transportation facilities are adequate to support the proposed land uses.**
- c. **Altering land use designations, densities or design requirements to reduce demand for automobile travel and meet travel needs through other modes.**

The TPR requires that the City inventory the existing system, identify deficiencies that would negatively affect state facilities, and identify alternatives to address those deficiencies. The proposed amendments to the TSP, the Comprehensive Plan, and the Development Code are intended to maintain or improve the safety, mobility, and accessibility of the overall transportation system based on forecasted growth and traffic patterns. For these reasons noted, this amendment is consistent with the TPR.

The City sent notice of the proposed updated TSP and associated amendments to the Comprehensive Plan and Development Code to the State Department of Land Conservation and Development (DLCD), the Oregon Department of Transportation (ODOT) and Washington County. Since the notice was sent, revisions to the proposed updated TSP have been made to classify Brookman Road as an arterial and to identify Brookman Road and the adjacent Concept Plan area as an area for further refinement. Through the City's TSP update process and the concurrent County TSP update, the City has coordinated with Washington County and will continue to coordinate with the County for future planning efforts regarding the function and classification of Brookman Road and the surrounding road network.

FINDING: As noted above, the proposed amendments would change the transportation system in a manner that improves the existing transportation system plan through identified mitigation measures. These measures address identified existing and future transportation system needs through the TSP horizon (year 2035). The Plan indicates that the identified mitigation projects would improve the overall transportation system and reports that system measures would meet or make progress towards regional targets for safety, congestion, freight delay, motor vehicle travel per capita, and non-single occupant vehicle (SOV) use. These benefits demonstrated by these measures indicate that the transportation system would be improved through this amendment.

V. APPLICABLE COMPREHENSIVE PLAN POLICIES

B. GOALS, POLICIES, AND STRATEGIES

Goal 1: Provide a supportive transportation network to the land use plan that provides opportunities for transportation choices and the use of alternative modes serving all neighborhoods and businesses.

Goal 2: Develop a transportation system that is consistent with the City's adopted comprehensive land use plan and with the adopted plans of state, local, and regional jurisdictions.

Goal 3: Establish a clear and objective set of transportation design and development regulations that addresses all elements of the city transportation system and that promote access to and utilization of a multi-modal transportation system.

Goal 4: Develop complementary infrastructure for bicycles and pedestrian facilities to provide a diverse range of transportation choices for city residents.

Goal 5: Provide reliable convenient transit service to Sherwood residents and businesses as well as special transit options for the city's elderly and disabled residents.

Goal 6: Provide a convenient and safe transportation network within and between the Sherwood Old Town (Town Center) and Six Corners area that enables mixed use development and provides multi-modal access to area businesses and residents.

Goal 7: Ensure that efficient and effective freight transportation infrastructure is developed and maintained to support local and regional economic expansion and diversification consistent with City economic plans and policies.

Goal 8: The Sherwood City's transportation network will be managed in a manner that ensures the plan is implemented in a timely fashion and is kept up to date with respect to local and regional priorities.

FINDING: The existing goals will remain intact. The proposed amendments to Chapter 6 of the Comprehensive Plan reflect the findings and recommendations of the updated TSP. The proposed amendments are intended to provide a supportive policy basis for the updated TSP that is based on the City's forecasted needs into the next 20 years. The development of a comprehensive TSP that reflects the Comprehensive Plan, including special area plans that were created between this revision and 2005, as well as any applicable state, local, and regional regulations. The proposed amendments would be implemented through the Sherwood Zoning and Community Development Code, which provides clear and objective standards to achieve the desired results called for in the TSP. Finally, the proposed amendments remove conflicts within the existing TSP and all applicable state, local, and regional transportation planning documents. See Exhibit B, Draft Proposed Transportation Goals and Policies, for the specific language amendments being proposed.

VI. APPLICABLE STATEWIDE PLANNING GOALS

Goal 1 (Citizen Involvement)

FINDING: Staff utilized the public notice requirements of the Code to notify the public of this proposed plan amendment. The City's public notice requirements have been found to comply with Goal 1 and, therefore, this proposal meets Goal 1. In addition, the City hosted an open house prior to beginning the formal plan amendment process to get input and feedback on potential amendments and held a work session with the Planning Commission on June 26, 2012 for further discussion. At the work session, the Planning Commission allowed the public to speak on the potential amendments prior to providing staff with feedback on proceeding with the public notice for the amendment.

Goal 2 (Land Use Planning)

FINDING: The proposed amendments, as demonstrated in this report were subject to a robust citizen outreach program, and the proposed amendments are being processed in compliance with the local, regional and state requirements. There have been several opportunities for public involvement throughout the past six months including two Planning Commission work sessions, two public open houses, and three meetings with a citizens advisory committee. In addition, the City has maintained a project website with monthly updates in both English and Spanish. The draft version of the Transportation System Plan has been made available to the public since late March. Public comments that were received through any of the events listed above have been considered and incorporated into the draft version of the TSP, and approval of the proposed amendments are subject to further public review including hearings before both the Planning Commission and the City Council.

Goal 3 (Agricultural Lands)

Goal 4 (Forest Lands)

Goal 5 (Natural Resources, Scenic and Historic Areas and Open Spaces)

Goal 6 (Air, Water and Land Resources Quality)

Goal 7 (Areas Subject to Natural Hazards)

Goal 8 (Recreational Needs)

FINDING: The Statewide Planning Goals 3-8 do not specifically apply to the proposed plan amendments. Arguably, the proposed amendments will improve upon the intent of these goals, by providing a more orderly and efficient transportation system. In any event, there is no evidence to suggest that the proposal is in conflict with these goals.

Goal 9 (Economic Development)

FINDING: The TSP and its implementation help to support local and regional economic development goals and plans by the provision of efficient and predictable transportation routes. In addition, it ensures orderly and efficient access to planned commercial and employment uses throughout the City.

Goal 10 (Housing)

FINDING: The TSP was developed to account for future residential trips. The implementation of the TSP benefits all of the citizens of Sherwood by ensuring that jobs, services, and residences are accessible through a coordinated transportation system. Further, the TSP identifies needed improvements within the project list to assist the community in prioritizing where and how existing and future development is to be served by the transportation system.

Goal 11 (Public Facilities and Services)

FINDING: The transportation system is inherently one of the community's primary public facilities. The TSP documents existing conditions and future needs for the transportation system within the City, and allows proposed improvements and implementation measures to be tailored to meet those future needs. The TSP, the revised Comprehensive goals and policies, and the implementation measures all assist the City in complying with state and regional rules for the orderly and efficient provision of transportation facilities and services for the community and region.

Goal 12 (Transportation)

As discussed throughout this report, and the supporting documents, the proposed amendments are being proposed to ensure consistency with the TPR, which implements Goal 12. The TPR requires that the City inventory the existing system, identify deficiencies that would negatively affect state facilities, and identify alternatives to address those deficiencies. Section OAR 660-12-0045 of the TPR relates to implementation of the TSP through land use and development regulations. Amendments to the Development Code that are proposed to comply with Section 660-12-0045 are presented in Exhibit C.

FINDING: The proposed amendments to the TSP, the Comprehensive Plan, and the Development Code are designed to maintain or improve the safety, mobility, and accessibility of the overall transportation system based on forecasted growth and traffic patterns. For these reasons noted, this amendment is consistent with the TPR. Specific findings of Development Code compliance with TPR Section 660-12-0045 are provided in the TSP, Volume II, Section H (Exhibit F).

Goal 13 (Energy Conservation)

Goal 14 (Urbanization)

Goal 15 (Willamette River Greenway)

Goal 16 (Estuarine Resources)

Goal 17 (Coastal Shorelands)

Goal 18 (Beaches and Dunes)

Goal 19 (Ocean Resources)

FINDING: The Statewide Planning Goals 13-19 do not specifically apply to these proposed plan amendment; nor do the proposed amendments conflict with the stated goals.

VII. RECOMMENDATION

Based on a review of the applicable code provisions, agency comments and staff review, staff finds that the Plan Amendment is consistent with the applicable criteria and therefore, staff **recommends that the Planning Commission forward a recommendation of APPROVAL** of PA 14-01 City of Sherwood Transportation System Plan.

VIII. EXHIBITS

- A. Public Comments
 - i. Open House #1 Summary
 - ii. Open House #2 Summary
 - iii. Open House #2 comment cards received
 - iv. March 10th e-mail from Brent Ahrend, P.E. – RE: Pfeiffer Property/Sherwood Blvd.
 - v. March 28th letter from Brent Ahrend, P.E. – RE: Pfeiffer Property
 - vi. April 16th letter from Brent Ahrend, P.E. – RE: Pfeiffer Property
 - vii. April 8th Work Session Meeting Minutes with the Planning Commission
- B. Proposed Transportation Goals and Policies – Comprehensive Plan Chapter 6 (*Also found in Section G of Volume II of the proposed TSP*)
- C. Draft Proposed Implementation Language (May 14th Revision) (*Also found in Section G of Volume II of the proposed TSP*)
- D. Ordinance 2008-003 – An Ordinance Amending the Comprehensive Plan and Zoning Map to Redesignate a Parcel From Medium Density Residential Low to Retail Commercial
- E. Volume I Draft Sherwood Transportation Plan
- F. Volume II Draft Sherwood Transportation Plan (*Appendix*)

Note: Volumes I and II were provided to the Planning Commission under separate cover and can be provided at cost by contacting the Planning Department at (503) 925-2308, can be viewed at City Hall between the hours of 8AM and 5PM, Monday through Friday, or can be found on the project website at:
<http://www.sherwoodoregon.gov/email-notification-subscribers/transportation-system-plan-tsp-update-project>

End of Report



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Suite 500
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503.243.3500
www.dksassociates.com

SHERWOOD TSP UPDATE OPEN HOUSE #1 SUMMARY

Date: Thursday, December 12, 2013

Time: 6:00 p.m. to 8:00 p.m.

Location: Sherwood Police Station, 20495 SW Borchers Drive

Purpose: To review and collect comments on the existing and future transportation needs of Sherwood.

Comments

Sherwood Comprehensive Plan Transportation Goals

- Make sure improvements benefit the majority
- Maintain the small town character

Future Year Congestion Locations

- Congestion causes cut-through in neighborhood west of Borchers.
- Consider a couplet of Tualatin-Sherwood Road and new extension of Cipole to Langer Farms Parkway.

Motor Vehicle Facilities (Functional Classification Map)

- Realign Oregon Street to intersect Murdock at Tonquin.
- If an additional roundabout is added at Oregon/Tonquin, consider prohibiting southbound left turn and use the pair of roundabouts to execute a u-turn.
- Cut through issues exist in neighborhood west of Borchers.
- Non-conforming use is causing traffic issues at Home Depot.
- Is a relief route feasible to fill collector gap #3 (Roy Rogers Road to Edy Road)?
- An important path connection would tie Cedarbrook Way to the north and south.
- Realistic cost estimates are needed for Cedarbrook Way. Need to coordinate with ODOT on erosion issue. May need to revise development conditions. The right of way may cause litigation issues. There is a dedication issue and creek crossing.
- There is an issue with access and cost of reservation of rights in the vicinity of the Cedarbrook Way extension.

Pedestrian Facilities

- Make local roads downtown walking only.
- Speeding issues on Oregon Street entering Old Town.



Sherwood TSP Update – Open House #1 Summary

December 12, 2013

Page 2 of 2

- Complete sidewalks on Lincoln Street.
- Need timing adjustments at Langer Farms Parkway and Oregon Street traffic signal so it isn't so responsive. It gaps out too quickly.
- Need general enforcement of stop-signs and speeding. Maybe an education program.
- Support Ice Age Tonquin Trail.
- Need trail guide signing and information maps around Stella Olson Park.

Transit Facilities

- WES extension to Newberg along existing rail.
- Need Tualatin transit connection.

Bike Facilities

- Need more bike lanes!
- Could be wider sidewalks
- Buffer bike lanes on busy roads.
- Require license for cycling.
- Rails to Trails program.
- Show the path that is located west of Ladd Hill and connects Lodgepole Terrace to Brookman Road.

SHERWOOD TSP UPDATE OPEN HOUSE #2 SUMMARY



720 SW Washington St.
Suite 500
Portland, OR 97205
503.243.3500
www.dksassociates.com

Date: Thursday, February 13, 2014

Time: 6:00 p.m. to 8:00 p.m.

Location: Sherwood City Hall, 22560 SW Pine Street

Purpose: To review and collect comments on the project evaluation, project options, and draft project list.

Comments

Comment Forms

- Would like to see improvements along Edy & 99. Also at Sunset & 99. Option D23 support Option C.
- Project D10/D11 should be identified as a 3-lane collector.
- Any opportunity to remove trip cap on Pfeiffer Property through the current TSP process and amendments.
- Project D16. Analysis provided for a potential retail project shows benefit of maintaining split phase and restriping Sherwood Boulevard approach for left/left-through/through-right. This requires a second receiving lane on Edy, which could end as a right turn lane at Borchers.



Comment Form

Thank you for taking the time to attend the Transportation System Plan (TSP) Update Project Open House to learn about Sherwood's efforts to meet the future transportation needs of our community.

Please provide comments below.

Would like to see improvements along Hwy 99 -
Hwy at Sunset & 99
Please support

Name: Cheryl Kramer (property owner) Organization (optional)
Address: 9350 SE Nicholas Dr
City: Happy Valley State: OR Zip: 97086
Email: Kramer303B@comcast.net (to receive project web updates as they are posted)



Comment Form

Thank you for taking the time to attend the Transportation System Plan (TSP) Update Project Open House to learn about Sherwood's efforts to meet the future transportation needs of our community.

Please provide comments below.

DIO/ND Collector 3-LANE

Name: _____ Organization (optional) _____
Address: _____
City: _____ State: _____ Zip: _____
Email: _____ (to receive project web updates as they are posted)



Comment Form

Thank you for taking the time to attend the Transportation System Plan (TSP) Update Project Open House to learn about Sherwood's efforts to meet the future transportation needs of our community.

Please provide comments below.

Any opportunity to remove trip cap on Heiffer Property through the
Current TSP Process and amendments

Name: BRENT / MCKENZIE Organization (optional) _____
Address: Heiffer Family
City: _____ State: _____ Zip: _____
Email: _____ (to receive project web updates as they are posted)
SEE SIGN in sheet for contact info.



Comment Form

Thank you for taking the time to attend the Transportation System Plan (TSP) Update Project Open House to learn about Sherwood's efforts to meet the future transportation needs of our community.

Please provide comments below.

Project D16. Analysis provided for a potential retail project shows
benefit of maintaining split phase and restriping Sherwood Blvd approach
for left/left+through/throughright. this requires a second receiving lane
on Edy, which could end as a right turn lane at Borchers.

Name: Brent Ahrend Organization (optional) Mackenzie
Address: 1515 SE Water Ave Suite 100
City: Portland State: OR Zip: 97214
Email: bahrend@mcknze.com (to receive project web updates as they are posted)

Bradley Kilby

From: Garth Appanaitis <gaa@dksassociates.com>
Sent: Thursday, May 15, 2014 5:56 PM
To: Bradley Kilby
Subject: Fwd: 99W - Edy Rd Analysis

FYI

----- Forwarded message -----

From: Brent Ahrend <BAhrend@mcknze.com>
Date: Mon, Mar 10, 2014 at 4:27 PM
Subject: RE: 99W - Edy Rd Analysis
To: Garth Appanaitis <gaa@dksassociates.com>
Cc: Christine McKelvey <CMcKelvey@mcknze.com>, Justin Belk <JBelk@mcknze.com>

Garth,

See the attached email from Justin in our office. Essentially, we recommended restriping the Sherwood Blvd approach to make the right turn lane a shared through/right. This would require a second receiving lane, which we anticipated would just be an extension of the right turn lane from Edy to Borchers.

I spoke to Brad Kilby about a week ago and he said they were asking for legal advice on lifting the trip cap on the Pfeifer property through the TSP update process.

Let us know if you have any questions or have any updates on the TSP process.

Thanks,

Brent T. Ahrend, PE

Senior Associate | Asst Department Head – Transportation Planning

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P 503.224.9560 **W** mcknze.com **C** vcard

RiverEast Center
1515 SE Water Ave, Suite 100
Portland OR 97214

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From: Garth Appanaitis [<mailto:gaa@dksassociates.com>]
Sent: Thursday, March 06, 2014 2:51 PM
To: Brent Ahrend
Subject: 99W - Edy Rd Analysis

Hi Brent -

Thanks for attending the Sherwood TSP Open House and providing comments. Could you pass along the analysis you mentioned with the alternate lane configuration at 99W/Edy?

Thanks,
Garth

Garth Appanaitis, P.E. - Transportation Engineer

Ph: [503.243.3500](tel:503.243.3500) | F: [503.243.1934](tel:503.243.1934) | Email: gaa@dksassociates.com



www.dksassociates.com

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--

Garth Appanaitis, P.E. - Transportation Engineer

Ph: [503.243.3500](tel:503.243.3500) | F: 503.243.1934 | Email: gaa@dksassociates.com



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March 28, 2014

City of Sherwood
Attention: Bob Galati, PE, City Engineer
22560 SW Pine Street
Sherwood, OR 97140

Re: **Pfeifer Property Trip Cap**
TSP Update Request
Project Number 2140027.01

Dear Mr. Galati:

On behalf of Don Pfeifer, Mackenzie is requesting the City of Sherwood remove the existing trip cap condition on Lot 1200 through the current Transportation System Plan (TSP) update.

A zone change was approved for the parcel in 2008 (Ordinance 2008-003) from residential to commercial with a condition that limited trip generation to that of the prior residential zone of 460 trips per day. This condition severely limits the ability to develop the parcel in a manner consistent with the commercial zone. Further, removing the trip cap would require a Plan Amendment with a Transportation Planning Rule (TPR) analysis.

In 2012 Mackenzie reviewed the impacts of such a Plan Amendment and identified several potential mitigation measures to address the TPR requirements where removing the trip cap could have a "significant effect". These measures included improvements at intersections along Highway 99W at Edy Road/Sherwood Road, Tualatin-Sherwood Road, and Elwert Road/Sunset Boulevard, plus improvements at the Edy Road/Borchers Drive intersection.

It is our understanding the proposed TSP update may address these same intersections, identifying long term improvement needs, and would therefore also address the impacts of removing the parcel's trip cap. We believe the City's TSP update can include the trips from the full commercial zone on Lot 1200 such that the trip potential is adequately addressed through the improvements identified at this intersection.

We will be in attendance at the meeting on Tuesday, April 8, 2014 to provide support to the City's TSP update process and answer any questions you may have regarding our request. In the meantime, please contact us if you have any questions or need any additional information from us.

Sincerely,



Brent Ahrend, PE
Senior Associate | Traffic Engineer

c: Don Pfeifer
Christine McKelvey – Mackenzie
Garth Appanaitis – DKS
Brad Kilby – City of Sherwood



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MACKENZIE.

DESIGN DRIVEN | CLIENT FOCUSED

April 16, 2014

City of Sherwood
Attention: Bob Galati, PE, City Engineer
22560 SW Pine Street
Sherwood, OR 97140

Re: **Pfeifer Property Trip Cap**
Project Number 2140027.01

Dear Mr. Galati:

On behalf of Don Pfeifer (property owner), we appreciate the opportunity to participate in the Planning Commission's Public Work Session on Tuesday, April 8, regarding the Transportation System Plan (TSP) update and to discuss the removal of both the City-wide trip cap and the trip cap specific to Mr. Pfeifer's Lot 1200.

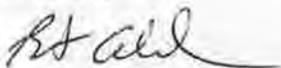
Our understanding is the City intends to remove both citywide and site specific trip caps noted above through an ordinance adopting the new TSP later this year, and that no additional ordinance or action by the owner and/or City Council would be needed. For reference, the original Ordinance 2008-003 changed the zoning and imposed the site specific trip cap.

Initial schedules noted the TSP update could be completed as early as July of this year. Can you confirm, or provide us with an update with regards to this schedule?

Based on our discussion at the Planning Commission, please confirm there is nothing more the City needs from Mr. Pfeifer's team related to removal of the trip cap at this time. Please let us know should you need additional information or analysis, or how we can continue to support the TSP update process.

Thank you for your assistance.

Sincerely,



Brent Ahrend, PE
Senior Associate | Traffic Engineer

c: Don Pfeifer, Kevin Pfeifer
Garth Appanaitis – DKS
Brad Kilby – City of Sherwood
Christine McKelvey – Mackenzie



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City of Sherwood, Oregon
Planning Commission
Work Session Meeting Minutes
April 8, 2014

Planning Commission Members Present: Chair Jean Simson
Commissioner John Clifford
Commissioner Beth Cooke
Commissioner Lisa Walker

Staff Present: Julia Hajduk, Community Development Director
Brad Kilby, Planning Manager
Bob Galati, city Engineer
Kirsten Allen, Planning Dept. Program Coordinator

Planning Commission Members Absent: Vice Chair James Copfer

Legal Counsel: None

Council Members Present: Councilor Robyn Folsom

Others Present: Chris Maciejewski, DKS Associates
Darci Rudzinski, Angelo Planning Group

Note: The term for Commissioners Russell Griffin and Michael Cary expired on March 31, 2014. Commissioner Griffin attended the meeting. Commissioner Cary did not.

Planning Commission Work Session

1. Transportation System Plan Update Overview

Brad Kilby, Planning Manager, started the meeting at 6:10 pm with an introduction of Chris Maciejewski from DKS Associates and Darci Rudzinski from Angelo Planning Group; the consultants for the City's Transportation System Plan (TSP) Update. Mr. Maciejewski gave a presentation (see record, Exhibit 1) and said it contained a high level overview of the Transportation System Plan of the update process. He said the update looks twenty years out to the year 2035 and is intended to be more user friendly. A draft of the update is available online at <http://www.sherwoodoregon.gov/engineering/project/transportation-system-plan-tsp-update-project> and comments will be received through April 9, 2014 and a public hearing with the Planning Commission is tentatively scheduled for May 27, 2014.

Public Work Session

Brad Kilby, Planning Manager began the work session at 7:05 pm. Members of the community, Planning Commissioners, Staff and Consultants split up into four table groups. Groups discussed three topics: Medical Marijuana, The Transportation System Plan, and the Development Code. Each table was provided information about the topics (see record, Exhibit 2). After the roundtable each group gave a summary of the ideas and concerns expressed in the dialogue.

Sherwood Transportation System Plan Update – Bob Galati

- Time was used to inform the public of proposed changes to the Transportation System Plan.
- Main concern is Safety
- Brookman Road will need to be addressed
- General support for the removal of the Capacity Allocation Program
- Keep Sherwood open on all sides
- Use and modify transportation system best and most affordable ways possible

- Hwy 99 crossing should improve pedestrian safety and balance with traffic movement
- Concerns about using the Target and Albertsons parking lots as cut through areas

Development Code Issues (Code Clean up) – Julia Hajduk

- The Conditional Use process can be cumbersome and expensive
 - Possible staff level process with reduced fee structure
 - Ideas for Multi-Family Development include:
 - Having an architectural variety on the front facade
 - Providing Open space
 - Should be proportionate to adjacent properties
 - Incentives for courtyards
 - Parking concerns
 - Process for converting existing buildings into multi-family
 - Density increases should happen in the Sherwood Town Center area
- Old Town Standards
- Buildings should have cohesive architectural features similar to existing buildings
 - Different development process for buildings without significant changes within the overlay
 - Pedestrian only streets at center
 - Thematic areas

Medical Marijuana Dispensaries– Brad Kilby

- City has a moratorium through May 2015
- There are just over 4000 Medical Marijuana card holders in the Washington County
- Dispensaries should be 1000 feet from parks, residential areas, and daycare facilities
- Utilize the Conditional Use Process
- Use should be treated similar to liquor stores
- Similar to adult regulated businesses
- Locations should be out in the open, not hidden
- Not allowed in Neighborhood Commercial zones

Before adjourning, Brad reminded the public that there would be other opportunities to be involved in the processes as each of the topics discussed will need to go through the public hearing process with the Planning Commission and the City Council.

3. Adjourn

The meeting adjourned the meeting at 9:13 pm.

Submitted by:

Kirsten Allen
Planning Department Program Coordinator

Approval Date: _____



PROPOSED TRANSPORTATION GOALS AND POLICIES

The tables below focus on proposed amendments to the City’s adopted transportation goals, policies and strategies that implement the updated Transportation System Plan (TSP). Identical transportation policy language is found in both Chapter 2 of the adopted TSP from 2005 and Chapter 6 of the Comprehensive Plan (Transportation). Language recommended for addition to Chapter 6 of the Comprehensive Plan is underlined and language recommended for removal is struck through. The tables in which the amendments are presented include a commentary column explaining the background and rationale for the proposed amendment.

Note that, in addition to goals, policies, and strategies (Section B, pp. 1-11), Comprehensive Plan Chapter 6 includes an introduction (Section A, p. 1) and a section addressing roadway functional classification and the transportation improvement program projects from the 2005 TSP (Section C, pp. 11-17). Proposed amendments to these sections are presented in order, in Tables 1, 2, and 3 respectively.

Table 1: Draft Proposed Amendments to SECTION A - Introduction

Existing and <u>Proposed</u> Text	Commentary
<p>The purpose of the Transportation element of the Comprehensive Plan is to describe a multi-modal system which will serve the future transportation needs of Sherwood. The plan for the future transportation system should be capable of effective implementation, responsive to changing conditions and be consistent with plans of adjoining jurisdictions. The Plan seeks to foresee specific transportation needs and to respond to those needs as growth occurs. The original Transportation Network Plan was created in 1979. The original transportation policy element was created in 1980 as part of the first Comprehensive Plan acknowledged by the Oregon Department of Land Conservation and Development. The plan policies were updated in 1989 and a new Transportation Plan Update was completed in 1991. The most recent Transportation element has been <u>was</u> revised substantially to reflect <u>updates</u> changes in the an updated new Transportation System Plan (TSP), begun in 2003 and completed in March 2005 and 2014. The <u>current adopted</u> newest TSP is attached as an appendix and technical reference to this Comprehensive Plan, including an analysis of the existing transportation system, changes to the functional classification of streets, an update of various inventory and plan maps, and changes to the street design standards.</p> <p>NOTE: The following types of capital facilities are not present within the City: 1)</p>	<p><i>References to the TSP are updated.</i></p>

Sherwood Transportation System Plan
Proposed Transportation Goals and Policies



Existing and <u>Proposed</u> Text	Commentary
air transportation, and 2) water transportation. Therefore, they are not addressed in this plan.	

Sherwood Transportation System Plan
Proposed Transportation Goals and Policies



Table 2: Draft Proposed Amendments to SECTION B - Goals, Policies, and Strategies

Existing and <u>Proposed</u> Text	Commentary
<p>Goal 1: Provide a supportive transportation network to the land use plan that provides opportunities for transportation choices and the use of alternative modes serving all neighborhoods and businesses.</p>	<p><i>This is an existing goal.</i></p>
<p>Policy 1 – The City will ensure that public roads and streets are planned to provide safe, convenient, efficient and economic movement of persons, goods and services between and within the major land use activities. Existing rights of way shall be classified and improved and new streets built based on the type, origin, destination and volume of current and future traffic.</p>	<p><i>Deleted text has been moved to Strategies.</i></p>
<p>Policy 2 – Through traffic shall be provided with routes that do not congest local streets and impact residential areas. Outside traffic destined for Sherwood business and industrial areas shall have convenient and efficient access to commercial and industrial areas without the need to use residential streets.</p>	<p><i>This is an existing policy.</i></p>
<p>Policy 3 – Local traffic routes within Sherwood shall be planned to provide convenient circulation between home, school, work, recreation and shopping. Convenient access to major out-of-town routes shall be provided from all areas of the city.</p>	<p><i>This is an existing policy.</i></p>
<p>Policy 4 – The City shall encourage the use of more energy-efficient and environmentally sound alternatives to the automobile by:</p> <ul style="list-style-type: none"> • The designation and construction of bike paths and pedestrian ways; • The scheduling and routing of existing mass transit systems and the development of new systems to meet local resident needs; and 	<p><i>This is an existing policy.</i></p>

Sherwood Transportation System Plan
Proposed Transportation Goals and Policies



Existing and <u>Proposed</u> Text	Commentary
<ul style="list-style-type: none"> Encouraging the development of self-contained neighborhoods, providing a wide range of land use activities within a single area. 	
<p>Policy 6 – The City shall work to ensure the transportation system is developed in a manner consistent with state and federal standards for the protection of air, land and water quality, including the State Implementation Plan for complying with the Clean Air Act and the Clean Water Act.</p>	<p><i>This is an existing policy.</i></p>
<p>Policy 7 – The City of Sherwood shall foster transportation services to the transportation disadvantaged including the young, elderly, handicapped, and poor.</p>	<p><i>This proposed change reflects a recommendation to make all references to the City [of Sherwood] consistent throughout this section.</i></p>
<p>Policy 8 – The City of Sherwood shall consider infrastructure improvements with the least impact to the environment.</p>	<p><i>This is an existing policy.</i></p>
<p>Policy 9 – The City of Sherwood shall develop a transportation demand management program to complement investments in infrastructure (supply). <u>manage the transportation system to improve reliability and maximize efficient use of existing facilities.</u></p>	<p><i>The proposed modification provides a more general policy and minimizes redundancy with (existing) Strategy 6.</i></p>
<p>Strategies</p>	
<p><u>1. Establish and maintain design standards for public rights of way in accordance with the Functional Street Classification System.</u></p>	<p><i>Modified language is based on existing Policy 1.</i></p>
<p>1-2. Make traffic safety a continuing effort through effective law enforcement and educational programs.</p>	<p><i>This is an existing strategy.</i></p>
<p>2- 3. <u>Design and manage the city street system to meet Adopt an acceptable level of service mobility standard</u> for the roadway network that is consistent with regional transportation policies.</p>	<p><i>The proposed change reflects the City's interest in having both level of service and volume to capacity (v/c) as measures by which to evaluate mobility and provide better context for decision making. The mobility standards will be in the adopted TSP</i></p>

05/14/14

Table 2: Draft Proposed Amendments to SECTION B – Goals, Policies, and Strategies | Page 4

Sherwood Transportation System Plan
Proposed Transportation Goals and Policies



Existing and <u>Proposed</u> Text	Commentary
	<i>and implemented through development review and the traffic impact analysis requirements.</i>
<p>3. <u>4.</u> <u>Develop Plan for an array of transportation assets and services to meet the needs of the transportation-disadvantaged.</u></p>	<p><i>The proposed modification narrows the intent of this strategy to a system-level planning effort on the part of the City. Note that more specific policies regarding providing for the transportation disadvantaged can be found under Goal 5.</i></p>
<p>4. <u>5.</u> Evaluate, identify, and map existing and future neighborhoods for potential small scale commercial businesses to primarily serve local residents.</p>	<p><i>This existing strategy to integrate small-scale, neighborhood commercial uses into existing neighborhoods is related to Policy 4. Note that this existing strategy does not specify the level of analysis or proposed approach to implement such a study. This strategy should be reevaluated to ensure that it continues to be relevant and match the City's priorities.</i></p>
<p>5. <u>6.</u> Adopt a strategy for reducing impacts of impervious surfaces to stormwater management.</p>	<p><i>This is an existing strategy.</i></p>
<p>6. <u>7.</u> Identify and adopt a transportation demand management strategy <u>and program</u> to provide incentives to employers who develop transportation options for employees.</p>	<p><i>This addition is consistent with modified Policy 9.</i></p>
<p><u>8. Seek strategic opportunities to improve connectivity in the city, including measures such as mid-block crossings connecting to commercial areas.</u></p>	<p><i>This language is based on comments from the Citizen Advisory Committee.</i></p>

Sherwood Transportation System Plan
Proposed Transportation Goals and Policies



Existing and <u>Proposed</u> Text	Commentary
<p>Goal 2: Develop a transportation system that is consistent with the City’s adopted comprehensive land use plan and with the adopted plans of state, local, and regional jurisdictions.</p>	<p><i>This is an existing goal.</i></p>
<p>Policy 1 – The City shall implement the transportation plan based on the functional classification of streets shown in <u>Table 8-1 Figure 16 of the TSP.</u></p>	<p><i>This is existing policy with amendments proposed for updating a TSP reference.</i></p>
<p>Policy 2 – The City shall maintain a transportation plan map that shows the functional classification of all streets within the Sherwood urban growth area. Changes to the functional classification of streets must be approved through an amendment to the Sherwood Comprehensive Plan, Part 2, Chapter 6 - Transportation Element.</p>	<p><i>This is an existing policy.</i></p>
<p>Policy 3 – The Sherwood transportation system plan shall be consistent with the eCity’s adopted land use plan and <u>coordinated</u> with transportation plans and policies of other local jurisdictions, especially Washington County, Clackamas County, <u>the</u> City of Wilsonville, and the City of Tualatin.</p>	<p><i>This is an existing policy with a proposed modification that indicates that City plans do not have to mirror neighboring jurisdictions’ plans, but should not be inconsistent with these plans.</i></p>
<p>Policy 4 – The City will coordinate with Metro regarding implementation of the Regional Transportation Plan and related transportation sections of the Metro <u>Regional Transportation</u> Functional Plan.</p>	<p><i>These edits are proposed for consistency with regional plans.</i></p>
<p>Policy 5 – The City shall adopt <u>and maintain</u> a street classification system that is compatible with <u>the</u> Washington County Functional Classification System for areas inside the Washington County Urban Area Plan and with <u>the</u> Washington County 2020 Transportation Plan (Ordinance 588).</p>	<p><i>The proposed edit signifies the City’s ongoing commitment to coordination with Washington County.</i></p>
<p>Policy 6 – The City will work with Metro and other regional transportation partners to implement regional transportation <u>system demand</u> management and <u>operations</u> programs where appropriate.</p>	<p><i>The proposed modifications broaden the scope of this policy to transportation system management and operations (TSMO) programs, of which transportation demand</i></p>

05/14/14

Table 2: Draft Proposed Amendments to SECTION B - Goals, Policies, and Strategies | Page 6

Sherwood Transportation System Plan
Proposed Transportation Goals and Policies



Existing and <u>Proposed Text</u>	<i>Commentary</i>
	<i>management (TDM) is a part.</i>
<p>Policy 7 — The City shall work cooperatively with the Port of Portland and local governments in the region to ensure sufficient air and marine passenger access for Sherwood residents.</p>	<i>This is an existing policy.</i>
<p>Policy 8 – <u>The City shall work to develop more transportation options within city limits to increase opportunities for walking, biking, and taking transit and to reduce single occupancy vehicle (SOV) trips.</u></p> <p>Establish local non-Single-Occupant Vehicle (SOV) modal targets, subject to new data and methodology made available to local governments, for all relevant design types identified in the RTP. Targets must meet or exceed the regional modal targets for the 2040 Growth Concept land use design types as illustrated in the following table:</p> <p>2040 Regional Modal Targets</p> <p>Non-single Occupancy Vehicles</p>	<p><i>Proposed amendments reflect a recommendation to replace the existing policy with a more general statement that commits the City to reduce SOV trips.</i></p>
Strategies	
<p>1. Develop and <u>maintain</u> an intergovernmental agreement between Sherwood, Washington County and the City of Tualatin, consistent with ORS 195.065, to establish urban service boundaries and responsibilities for transportation facilities within and adjacent to the City of Sherwood.</p>	<i>This is an existing strategy with amendments proposed for clarity only.</i>
<p>2. Work cooperatively with ODOT, Washington County, and Metro to develop an interchange area management plan for the Pacific Highway 99-W and Tualatin-Sherwood Highway intersection. <u>improve regional mobility through such efforts as the Westside Solution Study and the I-5 to 99W Connector project.</u></p>	<i>Proposed language reflects the City's interests in regional transportation planning and the fact that planning for a grade-separated interchange is not an identified transportation need.</i>
<p>3. Work cooperatively with ODOT, Metro, Washington</p>	<i>Proposed language reflects the</i>

**Sherwood Transportation System Plan
Proposed Transportation Goals and Policies**



Existing and <u>Proposed</u> Text	Commentary
<p>County, and Tualatin to develop a corridor management plan for Pacific Highway 99W and Tualatin-Sherwood Road to preserve that</p> <p>▫ <u>maintains</u> access to the highway for <u>from</u> the City's arterial and collector streets <u>and</u></p> <p>▫ <u>improves pedestrian and bicycle mobility, connectivity and safety in the vicinity of, and crossing, the highway.</u></p>	<p><i>community's focus on Highway 99W and desire for enhancements related to non-motorized modes of transportation.</i></p>
<p>4. Participate in regional planning efforts, including the development of the Regional Transportation Plan (RTP), to secure funding for safety and capacity improvements to the City of Sherwood's arterial and collector street system that are necessary to maintain acceptable levels of service for local and through traffic.</p>	<p><i>This is an existing strategy.</i></p>
<p>5. Define transportation corridors in advance through long range planning efforts.</p>	<p><i>This is an existing strategy.</i></p>
<p>6. Coordinate the <u>local</u> transportation network <u>planning and improvements</u> with adjacent governmental agencies, such as Washington County, Metro, and the State. Coordinate with ODOT in implementing their Six-Year Plan and the State Highway Improvement Program.</p>	<p><i>This is an existing strategy with amendments proposed for clarity only.</i></p>
<p><u>7. Adopt performance measures that are consistent with regional modal targets for non-single occupancy vehicles and track the City's progress with meeting adopted goals and policies each successive TSP update.</u></p>	<p><i>This proposed new policy acknowledges regional targets, which are reflected in the performance measures in TSP.</i></p>
<p><u>8. Accommodate car-sharing programs in the city.</u></p>	<p><i>This adopted strategy from the Sherwood Town Center Plan (Strategy 9.4) has been modified to apply citywide.</i></p>
<p><u>9. Promote development of transportation demand management programs by employers in the city. Focus on employers with 100 employees or less that are not</u></p>	<p><i>The first part of this strategy is adopted Strategy 9.5 in the Sherwood Town Center Plan. The strategy has</i></p>

Sherwood Transportation System Plan
 Proposed Transportation Goals and Policies



Existing and <u>Proposed</u> Text	Commentary
<p><u>subject to the Oregon Department of Environmental Quality's Employee Commute Options program requirements.</u></p>	<p><i>been modified to apply citywide. Additional language is based on comments from the Citizen Advisory Committee.</i></p>
<p><u>10. Support projects that remove regional through traffic from the local transportation system or allow through traffic to bypass Sherwood.</u></p>	<p><i>This proposed new strategy reflects a Citizen Advisory Committee recommendation.</i></p>

Sherwood Transportation System Plan
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Existing and <u>Proposed</u> Text	<i>Commentary</i>
<p>Goal 3: Establish a clear and objective set of transportation design and development regulations that addresses all elements of the city transportation system and that promote access to and utilization of a multi-modal transportation system.</p>	<p><i>This is an existing goal.</i></p>
<p>Policy 1 – The City of Sherwood shall adopt requirements <u>that proposed for</u> land developments that mitigate the adverse traffic impacts and ensure <u>that</u> all new development contributes a fair <u>and proportionate</u> share toward on-site and off-site transportation system improvement remedies.</p>	<p><i>This is an existing policy with amendments proposed for clarity only.</i></p>
<p>Policy 2 – The City of Sherwood shall require dedication of land for future streets when development is approved. The property developer shall be required to make full street improvements for their portion of the street commensurate with the proportional benefit that the improvement provides the development.</p>	<p><i>This is an existing policy.</i></p>
<p>Policy 3 – The City of Sherwood shall require applicable developments (as defined in the development code), to prepare a traffic impact analysis.</p>	<p><i>This is an existing policy.</i></p>
<p>Policy 4 – The City of Sherwood shall adopt <u>and maintain</u> a uniform set of design guidelines that provide one or more typical cross section associated with each functional street classification. For example, the City may allow for a standard roadway cross-section and a boulevard cross section for arterial and collector streets.</p>	<p><i>This is an existing policy with amendments proposed to reflect existing city practices.</i></p>
<p>Policy 5 – The City shall adopt <u>and maintain</u> roadway design guidelines and standards that ensure sufficient right-of-way is provided for necessary roadway, bikeway, and pedestrian improvements.</p>	<p><i>This is an existing policy with amendments proposed to reflect existing city practices.</i></p>
<p>Policy 6 – The City shall adopt <u>and maintain</u> roadway design guidelines and standards that ensure sidewalks and bikeways be provided on all arterial and collector streets for the safe and efficient movement of pedestrians and</p>	<p><i>This is an existing policy with amendments proposed to reflect existing city practices.</i></p>

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Proposed Transportation Goals and Policies**



Existing and <u>Proposed</u> Text	Commentary
<p>bicyclists between residential areas, schools, employment, commercial and recreational areas.</p>	
<p>Policy 7 – The City of Sherwood will generally favor granting property access from the street with the lowest functional classification, including alleys. Additional access to arterials and collectors for single family units shall be prohibited, and <u>Residential uses should be encouraged to use access from</u> frontage roads and local streets. Frontage roads shall be designed as local streets.</p>	<p><i>This is an existing policy with amendments proposed for clarity only.</i></p>
<p>Policy 8: – The City will adopt <u>and maintain</u> access control and spacing standards for all arterial and collector streets to improve safety and promote efficient through street movement. Access control measures shall be generally consistent with Washington County access guidelines to ensure consistency on city and county roads.</p>	<p><i>This is an existing policy with amendments proposed to reflect city practices.</i></p>
<p>Policy 9 – The City will establish <u>and maintain</u> guidelines and standards for the use of medians and islands for regulating access and providing pedestrian refuge on arterial and collector streets.</p>	<p><i>This is an existing policy with amendments proposed to reflect city practices.</i></p>
<p>Policy 10 – The City of Sherwood will establish <u>and maintain</u> a set of guidelines and standards for traffic calming measures to retrofit existing streets and as part of land use review.</p>	<p><i>This is an existing policy with amendments proposed to reflect city practices.</i></p>
<p>Policy 11 – The City will develop <u>and maintain</u> uniform traffic control device standards (signs, signals, and pavement markings) and uniformly apply them throughout the city.</p>	<p><i>This is an existing policy with amendments proposed to reflect city practices.</i></p>
<p>Policy 12 – The City of Sherwood will adopt parking control regulations for streets as needed. On-street parking shall not be permitted on any street designated as an arterial, unless allowed by special provision within the Town Center (Old Town) area or through the road modifications process outlined in the Sherwood Development Code. The City will support actions that provide sufficient parking for</p>	<p><i>Proposed amendments reflect a recommendation to replace this policy with adopted Policy 9 from the Town Center Plan and the more specific Strategies from this plan (see proposed Strategies 11-18).</i></p>

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Existing and <u>Proposed</u> Text	Commentary
<u>businesses and residents, while maximizing the efficiency of parking areas.</u>	
Policy 13 – The City of Sherwood shall adopt new development codes <u>explore and adopt regulatory and financing tools</u> to fill in gaps in existing sidewalks to achieve a consistent pedestrian system.	<i>These modifications reflect the fact that the City needs to first have a policy discussion regarding viable funding options before development requirements would be modified to be consistent with the preferred/adopted funding methods.</i>
Policy 14 – The City will <u>implement transportation system improvements and standards that increase access between residences and civic, employment, and commercial uses within the Town Center boundary and that improve safety for all modes of transportation for people traveling to, within and adjacent to the Town Center.</u>	<i>This is adopted Policy 7 in the Sherwood Town Center Plan.</i>
Policy 15 – The City will <u>balance the need for vehicular mobility within and adjacent to the Town Center with the other transportation and land use goals and priorities identified in the Town Center Plan.</u>	<i>This is adopted Policy 8 in the Sherwood Town Center Plan.</i>
Strategies	
1. <u>Ensure consistency between the Transportation System Plan, development code requirements, and the incorporate typical street cross-section guidelines in the City’s public works engineering design standards that address regarding street cross sections and other standards related to vehicular, bicycle, pedestrian, and transit needs.</u>	<i>The existing strategy is a “one time” action; proposed modifications address the ongoing need to ensure consistency between City plans and codes.</i>
2. Include a Road Modification Process <u>Maintain a process</u> in the Sherwood Development Code <u>to provide a procedure for that allows the City to granting</u> variances from street design standards for parking, pedestrian facilities, signals, and other roadway features.	<i>The proposed modification is consistent with existing Code language and City procedures.</i>

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Existing and <u>Proposed</u> Text	Commentary
3. Consider the Metro 2040 <u>Regional Transportation Plan Regional System Street Design Concepts Elements</u> when planning for improvements to City transportation facilities, including those built by ODOT or TriMet.	<i>The proposed modifications are consistent with the terms used in the RTP.</i>
4. Incorporate <u>Continue to implement</u> guidelines in the City's development code that establish when a local street refinement plan must be prepared and the process for preparing such a plan.	<i>The proposed modification is consistent with existing Code language and City procedures.</i>
5. <u>Periodically review the development code, and Amend the city development code as necessary, to ensure that regulate</u> vehicular access, spacing, circulation, and parking <u>continues to be regulated</u> consistent with plan policies.	<i>The proposed modifications are consistent with the intent of the existing policy.</i>
6. Amend the city development code as necessary to include specific guidelines for determining the proportional benefit contribution associated with requirements for street dedication and the construction of off-site transportation improvements.	<i>Proposed code amendments include a new section addressing rough proportionality, so this strategy is no longer needed.</i>
7. Amend the development code to include standards and procedures for a transportation impact analysis (TIA). Refer to Appendix for example.	<i>Proposed code amendments include a new section addressing TIA thresholds and requirements, so this strategy is no longer needed.</i>
8. <u>6.</u> Develop a list to prioritize refinement plan needs, such as corridor plans and interchange area management plans.	<i>This is an existing strategy.</i>
9. 7. <u>Amend development code to include provisions for implementing traffic calming mechanisms. Allow for the implementation of traffic calming mechanisms through provisions in the development code.</u>	<i>The proposed modification reflects existing code language.</i>
10. <u>8.</u> Create a map that identifies locations targeted for on-street parking, such as in neighborhood commercial areas and the town center that support multi-modal	<i>This is an existing strategy.</i>

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Existing and <u>Proposed</u> Text	Commentary
options.	
<p>11. <u>9.</u> Regularly <u>review, and</u> update <u>as necessary,</u> the development code to ensure consistency with regional parking requirements.</p>	<p><i>This is an existing strategy; modification reflect city practices.</i></p>
<p>12. <u>10.</u> Develop a “conceptual new streets plan” map for all contiguous areas of vacant and redevelopable parcels of 5 (five) or more acres planned or zoned for residential or mixed-use development, and adopt the map as part of the TSP.</p>	<p><i>This is an existing strategy.</i></p>
<p><u>11. Implement the parking strategies in the Sherwood Town Center Plan, including:</u></p> <ul style="list-style-type: none"> ▫ <u>Evaluate and monitor parking supply and demand in Old Town.</u> ▫ <u>Evaluate the parking needs for townhome developments in the Town Center.</u> ▫ <u>Evaluate the needs of commercial uses in the Langer Drive Commercial District.</u> 	<p><i>This proposed strategy incorporates and abbreviates adopted Strategies 9.1, 9.2, 9.3 and 9.6 from the Sherwood Town Center Plan.</i></p>
<p>13. <u>12.</u> Consider a “<u>mixed-use</u>” overlay zone in the development code that will apply to the Six Corners area. Include design standards that will encourage a vibrant, pedestrian friendly environment through the implementation of boulevards, medians, mixed-use development and site design. <u>Support public or private development of the bicycle and pedestrian improvements shown on Map 2 of the Town Center Plan.</u></p>	<p><i>The proposed amendment reflects a recommendation to replace existing Strategy 13 with adopted Strategies in the Town Center Plan. Underlined text is adopted Strategy 7.1 in the Sherwood Town Center Plan.</i></p>
<p><u>13. Enhance Sherwood Boulevard for bicycle and pedestrian travel consistent with the key changes identified for this roadway in the Town Center Plan.</u></p>	<p><i>This is adopted Strategy 7.2 in the Sherwood Town Center Plan.</i></p>
<p><u>14. Enhance Langer Drive for pedestrian and bicycle travel to create a complete street that supports a</u></p>	<p><i>This is adopted Strategy 7.3 in the</i></p>

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Existing and <u>Proposed</u> Text	Commentary
<u>vibrant mixed use district, consistent with the key changes identified for this roadway in the Town Center Plan.</u>	<i>Sherwood Town Center Plan.</i>
<u>15. Work with ODOT to provide safe pedestrian crossing movements for all directions at 99W intersections.</u>	<i>This is adopted Strategy 7.4 in the Sherwood Town Center Plan.</i>
<u>16. Identify and consider all funding sources appropriate and available to work with property owners to fill gaps in sidewalk system along neighborhood streets.</u>	<i>This is adopted Strategy 7.5 in the Sherwood Town Center Plan.</i>
<u>17. The City will support collaborative solutions that enhance access and improve safety for pedestrians and all other modes of transportation within, adjacent to and into the Town Center.</u>	<i>This is adopted Strategy 7.6 in the Sherwood Town Center Plan.</i>
<u>18. The City will work with the County, ODOT, and local stakeholders to enhance vehicular and pedestrian access from the Town Center to developments adjacent to the Town Center.</u>	<i>This is adopted Strategy 8.4 in the Sherwood Town Center Plan; Strategies 8.2 and 8.3 included direction for the current TSP update process and have been addressed.</i>
<u>19. The City will reexamine local street standards and will explore appropriate locations within the city and circumstances under which a narrower street standard may be permitted as part of new development.</u>	<i>Reducing pavement width is a Transportation Planning Rule requirement. Benefits include minimizing impervious surface, diminishing run-off/pollution, freeing land for other uses, etc. The proposed strategy acknowledges that there may be situations where the City's existing local street width standard could be reduced in order to minimize impervious surface, diminish run-off/pollution, free land for other uses, etc. Because of issues regarding restricting parking and parking enforcement, among others, the City</i>

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Existing and <u>Proposed</u> Text	Commentary
	<i>needs more community discussion before a narrower local standard can be implemented; this policy commits the City to having this community conversation.</i>

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Existing and <u>Proposed</u> Text	Commentary
Goal 4: Develop complementary infrastructure for bicycles and pedestrian facilities to provide a diverse range of transportation choices for city residents.	<i>This is an existing goal.</i>
Policy 1 – The City of Sherwood shall provide a supportive transportation network to the land use plan that provides opportunities for transportation choices and the use of alternative modes.	<i>This is an existing policy.</i>
Policy 2 – Sidewalks and bikeways shall be provided on all arterial and collector streets for the safe and efficient movement of pedestrians and bicyclists between residential areas, schools, employment, commercial and recreational areas.	<i>This is an existing policy.</i>
Policy 3 – The City of Sherwood will pursue development of local and regional pedestrian trail facilities, especially a trail system connection between the city and the Tualatin National Wildlife Refuge.	<i>This is an existing policy.</i>
Policy 4 – The City of Sherwood shall provide design standards for roadway traffic calming features such as traffic circles, curb extensions, bulb-outs, and speed humps <u>that make roadways safer for walking and biking.</u>	<i>This is an existing policy, with minor amendments proposed to broaden applicability; more specific action is in Strategy 8.</i>
Policy 5 – The City of Sherwood shall include requirements for the provision of short-term and long-term bicycle parking on large <u>be included as part of</u> commercial, industrial, <u>institutional</u> , and multi-family residential projects.	<i>The TPR, RTP, and RTFP require bicycle parking for these uses in general, not just “large” projects.</i>
Policy 6 – The City of Sherwood will coordinate the bikeway system with adjacent jurisdictions, especially Tualatin, Wilsonville, Clackamas and Washington County.	<i>This is an existing policy.</i>
Policy 7 – The City will work to eliminate architectural barriers from buildings and public improvements, which limit elderly and handicapped use of the transportation system.	<i>This is an existing policy.</i>

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Existing and <u>Proposed</u> Text	Commentary
<p><u>Policy 8 – The City will require new development to accommodate bicyclists and pedestrians, and to provide non-motorized transportation facilities consistent with the proposed use and pursuant to applicable code requirements.</u></p>	<p><i>This proposed new policy acknowledges private development’s role in providing bicycle and pedestrian facilities.</i></p>
<p>Strategies</p>	
<p>1. Include pedestrian and bike projects in the capital improvement plan to ensure investment in alternative modes;</p>	<p><i>This is an existing strategy.</i></p>
<p>2. Use intergovernmental agreements with Tualatin and Washington County for the coordination of urban services per ORS 196.065 to coordinate the bikeway system and trail system;</p>	<p><i>This is an existing strategy.</i></p>
<p>3. Include design standards for sidewalk and bikeway facilities in the City’s roadway design guidelines;</p>	<p><i>This is an existing strategy.</i></p>
<p>4. Include provisions for planning the location of pedestrian and bike routes for connecting residential, school, commercial, employment and recreational areas in the development code guidelines for preparing local street refinement plans;</p>	<p><i>This is an existing strategy.</i></p>
<p>5. Include a system of bikeways along collector and arterial roadways as illustrated on the Transportation Plan Map;</p>	<p><i>This is existing strategy with minor amendments proposed for accuracy. (The Transportation Plan Map shows recommended projects rather than bikeways along all collectors and arterials.)</i></p>
<p>6. Include requirements in the development code for private development to provide bike and pedestrian facilities as are related and proportional to the <u>projected impacts of the proposed development and that are consistent with indicated on the Transportation Plan Map in TSP Figures 12, 13, and 14</u>;</p>	<p><i>These changes include updated references to the TSP.</i></p>

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Existing and <u>Proposed</u> Text	Commentary
7. Include design standards for sidewalks and bicycle facilities in the <u>City's</u> roadway design guidelines.	<i>This is an existing strategy.</i>
8. Pursue traffic calming techniques, such as traffic circles, curb extensions and speed humps, for neighborhood and local streets so as to provide safe passage for pedestrians and bicyclists, and a more pleasant neighborhood environment for residents.	<i>This is an existing strategy with proposed additions for clarity.</i>
9. Construct and install infrastructure, including storm drain inlets, which are pedestrian and bicycle-friendly.	<i>This is an existing strategy.</i>

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Existing and <u>Proposed</u> Text	Commentary
Goal 5: Provide reliable convenient transit service to Sherwood residents and businesses as well as special transit options for the eCity's elderly and disabled residents.	<i>This is an existing goal.</i>
Policy 1 – <u>The City shall support and encourage p</u> ublic transportation shall be provided as an <u>alternative viable</u> means of transportation in Sherwood.	<i>The policy has been re-written to reflect the City's supporting role in providing public transportation.</i>
Policy 2 – The City of Sherwood will work with Tri-Met to expand transit services to all parts of the City through additional routes, more frequent service, and transit oriented street improvements.	<i>This is an existing policy.</i>
Policy 3 – Park-and-ride facilities should be located with convenient access to the arterial system to facilitate rider transfer to transit and car pools.	<i>This is an existing policy.</i>
Policy 4 – The City will <u>Encourage</u> the construction of bus shelters and park-n-ride lots in the vicinity of planned transit corridors.	<i>This is an existing policy.</i>
Policy 5 – The City of Sherwood will support the establishment of a "feeder" transit route from downtown Sherwood to Tualatin employment centers.	<i>This is an existing policy.</i>
Policy 6 – The City of Sherwood will support park and ride facilities that are sited for the maximum convenience of commuters and transit riders.	<i>This is an existing policy.</i>
Policy 7 – The City of Sherwood will support regional efforts for the preservation and development of appropriate rail rights-of-way for passenger rail service, in particular for serving local and regional commuter rail needs in Washington County, Clackamas County, and Yamhill County.	<i>Review for consistency with the updated TSP recommendations. Note that this policy is related to new Strategy 5 (adopted Strategy 6.3 in the Sherwood Town Center Plan).</i>
Policy 8 – The City of Sherwood will encourage the provision of special transportation services (i.e., van pools, or car pools, dial-a-ride, etc.) to transportation disadvantaged by Tri-Met and community-based service	<i>This is an existing policy.</i>

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Existing and <u>Proposed</u> Text	Commentary
providers.	
<p>Policy 9 – Fully integrate the City into the regional transit system by expanding hours and destinations served by transit providers. The City supports transit service that serves the needs of the residents and businesses in and adjacent to the Town Center, including maintaining a robust local transit service network and planning for future local and high capacity transit service to neighboring cities.</p>	<p><i>Deleted policy is somewhat redundant to Policy 2 and suggests that the City has authority to expand transit hours of service and routes. Proposed language is adopted Policy 6 in the Town Center Plan.</i></p>
<p>Policy 10 – The City will meet RTP goals of providing a safe and convenient pedestrian circulation system.</p>	<p><i>This is an existing policy.</i></p>
<p><u>Policy 11 – The City will participate in and will support regional efforts that seek to improve multi-modal transportation options that benefit the residents and business in Sherwood.</u></p>	<p><i>The proposed policy recognizes the City’s participation in regional transportation projects such as the Southwest Corridor and Tonquin Trail projects.</i></p>
<p><u>Policy 12 – The City will support providing and improving transit connections between Sherwood, Tualatin, and other communities in the region, particularly for work-related trips.</u></p>	<p><i>This proposed policy language is based on comments from the Citizen Advisory Committee.</i></p>
Strategies	
<p>1. In consultation with TriMet and consistent with their guidelines, develop and maintain design standards to separate for bus pullouts and stops on buses from the arterial roadways while to facilitate safe and efficient transferring passengers transfers. Establish a bus turnout design for stops on arterial streets.</p>	<p><i>Proposed modifications defer to TriMet regarding the preferred design for bus pullouts and stops.</i></p>
<p>2. Update development code to include design guidelines that require transit stops to be accessible to transit riders, especially the elderly and handicapped. Ensure new development and redevelopment provide connections to transit streets and facilities, providing protected street crossings and bus stop amenities, if</p>	<p><i>Existing Strategy is a “one time” action; proposed language is consistent with existing code requirements for new development in the vicinity of a transit stop.</i></p>

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Existing and <u>Proposed</u> Text	Commentary
<p><u>needed.</u></p>	
<p>3. Amend development code to require development on sites at major transit stops (defined by the City of Sherwood) to do the following:</p> <ul style="list-style-type: none"> □ Locate within 20 feet of (or provide a pedestrian plaza) at the major transit stop; □ Provide reasonably direct pedestrian connections between the transit stop and building entrances on the site; □ Provide a transit service passenger landing pad accessible to disabled persons; □ Provide an easement or right-of-way dedication for a passenger shelter and underground utility connection from the new development to the transit amenity if requested by the public transit provider; and □ Improve public safety by providing lighting at transit stops. 	<p><i>Strategy is reflected in existing code requirements for new development in the vicinity of a transit stop and is no longer needed.</i></p>
<p>4. Work with Tri-Met and Metro to extend transit options to Sherwood, which may include:</p> <ul style="list-style-type: none"> □ High capacity transit service along 99W terminating near Six Corners; □ Potential extension of commuter rail line from Lake Oswego to Sherwood on the existing rail line with service to Newberg or McMinnville; and □ Other regional transit service connections, such as frequent bus, interurban bus, as appropriate. <p><u>3. Identify the ongoing transit needs within the community and work with Tri-Met and other transit providers to enhance services to address short and</u></p>	<p><i>This existing strategy has been updated; language proposed here is Strategy 6.1 in the Town Center Plan.</i></p>

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Existing and <u>Proposed</u> Text	Commentary
<u>long-term transit needs in the community.</u>	
<u>4. Work with Metro, as well as the cities of Tualatin and Tigard, to explore feasible modes and locations to provide high-capacity transit service to the Town Center and adjacent areas.</u>	<i>This is adopted Strategy 6.2 in the Sherwood Town Center Plan.</i>
<u>5. Periodically evaluate the feasibility of passenger service along the existing rail lines as the Town Center grows.</u>	<i>This is adopted Strategy 6.3 in the Sherwood Town Center Plan.</i>
<u>6. Continue to explore opportunities to achieve long-term transit supportive densities in the Town Center in order to increase the viability of high-capacity transit.</u>	<i>This is adopted Strategy 6.4 in the Sherwood Town Center Plan.</i>

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Existing and <u>Proposed</u> Text	Commentary
<p>Goal 6: Provide a convenient and safe transportation network within and between the Sherwood Old Town (Town Center) and Six Corners area that enables mixed use development and provides multi-modal access to area businesses and residents.</p>	<p><i>This goal and its policies and strategies are consistent with the adopted Town Center Plan, but it is proposed that references to the Town Center be removed because the Town Center now applies to an area larger than Old Town.</i></p>
<p>Policy 1 – The City of Sherwood shall continue to refine and develop existing and new design guidelines and special standards for the Old Town and Six Corners areas to facilitate more pedestrian and transit friendly development.</p>	<p><i>This is an existing policy.</i></p>
<p>Policy 2 – The City of Sherwood shall work to provide connectivity, via the off-street trail system and public right-of-way acquisitions and dedications, to better achieve street spacing and connectivity standards.</p>	<p><i>This is an existing policy.</i></p>
<p>Strategies</p>	
<p>1. Provide handicap ramps at all intersections with landings connected to sidewalk improvements, especially within Six Corners and Old Town areas.</p>	<p><i>This is an existing strategy.</i></p>
<p>2. <u>Work with transit service providers to</u> Design transit stops in- to meet ADA requirements for transit accessibility.</p>	<p><i>This is an existing strategy with minor amendments proposed acknowledge the relationship with transit service providers in designing transit stops.</i></p>
<p>3. Adopt design and development guidelines for the Old Town areas that facilitate pedestrian use and a mix of commercial and residential development.</p>	<p><i>This is an existing strategy.</i></p>
<p>4. Adopt parking guidelines for the Old Town areas that are compatible with the parking guidelines established in Title 2 of the Metro Urban Growth Management Functional Plan.</p>	<p><i>It is recommended to replace this strategy with proposed Goal 3, Strategy 11, language that was developed as part of the Town Center Plan and reflects the need for a parking study</i></p>

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Existing and <u>Proposed</u> Text	Commentary
	<i>and strategy for Old Town.</i>

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Existing and <u>Proposed</u> Text	Commentary
<p>Goal 7: Ensure that efficient and effective freight transportation infrastructure is developed and maintained to support local and regional economic expansion and diversification consistent with City economic plans and policies.</p>	<p><i>This is an existing goal.</i></p>
<p>Policy 1 — The City of Sherwood will collaborate with federal, state and neighboring local governments and private business to ensure the investment in transportation infrastructure and services deemed necessary by the City to meet current and future demand for industrial and commercial freight movement.</p>	<p><i>This is an existing policy.</i></p>
<p>Policy 2 — The City of Sherwood will adopt implementing regulations that provide for safe and convenient access to industrial and commercial areas for commercial vehicles, including freight loading and transfer facilities.</p>	<p><i>This is an existing policy.</i></p>
<p>Policy 3 — The City of Sherwood will work cooperatively with local, regional and state agencies to protect the viability of truck and freight service routes within, through, and around the City of Sherwood, especially for Pacific Highway 99-W, the Tualatin-Sherwood Highway, and the planned <u>multi-corridor</u> I-5/Hwy 99-W Connector corridor <u>strategy</u>.</p>	<p><i>This is an existing policy with minor amendments to acknowledge that multiple facilities will be involved in the I-5/Highway 99-W Connector.</i></p>
<p>Policy 4 — The City of Sherwood will work cooperatively with local, regional and state governments to ensure there is adequate air transportation infrastructure to serve local needs at regional airport facilities, including the Hillsboro Airport and Portland International airport.</p>	<p><i>This is an existing policy.</i></p>
<p>Policy 5 — The City of Sherwood will strongly encourage the preservation of rail rights-of-way for future rail uses, and will work with appropriate agencies to ensure the availability of rail services to its industrial lands.</p>	<p><i>This is an existing policy.</i></p>
<p>Policy 6 — The City of Sherwood will cooperate with local, regional and state governments to provide for regional marine freight infrastructure sufficient to serve local needs.</p>	<p><i>This is an existing policy.</i></p>

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Existing and <u>Proposed</u> Text	<i>Commentary</i>
Policy 7 — The City of Sherwood will cooperate with the Portland Development Commission, Port of Portland, Washington County, and other economic development agencies to ensure the availability of inter-modal connectivity facilities deemed necessary to facilitate seamless freight transfer between all transport modes.	<i>This is an existing policy.</i>
Strategies	
1. Revise the Sherwood Development Code as necessary to include clear and objective standards for the provision of freight loading and handling facilities, such as restricted on-street parking, loading docks, truck access ways, and rail spurs, in all industrial and commercial development districts.	<i>Note that proposed development code revisions include provisions for on-street loading. [Proposed new Subsection C in Section 16.94.030 (Off-Street Loading Standards).]</i>
2. Participate in regional economic development planning efforts related to inter-modal transportation facilities.	<i>This is an existing strategy.</i>
3. Adopt appropriate standards to ensure the preservation of rail access corridors to Sherwood <u>the City's</u> industrial land base.	<i>This is an existing strategy.</i>

**Sherwood Transportation System Plan
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Existing and <u>Proposed</u> Text	Commentary
<p>Goal 8: The Sherwood <u>City's</u> transportation network will be managed in a manner that ensures the plan is implemented in a timely fashion and is kept up to date with respect to local and regional priorities.</p>	<p><i>This is an existing goal.</i></p>
<p>Policy 1 – The City of Sherwood shall develop <u>and pursue</u> a systematic approach to implementing the transportation network.</p>	<p><i>This is an existing policy with amendments proposed to reflect existing city practices.</i></p>
<p>Policy 2 – The City of Sherwood shall pursue a diversified funding strategy to implement the transportation system plan including private, public and regional sources.</p>	<p><i>This is an existing policy.</i></p>
<p>Policy 3 – The City of Sherwood shall use its adopted capital improvement plan to prioritize and schedule transportation projects based upon need as shown in the Transportation System Plan. Incorporate the transportation system priorities from the TSP into the <u>City's</u> capital improvement planning process.</p>	<p><i>This is an existing policy.</i></p>
<p>Policy 4 – Project scheduling shall be performed in a systematic manner based on the priority rating process outlined in the Transportation System Plan and available financial resources.</p>	<p><i>This is an existing policy.</i></p>
<p>Policy 5 – The Transportation System Plan shall be periodically updated, preferably on a five-year cycle, to assure consistency with changing ideas, philosophies, and related policies.</p>	<p><i>This is an existing policy.</i></p>
<p>Strategies</p>	
<p>1. Participate in MPAC, JPACT and other Metro advisory bodies to promote Sherwood <u>the City's</u> transportation system improvements.</p>	<p><i>This is an existing strategy.</i></p>
<p>2. Local private financing resources will include right of way dedication and developer contributions to street improvements, and local improvement districts. Public resources will include local system development</p>	<p><i>This is an existing strategy.</i></p>

05/14/14

Table 2: Draft Proposed Amendments to SECTION B – Goals, Policies, and Strategies | Page 28

Sherwood Transportation System Plan
Proposed Transportation Goals and Policies



Existing and <u>Proposed</u> Text	Commentary
<p>charges and bonding authority. Regional sources will include Washington County Traffic Impact Fees (TIF) and projects bonded through the County MSTIP program. Regional sources will also include Metro Transportation Improvement Plan (MTIP) resources and other state and federal grant assistance programs.</p>	
<p>3. Adopt a comprehensive local system development charge (SDC) ordinance to either augment or replace CAP and collector street SDC.</p>	<p><i>A SDC ordinance has been adopted, so this strategy is no longer needed.</i></p>
<p>34. Develop a method for scheduling improvement projects based on priority and funding sources.</p>	<p><i>This is an existing strategy.</i></p>
<p>45. Assign eCity staff and elected officials to participate in regional transportation planning processes.</p>	<p><i>This is an existing strategy.</i></p>
<p>56. Secure intergovernmental agreements between Sherwood the City and adjoining communities and regional service providers that outline cooperative measures for coordinating transportation investment and regulation per ORS 195.065.</p>	<p><i>This is an existing strategy.</i></p>
<p><u>6. Continue to collaborate with Washington County and other regional partners on refinement planning related to Brookman Road, and update the Sherwood Transportation Plan to incorporate the agreed upon classification and design of this roadway.</u></p>	<p><i>This is a new Strategy acknowledging the outstanding issues surrounding Brookman Road and articulating the need for a future amendment to the TSP.</i></p>



Table 3: Draft Proposed Amendments to SECTION C - The Transportation System Plan

Existing and <u>Proposed</u> Text	Commentary
<p>The Transportation System Plan stresses the improvement of the existing system of transportation facilities <u>through transportation system management</u> before new facilities are built. Existing conditions have been analyzed in the Study Area (lands within UGB) and are contained in Chapter 3 of the TSP Appendix (Existing Conditions Report). Transportation analysis zones were created for each part of the city based on types of land use in the Comprehensive Plan Map. Future traffic volumes were projected based on expected <u>build-out development</u> of those zones <u>and surrounding areas consistent with Metro’s land use projections</u>. Future traffic volumes with trip origins or destinations in the Study Area were then calculated for selected subareas or zones in this case. Future locally generated traffic volumes were then distributed onto the street system based on assumption as to major directional movements. From this process future locally generated traffic volumes were calculated for major roads. Future traffic volumes within the Study Area represent only locally generated traffic. Reduction in traffic volumes over time on certain major streets assumes the progressive improvement of alternative major street routes, which have the effect of shifting traffic from existing to improved routes in satisfying major directional movements. To determine total volumes on major streets with significant through traffic (i.e. Highway 99W) locally generated volumes should be added to through traffic volumes determined by Washington County, Metro or ODOT.</p> <p>The above a<u>Analysis of projected future traffic conditions</u> taken together with the application of the goals, objectives and policies described in Section B were used in the development of Transportation System Plan. A map for each existing and planned transportation system is included in the TSP. Each m<u>Maps, several</u> street classifications, and the above policies are<u>were</u> updated as part of TSP updates as well. The TSP (2005) is a technical reference to the Transportation element of the Comprehensive Plan. The following information is included in the TSP and is included below for reference. Table 1 is a list of functional classifications and definitions for each street followed by Figure 1 Transportation Plan Map that illustrates the location and functional classification of each street. Table 2 is a list of major transportation improvements planned for the next twenty years based on the transportation system analysis of expected traffic levels, a performance standard Level of Service “D”, and projected costs. Generally, most of the improvements are upgrades and connections to existing streets while some improvements are proposed new streets.</p>	<p><i>Specific references to the TSP are replaced with general references. It is recommended to remove functional classification maps and project lists from this section and generally simplify this section.</i></p>



LAND USE PLANNING • TRANSPORTATION PLANNING • PROJECT MANAGEMENT

Memorandum

Date: May 6, 2014 *Last revised May 14, 2014*

To: Brad Kilby, AICP, City of Sherwood

From: Darci Rudzinski and Shayna Rehberg, Angelo Planning Group

cc: Bob Galati, PE, City of Sherwood; Garth Appanaitis, DKS Associates

Re: Draft Proposed Implementation Language (Task 5.2)

This memorandum presents draft proposed amendments to the City of Sherwood Zoning and Community Development Code ("development code"), pursuant to Task 5.2.

Proposed policy and code amendments will be reviewed and considered for adoption in conjunction with the updated TSP, as they include amendments that implement recommendations from the updated City of Sherwood Transportation System Plan (TSP), create consistency between the TSP and other adopted local documents, and comply with state and regional transportation planning regulations. Proposed policy amendments are presented in a separate memorandum and proposed code amendments are presented below.

Proposed Development Code Amendments

Draft code amendments presented in this memorandum were developed according to findings of compliance with the Transportation Planning Rule (TPR) and Regional Transportation Functional Plan (RTFP).¹ Recommendations for potential code amendments to better address compliance with TPR and RTFP requirements were summarized in Table 6 of the Needs, Opportunities, Constraints and Tools Technical Report (Task 3.2). These recommendations were discussed with City staff in order to determine which issues would be pursued and developed into draft code amendments.

For reference, that summary table is included in this memorandum as Table A-1 in Attachment A, and includes commentary indicating which recommendations have been developed into proposed code amendments.

¹ Detailed and updated findings of compliance will be included in the City's staff report (Task 5.6).

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Proposed code amendment text is presented in adoption-ready format in this memorandum. New language that is proposed to be added is underlined and proposed deletions are ~~struck through~~. The draft amendments are numbered consistent with the structure of the City development code, and are presented in the order of issues included in Table A-1.

Note: In addition to the amendments proposed in this memorandum, the entire development code should be checked to amend all references to the updated TSP, as needed.

Consistency of transportation facility standards (Recommendation DC-2 in Table A-1)

CHAPTER 16.106 TRANSPORTATION FACILITIES

16.106.010 Generally

A. Creation

Public streets shall be created in accordance with provisions of this Chapter. Except as otherwise provided, all street improvements and rights-of-way shall conform to standards for the City's functional street classification, as shown on the TSP Map (Figure 15) and in Figure 1, of Chapter 6 of the Community Development Plan, and other applicable City standards. The following table depicts the guidelines for the street characteristics.

[...]

16.106.040 Design

Standard cross sections showing street design and pavement dimensions are located in the City of Sherwood Transportation System Plan, and City of Sherwood's Engineering Design Manual.

Definitions of access way and shared-use path (Recommendation DC-3 in Table A-1)

CHAPTER 16.10 DEFINITIONS

16.10.020 SPECIFICALLY

[...]

Access: The way or means by which pedestrians and vehicles enter and leave property.

Access way: A pathway providing a connection for pedestrians and bicyclists between two streets, between two lots, or between a development and a public right-of-way. An access way is intended to provide access between a development and adjacent residential uses, commercial uses, public use such as schools, parks, and adjacent collector and arterial streets where transit stops or bike lanes are provided or designated. An access way may be a pathway for pedestrians and bicyclists (with no vehicle access), a pathway on public or private property (i.e., with a public access easement), and/or a facility designed to accommodate emergency vehicles.

Accessory Building/Use: A subordinate building or use which is customarily incidental to that of the principal use or building located on the same property.

[...]

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Setback: The minimum horizontal distance between a public street right-of-way line, or side and rear property lines, to the front, side and rear lines of a building or structure located on a lot.

Shared-use path: A facility for non-motorized access conforming to City standards and separated from the roadway, either in the roadway right-of-way, independent public right-of-way, or a public access easement. It is designed and constructed to allow for safe walking, biking, and other human-powered travel modes.

Sidewalk: A pedestrian walkway with hard surfacing.

[...]

Traffic Impact Analysis (TIA) and rough proportionality requirements (Recommendation DC-4 in Table A-1)

CHAPTER 16.90 SITE PLANNING

16.90.030 Site Plan Modifications and Revocation

[...]

D. Required Findings

No site plan approval shall be granted unless each of the following is found:

[...]

6. ~~For developments that are likely to generate more than 400 average daily trips (ADTs)~~Pursuant to Section 16.106.080, or at the discretion of the City Engineer, the applicant shall provide adequate information, such as a traffic impact analysis (TIA) or traffic counts, to demonstrate the level of impact to the surrounding ~~street~~ transportation system. The developer shall be required to mitigate for impacts attributable to the project, pursuant to TIA requirements in Section 16.106.080 and rough proportionality requirements in Section 16.106.090. The determination of impact or effect and the scope of the impact study shall be coordinated with the provider of the affected transportation facility.

[...]

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CHAPTER 16.106 TRANSPORTATION FACILITIES

16.106.020 Required Improvements

[...]

D. Extent of Improvements

1. Streets required pursuant to this Chapter shall be dedicated and improved consistent with Chapter 6 of the Community Development Plan, the TSP and applicable City specifications included in the City of Sherwood Construction Standards. Streets shall include curbs, sidewalks, catch basins, street lights, and street trees. Improvements shall also include any bikeways designated on the Transportation System Plan map. Applicant may be required to dedicate land for required public improvements only when the exaction is directly related to and roughly proportional to the impact of the development, pursuant to Section 16.106.090.

[...]

16.106.040 Design

[...]

K. Traffic Controls

1. ~~An application for a proposed residential development that will generate more than an estimated 200 average daily vehicle trips (ADT) must include a traffic impact analysis to determine the number and types of traffic controls necessary to accommodate anticipated traffic flow.~~
2. ~~For all other proposed developments including commercial, industrial or institutional uses with over an estimated 400 ADT~~ Pursuant to Section 16.106.080, or as otherwise required by the City Engineer, ~~the~~ an application must include a traffic impact analysis to determine the number and types of traffic controls necessary to accommodate anticipated traffic flow.

[...]

16.106.080 Traffic Impact Analysis (TIA)

- A. Purpose. The purpose of this section is to implement Sections 660-012-0045(2)(b) and -0045(2)(e) of the State Transportation Planning Rule (TPR), which require the City to adopt performance standards and a process to apply conditions to land use proposals in order to minimize impacts on

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and protect transportation facilities. This section establishes requirements for when a traffic impact analysis (TIA) must be prepared and submitted; the analysis methods and content involved in a TIA; criteria used to review the TIA; and authority to attach conditions of approval to minimize the impacts of the proposal on transportation facilities.

This section refers to the TSP for performance standards for transportation facilities as well as for projects that may need to be constructed as mitigation measures for a proposal's projected impacts. This section also relies on the City of Sherwood's Engineering Design Manual to provide street design standards and construction specifications for improvements and projects that may be constructed as part of the proposal and/or mitigation measures approved for the proposal.

B. Applicability. A traffic impact analysis (TIA) shall be required to be submitted to the City with a land use application at the request of the City Engineer or if the proposal is expected to involve one or more of the following:

1. An amendment to the Sherwood Comprehensive Plan or zoning map.
2. A new direct property approach road to Highway 99W is proposed.
3. The proposed development generates 50 or more PM peak-hour trips on Highway 99W, or 100 PM peak-hour trips on the local transportation system.
4. An increase in use of any adjacent street or direct property approach road to Highway 99W by 10 vehicles or more per day that exceed the 20,000 pound gross vehicle weight.
5. The location of an existing or proposed access driveway does not meet minimum spacing or sight distance requirements, or is located where vehicles entering or leaving the property are restricted, or such vehicles are likely to queue or hesitate at an approach or access connection, thereby creating a safety hazard.
6. A change in internal traffic patterns that may cause safety problems, such as back up onto the highway or traffic crashes in the approach area.

C. Requirements. The following are typical requirements that may be modified in coordination with Engineering Staff based on the specific application.

1. Pre-application Conference. The applicant shall meet with the City Engineer prior to submitting an application that requires a TIA. This meeting will be coordinated with Washington County and ODOT when an approach road to a County road or Highway 99W serves the property, so that the TIA will meet the requirements of all relevant agencies.
2. Preparation. The TIA shall be prepared by an Oregon Registered Professional Engineer qualified to perform traffic engineering analysis and will be paid for by the applicant.

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3. Typical Average Daily Trips and Peak Hour Trips. The latest edition of the Trip Generation Manual, published by the Institute of Transportation Engineers (ITE), shall be used to gauge PM peak hour vehicle trips, unless a specific trip generation study that is approved by the City Engineer indicates an alternative trip generation rate is appropriate.
 4. Intersection-level Analysis. Intersection-level analysis shall occur at every intersection where the analysis shows that 50 or more peak hour vehicle trips can be expected to result from the development.
 5. Transportation Planning Rule Compliance. The requirements of OAR 660-012-0060 shall apply to those land use actions that significantly affect the transportation system, as defined by the Transportation Planning Rule.
- D. Study Area. The following facilities shall be included in the study area for all TIAs:
1. All site-access points and intersections (signalized and unsignalized) adjacent to the proposed development site. If the site fronts an arterial or collector street, the analysis shall address all intersections and driveways along the site frontage and within the access spacing distances extending out from the boundary of the site frontage.
 2. Roads and streets through and adjacent to the site.
 3. All intersections needed for signal progression analysis.
 4. In addition to these requirements, the City Engineer may require analysis of any additional intersections or roadway links that may be adversely affected as a result of the proposed development.
- E. Analysis Periods. To adequately assess the impacts of a proposed land use action, the following study periods, or horizon years, should be addressed in the transportation impact analysis where applicable:
1. Existing Year.
 2. Background Conditions in Project Completion Year. The conditions in the year in which the proposed land use action will be completed and occupied, but without the expected traffic from the proposed land use action. This analysis should account for all City-approved developments that are expected to be fully built out in the proposed land use action horizon year, as well as all planned transportation system improvements.
 3. Full Buildout Conditions in Project Completion Year. The background condition plus traffic from the proposed land use action assuming full build-out and occupancy.

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4. Phased Years of Completion. If the project involves construction or occupancy in phases, the applicant shall assess the expected roadway and intersection conditions resulting from major development phases. Phased years of analysis will be determined in coordination with City staff.
 5. 20-Year or TSP Horizon Year. For planned unit developments, comprehensive plan amendments or zoning map amendments, the applicant shall assess the expected future roadway, intersection, and land use conditions as compared to approved comprehensive planning documents.
- F. Approval Criteria. When a TIA is required, a proposal is subject to the following criteria, in addition to all criteria otherwise applicable to the underlying land use proposal:
1. The analysis complies with the requirements of 16.106.080.C;
 2. The analysis demonstrates that adequate transportation facilities exist to serve the proposed development or identifies mitigation measures that resolve identified traffic safety problems in a manner that is satisfactory to the City Engineer and, when County or State highway facilities are affected, to Washington County and ODOT;
 3. For affected non-highway facilities, the TIA demonstrates that mobility and other applicable performance standards established in the adopted City TSP have been met; and
 4. Proposed public improvements are designed and will be constructed to the street standards specified in Section 16.106.010 and the Engineering Design Manual, and to the access standards in Section 16.106.040.
 5. Proposed public improvements and mitigation measures will provide safe connections across adjacent right-of-way (e.g., protected crossings) when pedestrian or bicycle facilities are present or planned on the far side of the right-of-way.
- G. Conditions of Approval. The City may deny, approve, or approve a development proposal with conditions needed to meet operations and safety standards and provide the necessary right-of-way and improvements to ensure consistency with the future planned transportation system. Improvements required as a condition of development approval, when not voluntarily provided by the applicant, shall be roughly proportional to the impact of the development on transportation facilities, pursuant to Section 16.106.090. Findings in the development approval shall indicate how the required improvements are directly related to and are roughly proportional to the impact of development.

16.106.090 Rough Proportionality

The purpose of this section is to ensure that required transportation facility improvements are roughly proportional to the potential impacts of the proposed development. The rough proportionality requirements of this section apply to both frontage and non-frontage improvements. A proportionality analysis will be conducted by the City Engineer for any proposed development that triggers transportation facility improvements pursuant to this chapter. The City Engineer will take into consideration any benefits that are estimated to accrue to the development property as a result of any required transportation facility improvements. A proportionality determination can be appealed pursuant to Section 16.76. The following general provisions apply whenever a proportionality analysis is conducted.

- A. Mitigation of impacts due to increased demand for transportation facilities associated with the proposed development shall be provided in rough proportion to the transportation impacts of the proposed development. When applicable, anticipated impacts will be determined by the TIA in accordance with Section 16.106.080. When no TIA is required, anticipated impacts will be determined by the City Engineer.
- B. The following shall be considered when determining proportional improvements:
1. Condition and capacity of existing facilities within the impact area in relation to City standards. The impact area is generally defined as the area within a one-half (1/2) mile radius of the proposed development. If a TIA is required, the impact area is the TIA study area.
 2. Existing vehicle, bicycle, pedestrian, and transit use within the impact area.
 3. The effect of increased demand on transportation facilities and other approved, but not yet constructed, development projects within the impact area that is associated with the proposed development.
 4. Applicable TSP goals, policies, and plans.
 5. Whether any route affected by increased transportation demand within the impact area is listed in any City program including school trip safety; neighborhood traffic management; capital improvement; system development improvement, or others.
 6. Accident history within the impact area.
 7. Potential increased safety risks to transportation facility users, including pedestrians and cyclists.
 8. Potential benefit the development property will receive as a result of the construction of any required transportation facility improvements.

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9. Other considerations as may be identified in the review process pursuant to Chapter 16.72.

Preferential carpool and vanpool parking (Recommendation DC-6 in Table A-1)

CHAPTER 16.94 OFF-STREET PARKING AND LOADING

16.94.010 General Requirements

[...]

E. Location

3. Vehicle parking is allowed only on improved parking shoulders that meet City standards for public streets, within garages, carports and other structures, or on driveways or parking lots that have been developed in conformance with this code. Specific locations and types of spaces (car pool, compact, etc.) for parking shall be indicated on submitted plans and located to the side or rear of buildings where feasible.
 - a. All new development with twenty (20) employees or more shall include preferential spaces for ~~either car-pool-and~~vanpool designation. Carpool and vanpool parking spaces shall be located closer to the main employee entrance than all other parking spaces with the exception of ADA parking spaces. Carpool/vanpool spaces shall be clearly marked as reserved for carpool/vanpool only.

Exemptions for structured parking and on-street parking (Recommendation DC-8 in Table A-1)

16.94.010 General Requirements

[...]

- K. Structured parking and on-street parking are exempt from the parking space maximums in Section 16.94.020.A.

“Housekeeping” amendments, parking standards table footnotes (Recommendation DC-9 in Table A-1)

Section 16.94.020, Parking Standards Table

¹ ~~Parking Zone A reflects the maximum number of permitted vehicle parking spaces allowed for each listed land use. Parking Zone A areas include those parcels that are located within one-quarter (¼) mile walking distance of bus transit stops, one-half (½) mile walking distance of light rail station platforms, or both, or that have a greater than 20 minute peak hour transit service.~~

² ~~Parking Zone B. Parking Zone B reflects the maximum number of permitted vehicle parking spaces allowed for each listed land use. Parking Zone B areas include those parcels that are located within one-quarter ¼ mile walking distance of bus transit stops, one-half ½ mile walking distance of light rail station platforms, or both, or that have a greater than 20 minute peak hour transit service. Parking Zone B areas also include those parcels that are located at a distance greater than one-quarter (¼) mile walking distance of bus transit stops, one-half (½) mile walking distance of light rail station platforms, or both.~~

Transportation Planning Rule consistency requirements (Recommendation DC-11 in Table A-1)

CHAPTER 16.80 PLAN AMENDMENTS

16.80.030 Review Criteria

[...]

C. Transportation Planning Rule Consistency

1. The applicant shall demonstrate consistency with the Transportation Planning Rule, specifically by addressing whether the proposed amendment creates a significant effect on the transportation system pursuant to OAR 660-012-0060. If required, a Traffic Impact Analysis (TIA) shall be prepared pursuant to Section 16.106.080.

~~Review of plan and text amendment applications for effect on transportation facilities. Proposals shall be reviewed to determine whether it significantly affects a transportation facility, in accordance with OAR 660-12-0060 (the TPR). Review is required when a development application includes a proposed amendment to the Comprehensive Plan or changes to land use regulations.~~

2. ~~"Significant" means that the transportation facility would change the functional classification of an existing or planned transportation facility, change the standards implementing a functional classification, allow types of land use, allow types or levels of land use that would result in levels of travel or access that are inconsistent with the functional classification of a transportation~~

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~~facility, or would reduce the level of service of the facility below the minimum level identified on the Transportation System Plan.~~

- ~~3. Per OAR 660-12-0060, Amendments to the Comprehensive Plan or changes to land use regulations which significantly affect a transportation facility shall assure that allowed land uses are consistent with the function, capacity, and level of service of the facility identified in the Transportation System Plan. This shall be accomplished by one of the following:~~
- ~~a. Limiting allowed uses to be consistent with the planned function of the transportation facility.~~
 - ~~b. Amending the Transportation System Plan to ensure that existing, improved, or new transportation facilities are adequate to support the proposed land uses.~~
 - ~~c. Altering land use designations, densities or design requirements to reduce demand for automobile travel and meet travel needs through other modes.~~

Major driveway connectivity requirements (Recommendation DC-13 in Table A-1)

CHAPTER 16.90 SITE PLANNING

16.90.030 Site Plan Modifications and Revocation

[...]

D. Required Findings

No site plan approval shall be granted unless each of the following is found:

[...]

9. Driveways that are more than 24 feet in width shall align with existing streets or planned streets as shown in the Local Street Connectivity Map in the adopted Transportation System Plan (Figure 17), except where prevented by topography, rail lines, freeways, pre-existing development, or leases, easements, or covenants.

CHAPTER 16.106 TRANSPORTATION FACILITIES

16.106.030 Location

[...]

B. Street Connectivity and Future Street Systems

[...]

2. Connectivity Map Required. New residential, commercial, and mixed use development involving the construction of new streets shall be submitted with a site plan that implements, responds to and expands on the Local Street Connectivity map contained in the TSP.

[...]

- d. Driveways that are more than 24 feet in width shall align with existing streets or planned streets as shown in the Local Street Connectivity Map in the adopted Transportation System Plan (Figure 17), except where prevented by topography, rail lines, freeways, pre-existing development, or leases, easements, or covenants.

On-street loading (Recommendation DC-14 in Table A-1)

CHAPTER 16.94 OFF-STREET PARKING AND LOADING

16.94.030 Off-Street Loading Standards

[...]

C. Exceptions and Adjustments. The review authority, through Site Plan Review, may approve loading areas within a street right-of-way in the Old Town Overlay District when all of the following conditions are met:

1. Short in duration (i.e., less than one hour);
2. Infrequent (less than three operations occur daily between 5:00 a.m. and 12:00 a.m. or all operations occur between 12:00 a.m. and 5:00 a.m. at a location that is not adjacent to a residential zone);
3. Does not unreasonably obstruct traffic; [or] Does not obstruct traffic during peak traffic hours;
4. Does not obstruct a primary emergency response route; and

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5. Is acceptable to the applicable roadway authority.

Bicycle parking (Recommendation DC-15 in Table A-1)

CHAPTER 16.94 OFF-STREET PARKING AND LOADING

16.94.020 Off-Street Parking Standards

[...]

C. Bicycle Parking Facilities

~~1. Location and Design~~

~~a. Bicycle parking shall be conveniently located with respect to both the street right-of-way and at least one (1) building entrance (e.g., no farther away than the closest parking space). Bike parking may be located inside the main building or near the main entrance.~~

~~b. Bicycle parking in the Old Town Overlay District can be located on the sidewalk within the right-of-way. A standard inverted "U shaped" design is appropriate. Alternative, creative designs are strongly encouraged.~~

~~2. Visibility and Security. Bicycle parking shall be visible to cyclists from street sidewalks or building entrances, so that it provides sufficient security from theft and damage.~~

~~3. Options for Storage. Bicycle parking requirements for long term and employee parking can be met by providing a bicycle storage room, bicycle lockers, racks, or other secure storage space inside or outside of the building.~~

~~4. Lighting. Bicycle parking shall be at least as well lit as vehicle parking for security.~~

~~5. Reserved Areas. Areas set aside for bicycle parking shall be clearly marked and reserved for bicycle parking only.~~

~~6. Hazards. Bicycle parking shall not impede or create a hazard to pedestrians. Parking areas shall be located so as to not conflict with vision clearance standards.~~

1. General Provisions

a. Applicability. Bicycle parking spaces shall be provided for new development, changes of use, and major renovations, defined as construction valued at 25% or more of the assessed value of the existing structure.

- b. Types of Spaces. Bicycle parking facilities shall be provided in terms of short-term bicycle parking and long-term bicycle parking. Short-term bicycle parking is intended to encourage customers and other visitors to use bicycles by providing a convenient and readily accessible place to park bicycles. Long-term bicycle parking provides employees, students, residents, commuters, and others who generally stay at a site for at least several hours a weather-protected place to park bicycles.
- c. Minimum Number of Spaces. The required total minimum number of bicycle parking spaces for each use category is shown in Table 4, Minimum Required Bicycle Parking Spaces. [Note: Tables in Chapter 16.94 are not currently numbered, so it is recommended that the previous tables in the chapter be numbered Tables 1, 2, and 3.]
- d. Minimum Number of Long-term Spaces. At least 50% of the required bicycle parking spaces in Table 4 shall be provided as long-term bicycle parking, with a minimum of one long-term bicycle parking space.
- e. Multiple Uses. When there are two or more primary uses on a site, the required bicycle parking for the site is the sum of the required bicycle parking for the individual primary uses.

2. Location and Design.

a. General Provisions

- (1) Each space must be at least 2 feet by 6 feet in area, be accessible without moving another bicycle, and provide enough space between the rack and any obstructions to use the space properly.
- (2) There must be an aisle at least 5 feet wide behind all required bicycle parking to allow room for bicycle maneuvering. Where the bicycle parking is adjacent to a sidewalk, the maneuvering area may extend into the right-of-way.
- (3) Lighting. Bicycle parking shall be at least as well lit as vehicle parking for security.
- (4) Reserved Areas. Areas set aside for bicycle parking shall be clearly marked and reserved for bicycle parking only.
- (5) Bicycle parking in the Old Town Overlay District can be located on the sidewalk within the right-of-way. A standard inverted "U shaped" or staple design is appropriate. Alternative, creative designs are strongly encouraged.
- (6) Hazards. Bicycle parking shall not impede or create a hazard to pedestrians. Parking areas shall be located so as to not conflict with vision clearance standards.

b. Short-term Bicycle Parking

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(1) Provide lockers or racks that meet the standards of this section.

(2) Locate inside or outside the building within 30 feet of the main entrance to the building or at least as close as the nearest vehicle parking space, whichever is closer.

c. Long-term Bicycle Parking

(1) Provide racks, storage rooms, or lockers in areas that are secure or monitored (e.g., visible to employees or customers or monitored by security guards).

(2) Locate the space within 100 feet of the entrance that will be accessed by the intended users.

(3) All of the spaces shall be covered.

d. Covered Parking (Weather Protection)

(1) When required, covered bicycle parking shall be provided in one of the following ways: inside buildings, under roof overhangs or awnings, in bicycle lockers, or within or under other structures.

(2) Where required covered bicycle parking is not within a building or locker, the cover must be permanent and designed to protect the bicycle from rainfall and provide seven (7) foot minimum overhead clearance.

(3) Where required bicycle parking is provided in lockers, the lockers shall be securely anchored.

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Table 4: Minimum Required Bicycle Parking Spaces

Use Categories	Minimum Required Spaces
Residential Categories	
Household living	Multi-dwelling — 2 or 1 per 10 auto spaces. All other residential structure types — None
Group living	1 per 20 auto spaces
Commercial Categories	
Retail sales/service office	2 or 1 per 20 auto spaces, whichever is greater
Drive-up vehicle servicing	None
Vehicle repair	None
Commercial parking facilities, commercial outdoor recreation, major event entertainment	4 or 1 per 20 auto spaces, whichever is greater
Self-service storage	None
Industrial Categories/Service Categories	
Basic utilities	2 or 1 per 40 spaces, whichever is greater
Park and ride facilities	2 or 1 per 20 auto spaces
Community service essential service providers parks and open areas	2 or 1 per 20 auto spaces, whichever is greater
Schools	High schools — 4 per classroom Middle schools — 2 per classroom Grade schools — 2 per 4th & 5th grade classroom
Colleges, medical centers, religious institutions, daycare uses	2 or 1 per 20 auto spaces whichever is greater

Map references (Recommendation DC-17 in Table A-1)

CHAPTER 16.106 TRANSPORTATION FACILITIES

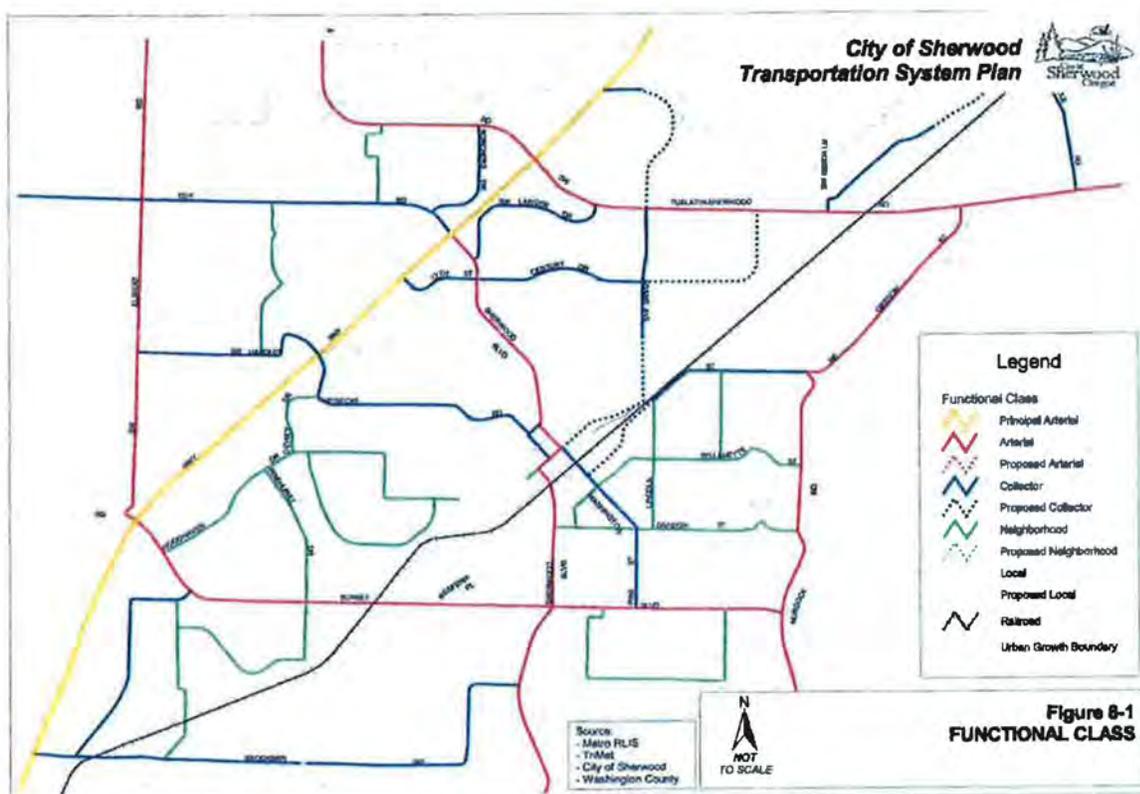
16.106.020 Required Improvements

A. Generally

Except as otherwise provided, all developments containing or abutting an existing or proposed street, that is either unimproved or substandard in right-of-way width or improvement, shall dedicate the necessary right-of-way prior to the issuance of building permits and/or complete acceptable improvements prior to issuance of occupancy permits. ~~The following figure provides the depiction of the~~ Right-of-way requirements are based on functional classification of the street network as found established in the Transportation System Plan, Figure 8-115.

[Delete following figure]

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[...]

16.106.030 Location

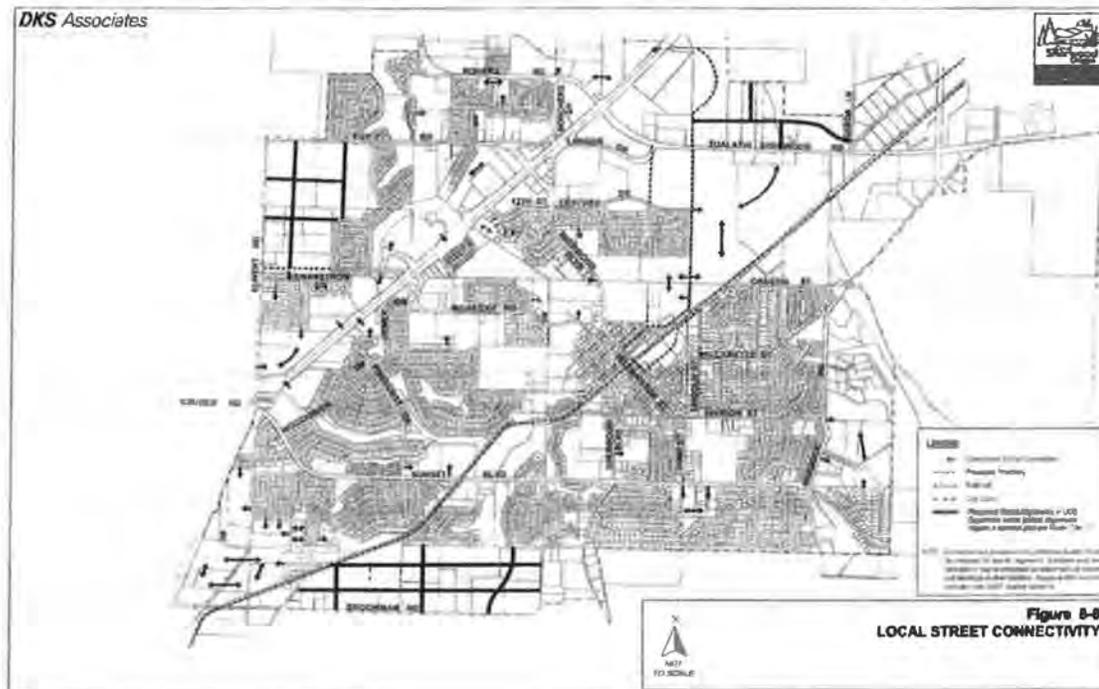
[...]

B. Street Connectivity and Future Street Systems

1. Future Street Systems. The arrangement of public streets shall provide for the continuation and establishment of future street systems as shown on the Local Street Connectivity Map contained in the adopted Transportation System Plan (Figure 8-816).

[Delete following figure]

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CAP program discontinuation (Recommendation DC-18 in Table A-1)

CHAPTER 16.106 TRANSPORTATION FACILITIES

16.106.070 Hwy. 99W Capacity Allocation Program (CAP)

A.— Purpose—The purpose of the Highway 99W Capacity Allocation Program is to:

- 1.— Prevent failure of Highway 99W through Sherwood.
- 2.— Preserve capacity on Highway 99W over the next 20 years for new development within Sherwood.
- 3.— Preserve land values in Sherwood by preventing failure of one of the City's key transportation links.
- 4.— Insure improvements to Highway 99W and adjacent primary roadways are constructed at the time development occurs.
- 5.— Minimize the regulatory burden on developments that have minimal impact on Highway 99W.

B.— Exclusions

The following types of projects and activities are specifically excluded from the provisions of this program:

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1. ~~Churches.~~
2. ~~Elementary, middle, and high schools.~~
3. ~~Changes in use that do not increase the number of trips generated by the current use.~~

C. ~~Definitions~~

1. ~~"Base Application" means the site plan or conditional use application which invokes the provisions of this chapter.~~
2. ~~"Capacity" means the maximum number of peak hour vehicle trips that Highway 99W through Sherwood may accommodate at the Level of Service Standard assuming full build-out of all land zoned for residential and industrial development in Sherwood.~~
3. ~~"Full Access Intersections" means the following intersections on Highway 99W in Sherwood:

Sunset, Meinecke, Edy/N. Sherwood, Tualatin-Sherwood/Scholls-Sherwood (Roy Rogers Road, and Home Depot (Adams Street).~~
4. ~~"ITE Manual" means the latest edition of the public titled "Trip Generation" by the Institute of Transportation Engineers.~~
5. ~~"Level of Service (LOS) Standard" means the lowest acceptable level of service on a transportation corridor within Sherwood as stated in the Standard Requirements Section.~~
6. ~~"Mitigation" means improvements to the transportation system that increase or enhance capacity.~~
7. ~~"Net Trips" means the number of trips generated by a regulated activity during the PM Peak Hours. Net trips equal new trips, diverted trips, and trips from existing activities on a site that will remain. Net trips do not include: Pass-by trips, internal trips, trips from existing facilities that will be removed, and Trips Reduced due to implementation of transportation demand strategies.~~
8. ~~"Peak Hour" means a consecutive sixty (60) minute period during the twelve (12) PM hours of an average day, which experience the highest sum of traffic volumes on a roadway.~~
9. ~~"Regulated Activity" means project(s) or activities proposed in the base application.~~
10. ~~"Site Trip Limit" means the trip limit multiplied by the acreage of the site containing the regulated activity.~~
11. ~~"Trip Allocation Certificate" means a certificate or letter from the City Engineer specifying that a regulated activity meets the trip limit and specifying any required mitigation.~~
12. ~~"Trip Analysis" means a study or report that specifies the net trips from a regulated activity and analyzes the trip distribution and assignment from the activity.~~

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13. ~~"Trip Limit" means the maximum number of trips per acre from regulated activities that can be accommodated without violating the LOS Standard.~~

~~D. Standard Requirements~~

1. ~~All regulated activities shall acquire a Trip Allocation Certificate prior to approval of their base application. Lack of a Trip Allocation Certificate shall be the basis for denial of a base application.~~
2. ~~A Trip Analysis is required for all regulated activities prior to being considered for a Trip Allocation Certificate.~~
3. ~~The Level of Service Standard for Highway 99W through Sherwood through the year 2020 is "E".~~
4. ~~The trip limit for a regulated activity shall be forty three (43) net trips per acre.~~
5. ~~Mitigation to comply with the CAP shall not be required for regulated activities occurring on land zoned General Industrial (GI) or Light Industrial (LI) when the activity produces less than eight (8) net trips per acre.~~

~~E. Trip Analysis~~

~~1. Purpose~~

~~The first step in the process of seeking a Trip Allocation Certificate is preparation of a Trip Analysis by the applicant for the regulated activity. The purpose of the Trip Analysis is to evaluate whether the net trips from a regulated activity exceed the site trip limit.~~

~~2. Timing~~

~~The Trip Analysis shall be submitted with the relevant base application. Base applications without a Trip Analysis shall be deemed incomplete.~~

~~3. Format~~

~~At a minimum, the Trip Analysis shall contain all the following information:~~

- a. ~~The type and location of the regulated activity.~~
- b. ~~A tax map clearly identifying the parcel(s) involved in the Trip Analysis.~~
- c. ~~Square footage used to estimate trips, in accordance with methods outlined in the ITE Manual.~~
- d. ~~Description of the type of activity, especially as it corresponds to activities described in the ITE Manual.~~
- e. ~~Copy of the ITE Manual page used to estimate trips.~~

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- f. ~~Acreage of the site containing the regulated activity calculated to two (2) decimal points.~~
- g. ~~Trip distributions and assignments from the regulated activity to all full access intersections impacted by ten (10) or more trips from the regulated activity with identification of the method used to distribute trips from the site.~~
- h. ~~Copies of any other studies utilized in the Trip Analysis.~~
- i. ~~Summary of the net trips generated by the regulated activity in comparison to the site trip limit.~~
- j. ~~Signature and stamp of a professional engineer, registered in the State of Oregon, with expertise in traffic or transportation engineering, who prepared the analysis.~~

4. ~~Methods~~

- a. ~~The Trip Analysis and trip generation for an activity shall be based on the ITE Manual.~~
- b. ~~If a trip generation for the proposed use is not available in the ITE Manual or the applicant wishes to dispute the findings in the ITE Manual, the trip generation calculation may be based on an analysis of trips from five (5) sites with the same type of activity as that proposed.~~

5. ~~Modification of Trip Analysis Requirements~~

~~The City Engineer may waive, in writing, some of the requirements of the Trip Analysis if:~~

- a. ~~The proposed regulated activity is part of a previously approved Trip Allocation Certificate that meets the requirements of this chapter and the applicant demonstrates, to the satisfaction of the City Engineer, that the applicable provisions of the previously approved Trip Allocation Certificate shall be met; or~~
- b. ~~The City Engineer determines, upon receipt of a letter of request from the applicant, that less information is required to accomplish the purposes of this chapter.~~

F. ~~Trip Allocation Certificate~~

1. ~~General~~

- a. ~~Trip Allocation Certificates shall be issued by the City Engineer.~~
- b. ~~Trip Allocation Certificates shall be valid for the same period as the land use or other city approval for the regulated activity.~~
- c. ~~The City Engineer may invalidate a Trip Allocation Certificate when, in the City Engineer's judgment, the Trip Analysis that formed the basis for award of the Trip Allocation Certificate no longer accurately reflects the activity proposed under the base application.~~

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~~2. Approval Criteria~~

~~a. Upon receipt of a Trip Analysis, the City Engineer shall review the analysis. The Trip Analysis shall meet both of the following criteria to justify issuance of a Trip Allocation Certificate for the regulated activity:~~

~~(1) Adequacy of analysis; and~~

~~(2) Projected net trips less than the site trip limit.~~

~~b. Adequacy of Analysis~~

~~The City Engineer shall judge this criterion based on the following factors:~~

~~(1) Adherence to the Trip Analysis format and methods described in this chapter.~~

~~(2) Appropriate use of data and assumptions; and~~

~~(3) Completeness of the Trip Analysis.~~

~~3. Mitigation~~

~~a. The Trip Allocation Certificate shall specify required mitigation measures for the regulated activity.~~

~~b. Mitigation measures shall include improvements to Highway 99W and nearby transportation corridors that, in the judgment of the City Engineer, are needed to meet the LOS Standard and provide capacity for the regulated activity.~~

~~c. Engineering construction plans for required mitigation measures shall be submitted and approved in conjunction with other required construction plans for the regulated activity.~~

~~d. Mitigation measures shall be implemented in tandem with work associated with the regulated activity.~~

~~e. Failure to implement required mitigation measures shall be grounds for revoking the regulated activity's base application approval.~~

~~G. Other Provisions~~

~~1. Acreage Calculation for a Regulated Activity~~

~~a. Acreage calculations used to calculate net trips per acre in the Trip Analysis must use the entire area of the tax lot(s) containing the regulated activity, less 100-year floodplain area, in accordance with FIRM map for Sherwood.~~

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- b. ~~If the site contains existing uses, the net trips generated by these uses shall be included in the calculation of net trips generated from the site.~~

2. ~~Partial Development of a Site~~

- a. ~~If a regulated activity utilizes a portion of a vacant tax lot, such that the site could be further developed in the future, the applicant shall identify the potential uses for the vacant portion and reserve trips for that portion of the site in accordance with the uses identified. These reserve trips shall be included in the calculation of the net trips generated from the site.~~
- b. ~~The Trip Allocation Certificate shall not be issued if the proposed future uses of the vacant area and the reserve trips are unrealistic in the opinion of the City Engineer.~~

Bike path section update (Recommendation DC-19 in Table A-1)

16.106.0780 ~~Bike Paths~~Lanes

If shown ~~in on the~~ Figure ~~6-113~~ of the Transportation System Plan, bicycle ~~paths~~lanes shall be installed in public rights-of-way, in accordance with City specifications. Bike lanes shall be installed on both sides of designated roads, should be separated from the road by a twelve (12) inch stripe or other means approved by Engineering Staff, ~~not a curb~~, and should be a minimum of five (5) feet wide. ~~Bike paths should not be combined with a sidewalk.~~

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Attachment A

Table A-1: Summary of Recommended Potential Development Code Amendments and Corresponding Transportation Planning Rule (TPR) and Regional Transportation Functional Plan (RTFP) Requirements

	Recommended Potential Development Code Amendments	TPR and/or RTFP Requirements	Commentary
DC-1	Identify and update all references to the TSP in the code.		This has been made into a note in the introductory text of this memorandum.
DC-2	Ensure that code requirements in Chapter 16.96 (On-site Circulation) and Chapter 16.106 (Transportation Facilities) related to access spacing/management and design of streets, bikeways, sidewalks, and accessways/paths are consistent with the standards established in the updated TSP.	<ul style="list-style-type: none"> • TPR Section -0045(2)(a) Access Control • TPR Section -0045(3)(b) On-site Pedestrian and Bicycle Circulation and Connections • TPR Section -0045(7) Minimizing Roadway Width • RTFP Section 3.08.110B Street System Design for Pedestrian and Bicycle Access 	<p>No amendments are needed to Chapter 16.96 and Chapter 16.106 related to access management and spacing standards; existing development code and the Draft TSP are consistent.</p> <p>The updated TSP does not include or otherwise modify existing street design standards in this chapter. Minor amendments are needed to Chapter 16.106 related to street design. Amendments proposed to Section .010 reflect deletions proposed for Chapter 6 of the Comprehensive Plan. Amendments proposed to Section .040 remove a reference to cross-sections in the TSP, which the updated TSP does not include.</p> <p>Proposed code amendments to: Chapter 16.106</p>

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	Recommended Potential Development Code Amendments	TPR and/or RTFP Requirements	Commentary
			Transportation Facilities, Section.010 Generally Chapter 16.106 Transportation Facilities, Section.040 Design
DC-3	Define the following terms and ensure consistency between the TSP, Development Code, and Engineering Design Manual: access way and shared-use path. <i>Note: The City Engineering Design Manual includes a reference to pedestrian and bicycle access ways that can be provided at a maximum spacing of 330 feet in lieu of a street in some cases.</i>	<ul style="list-style-type: none"> • TPR Section -0045(3)(b) On-site Pedestrian and Bicycle Circulation and Connections • RTFP Sections 3.08.110 B & E Street System Design 	Proposed code amendments to: Chapter 16.10 Definitions, Section .020 Specifically
DC-4	Provide additional guidance regarding the applicability and preparation of traffic impact analyses (TIAs), including rough proportionality provisions.	TPR Section -0045(2)(b) Standards to Protect Roadways	Proposed code amendments to: <ul style="list-style-type: none"> • Chapter 16.90 Site Planning, Section .030.D Required Findings • Chapter 16.106 Transportation Facilities, Section .020.D Extent of Improvements • Chapter 16.106 Transportation Facilities, Section .040.K Traffic Controls • Chapter 16.106 Transportation Facilities, Section .080

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	Recommended Potential Development Code Amendments	TPR and/or RTFP Requirements	Commentary
			<p>Traffic Impact Analysis [new section]</p> <ul style="list-style-type: none"> • Chapter 16.106 Transportation Facilities, Section .090 Rough Proportionality [new section]
DC-5	Given TPR requirements for coordinated review, consider whether inviting transportation facility and service providers to pre-application conferences would be helpful to the review process and thus would be language to include in the code (Section 16.70.010).	TPR Section -0045(2)(d) Coordinated Review of Land Use Decisions	The City already allows for this level of coordinated review, so code amendments are not necessary.
DC-6	Provide more direction about “preferential” carpool and vanpool parking spaces.	TPR Section -0045(4)(d) Employee Parking	<p>Proposed code amendments to:</p> <p>Chapter 16.94 Off-Street Parking and Loading, Section .010.E Location</p>
DC-7	Consider code changes if there are TDM program elements developed for the updated TSP that lend themselves to implementation in code.	TPR Section -0045(5)(b) Transportation Demand Management (TDM) Programs	TDM program elements in the Draft TSP will be reviewed. However, it is not anticipated that these will result in proposed code amendments.
DC-8	Allow exemptions from maximum parking space standards for structured parking and on-street parking.	TPR Section -0045(5)(d) Parking Management	<p>Proposed code amendments to:</p> <p>Chapter 16.94 Off-Street Parking and Loading, Section .010.K General Requirements [new</p>

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	Recommended Potential Development Code Amendments	TPR and/or RTFP Requirements	Commentary
			subsection]
DC-9	Administrative/housekeeping amendments: Address typos and inconsistencies in the footnotes for the parking standards table.	TPR Section -0045(5)(d) Parking Management	Proposed code amendments to: Chapter 16.94 Off-Street Parking and Loading, Section .020 Off-Street Parking Standards
DC-10	Consider the feasibility of allowing a local street cross-section of 20-28 feet and under what conditions.	TPR Section -0045(7) Minimizing Roadway Width	This recommendation will be developed into proposed policy language.
DC-11	Modify the code provisions for plan and land use regulation amendments to make simpler reference to TPR Section -0060.	TPR Section -0060 Plan and Land Use Regulations Amendments	Proposed code amendments to: Chapter 16.80 Plan Amendments, Section .030.C Transportation Planning Rule Consistency
DC-12	Provide a variance process in Chapter 16.84 (Variances and Adjustments) and/or Chapter 16.94 (Off-Street Parking and Loading) that allows maximum parking standards to be exceeded.	RTFP Section 3.08.410 Parking Management	Section 16.94.010.A (Off-Street Parking Required) already refers to procedures in Chapter 16.84 for varying from minimum or maximum parking standards. No amendments are proposed.
DC-13	Require that major driveways that are proposed for mixed-use and residential developments align with existing and/or planned streets.	RTFP Section 3.08.410 Parking Management	Proposed code amendments to: <ul style="list-style-type: none"> ▪ Chapter 16.90 Site Planning, Section .030.D Required Findings ▪ Chapter 16.106

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	Recommended Potential Development Code Amendments	TPR and/or RTFP Requirements	Commentary
			Transportation Facilities, Section .030.B.2.d Connectivity Map Required [new subsection]
DC-14	Add on-street loading provisions in an appropriate location such as Old Town, including specific conditions for when on-street loading would be permitted.	RTFP Section 3.08.410 Parking Management	Proposed code amendments to: Chapter 16.94 Off-Street Parking and Loading, Section .030.C Off-Street Loading Standards [new subsection]
DC-15	Provide more requirements and guidance regarding short-term and long-term bicycle parking.	RTFP Section 3.08.410 Parking Management	Proposed code amendments to: Chapter 16.94 Off-Street Parking and Loading, Section 16.94.020.C Bicycle Parking Facilities
DC-16	Consider whether having a hierarchy of management to capacity strategies (RTFP Section 3.08.220A) would be effective as part of traffic impact analysis and legislative decision conditions of approval.	RTFP Sections 3.08.510 A & B Comprehensive Plan and TSP Amendments	This was determined to not be an effective or necessary set of potential code amendments.
DC-17	Replace maps in the development code with references to the maps in the updated TSP.		Replacing maps with references can help avoid inconsistencies between the development code and TSP and make updates easier in the future. Proposed code

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	Recommended Potential Development Code Amendments	TPR and/or RTFP Requirements	Commentary
			<p>amendments to:</p> <ul style="list-style-type: none"> • Chapter 16.106 Transportation Facilities, Section .020 Required Improvements • Chapter 16.106 Transportation Facilities, Section .030 Location
DC-18	Remove CAP program.		<p>The CAP program is being discontinued given TIA requirements and mobility standards proposed for adoption as part of this TSP update.</p> <p>Proposed code amendments to:</p> <ul style="list-style-type: none"> • Chapter 16.106 Transportation Facilities, Section .070 Highway 99W Capacity Allocation Program (CAP)
DC-19	<p>Re-number the following section (Bike Paths) and update a reference to the TSP.</p> <p>Update the bike path section to address bike lanes.</p>		<p>The section on bike paths is updated to address bike lanes because bike path is are not a term that is used in the updated TSP or elsewhere in the code.</p> <p>Proposed code amendments to:</p> <ul style="list-style-type: none"> • Chapter 16.106

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	Recommended Potential Development Code Amendments	TPR and/or RTFP Requirements	Commentary
			Transportation Facilities, Section .080 Bike Paths

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ORDINANCE 2008-003

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN AND ZONING MAP TO REDESIGNATE A PARCEL FROM MEDIUM DENSITY RESIDENTIAL LOW TO RETAIL COMMERCIAL.

WHEREAS, the owners of a certain parcel of land, located at 21305 SW Pacific Highway (tax lot 2S130D001200) (the "Property"), applied for a comprehensive plan amendment and zone change on the parcel; and

WHEREAS, the owners of the Property seek a plan amendment and zone change from Medium Density Residential Low ("MDRL") to Retail Commercial ("RC"); and

WHEREAS, the Planning Commission and City Council held duly noticed public hearings to consider the application.

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

Section 1. The City Council approves the application and changes the Property's comprehensive plan and zoning designations from MDRL to RC.

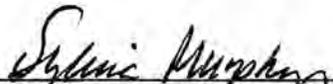
Section 2. This approval is supported by the findings and subject to the conditions contained in Exhibit A, attached and incorporated by reference.

Section 3. Effective Date. This Ordinance shall become effective 30 days from its adoption.

Duly passed by the City Council this 4th day of March 2008.


Keith S. Mays, Mayor

ATTEST:


Sylvia Murphy, City Recorder

	<u>AYE</u>	<u>NAY</u>
Weislogel	✓	—
Luman	✓	—
King	✓	—
Henderson	✓	—
Heironimus	<i>Absent</i>	—
Grant	✓	—
Mays	✓	—

Ordinance 2008-003
Exhibit A

**SHERWOOD CITY COUNCIL FINDINGS
FOR COMPREHENSIVE PLAN AMENDMENT AND ZONE CHANGE**

Nature of the Proposal:

The applicant requested a comprehensive plan and zone map amendment to change the designations from Medium Density Residential Low (MDRL) to Retail Commercial (RC) (hereinafter referred to as the "redesignation." The property was a former mobile home park which has since been vacated. Based on the findings below, the Council concludes that the application has satisfied all applicable criteria and approves the requested redesignation with conditions.

I. BACKGROUND

A. Applicant/Owner:
Donald and Virginia Pfeifer
2011 NE 164th Place
Portland, OR 97230

Representatives:
Ed Sullivan, Esq.
Garvey, Schubert Barer
121 SW Morrison, Suite 1100
Portland, OR 97204

Leslie Ann Hauer, AICP
6100 Collins Road
West Richland, WA 99353

Todd Mobley
Lancaster Engineering
321 SW 5th Avenue, Suite 400
Portland, OR 97204

Eric Hovee
E. D. Hovee & Company, LLC
2408 Main St.
P.O. Box 225
Vancouver, WA 98666

- B. Location: The site is located at 21305 SW Pacific Highway; tax lot 1200 on Washington County Tax Assessor's map 2S130D0.
- C. Parcel Size: The parcel is 5.74 acres.
- D. Existing Development and Site Characteristics: The site was originally developed in 1964 as a mobile home park with 41 single-wide spaces. Currently there are no mobile homes on site; a single family home exists on the site that was used as a residence and office for the park manager, which remains vacant.
- E. Zoning Classification and Comprehensive Plan Designation: The existing plan and zone designation is Medium Density Residential Low (MDRL). Section 16.16 of the Sherwood Zoning and Community Development Code (SZCDC) lists the permitted uses in this zone. The proposed designation is Retail Commercial (RC). Compliance with the permitted uses in the RC zone is identified in Section 16.28 of the SZCDC.
- F. Adjacent Zoning and Land Use: Properties to the northeast along Pacific Highway are zoned predominantly Retail Commercial (RC) to the intersection of Tualatin-Sherwood Road/Edy Road. The adjacent property to the southwest is General Commercial (GC) for another ¼ mile,

with a sizeable High Density Residential (HDR) parcel further down Pacific Highway and to the northwest. Across Pacific Highway, properties are a mix of GC, RC, and HDR.

Property immediately adjacent to the northeast is zoned RC, currently used as a retail and storage. The abutting property to the southwest is zoned GC and is approved to be built with a hotel. The property to the northwest is zoned HDR and is currently developed with attached housing units.

- G. Review Type: The proposed Plan Amendment requires a Type V review, which involves public hearings before the Planning Commission and City Council. On November 13 and December 11, 2007, the Planning Commission held public hearings to consider this matter and recommended denial of the proposed redesignation to the City Council. On February 5 and February 19, 2008, the City Council held a public hearing and voted to approve the application with conditions. Any appeal of this decision would go directly to the Land Use Board of Appeals.
- H. Public Notice and Hearing: Notice of the November 13, 2007 Planning Commission hearing on the proposed application was published in the *Tigard-Tualatin Times* on November 1st and 8th and posted on-site and mailed to property owners within 100 feet of the site on October 17th in accordance with Section 16.72.020 and 16.72.030 of the SZCDC. The notice was a revised notice from a previously scheduled hearing, therefore notice was provided more than 20 days in advance of the November 13th hearing to ensure the revised notice was received before the first originally scheduled meeting date. Notice of the February 5th hearing was also duly published in accordance with state law and City requirements.
- I. Review Criteria:
The required findings for the Plan Amendment are identified in Section 4.203.02 of the Sherwood Zoning and Community Development Code (SZCDC); Applicable standards are: Comprehensive Plan, Part II, Chapter 4, Section E (residential), Section H (Economic Development Policies and Strategies), and Section I (Commercial); Metro Functional Plan Title 1; and Statewide Planning Goal 9, 10 and Goal 12.

II. PUBLIC COMMENTS

Public comments were received at the Planning Commission hearing and are identified as Exhibits G and H in the record. In addition to the two written comments, public testimony was received at the first Planning Commission meeting from Susan Claus. No other verbal or written public testimony was received by anyone not associated with the applicant at the Planning Commission or City Council hearings.

III. AGENCY COMMENTS

Staff e-mailed notice to affected agencies on September 6, 2007. The following is a summary of comments received.

The Sherwood City Manager has provided comments recommending denial because he believed a more appropriate use would be for office commercial as opposed to retail commercial.

Kinder Morgan Energy indicated that they have no concerns with the proposal.

Pride Disposal Co. has reviewed the request and had no comment.

Washington County Department of Land Use and Transportation Planning reviewed the request and offered the following comment:

For all of the major intersections which will have potential traffic impacts from this request, ODOT has jurisdiction. The county therefore will rely on ODOT's review of the traffic impacts on these intersections, some of which involve county facilities.

For the other intersections that are considered in the report which involve county/county roadways, these are stop-controlled rather than signalized intersections and do not have associated performance criteria in the county's Transportation Plan. The county therefore does not have any specific comments regarding the proposal.

Metro has reviewed the request and offered the following comments:

Title 1 of the Urban Growth Management Functional Plan (Metro Code 3.07.140) allows a local jurisdiction to rezone an area as long as the jurisdiction continues to provide at least the overall capacity for housing specified in Table 3.07-1. In reviewing the application, it appears that the City of Sherwood can maintain its current dwelling unit capacity even with the reduction of 41-63 dwelling units.

The analysis provided by the applicant indicates that previous subdivisions approved by the City are developing at close to maximum density, which is higher than the capacity assumed in Table 3.07-1. If the City agrees with the applicant's analysis, the City has capacity available to rezone the former Driftwood Mobile Home Park without reducing its overall dwelling unit capacity. In addition, residential development is permitted in the RC zone, giving the City another way to meet required dwelling unit capacity.

Portland General Electric had no objection to this proposal. They have indicated that they do have both distribution line (12,500V) and sub-transmission line (115,00V) on the same side of the HWY 99W as the proposed change to Retail Commercial. PGE can underground the distribution, but undergrounding the sub-Transmission is not economical or physically feasible to underground.

Tualatin Valley Fire and Rescue did not endorse or disapprove of this proposal.

ODOT Outdoor Advertising Sign Program reviewed the proposal and indicated that zone changes from residential to commercial, for the sake of qualifying for an outdoor advertising sign, is not recognized as legitimate commercial zoning. No plan for an outdoor advertising sign is indicated. Otherwise, no comment.

ODOT Rail Division indicated that they have no concerns with the proposal.

ODOT Region 1 provided comments. In summary, they have concerns with the applicant's transportation analysis in relation to Transportation Planning Rule (TPR) compliance and recommend either denial the zone change be limited in a way that caps the number of trips on site to the maximum trips under the current zoning at "worst-case" build-out. The ODOT comments are included as Attachment 1, Exhibit F and Attachment 4 of the record.

DLCD was notified of the request on August 10, 2007 and provided no comments or objections.

IV. PLAN AMENDMENT REQUIRED FINDINGS

16.80.030 - Map Amendment

This section states that an amendment to the City Zoning Map may be granted, provided that the proposal satisfies all applicable requirements of the adopted Sherwood Comprehensive Plan, the Transportation System Plan and this Code, and A-D below.

The applicable Comprehensive Plan policies are discussed under Section V. below. Section 16.02.080 requires that all development adhere to all applicable regional, State and Federal regulations. Applicable Regional regulations are discussed under Section VI. and applicable State regulations are discussed under Section VII.

FINDING: This is discussed in detail below.

A. The proposed amendment is consistent with the goals and policies of the Comprehensive Plan and the Transportation System Plan.

FINDING: This is discussed in detail below under Section V.

B. There is an existing and demonstrable need for the particular uses and zoning proposed, taking into account the importance of such uses to the economy of the City, the existing market demand for any goods or services which such uses will provide, the presence or absence and location of other such uses or similar uses in the area, and the general public good.

The applicant analyzed need in two ways: (1) by looking at the City's Economic Opportunities Analysis ("EOA") and (2) by providing an analysis of those findings by E.D. Hovee, a professional economist. According to the EOA the City of Sherwood has only 13 acres of vacant commercial land left, including just 6 lots designated RC. The EOA concluded that Sherwood would need to add 27 additional acres to its UGB for new commercial development, under the preferred "medium growth scenario."

E. D. Hovee reviewed the inclusion of the Pfeifer site in the City's retail commercial inventory. They found, and this Council agrees, that, under any methodology, there is a need to include the Pfeifer site from the following perspectives:

- The City's Economic Opportunities Analysis
- A review of loss of retail commercial sales from Sherwood consumers to other areas because of insufficient retail commercial sites (i.e., sales leakage)
- A demographic forecasting of retail commercial space demands compared with existing available retail commercial lands
- Whether Sherwood growth justifies use of a high growth figure in the Economic Opportunities Analysis
- The suitability of the Pfeifer property for retail commercial development, given other potential sites

The Council agrees with the conclusion of the Hovee analysis, that the proposal is consistent under Goal 9, Economy of the State, and the City's Plan. Given both the City's EOA and the additional information available, redesignation of this 5.74 acre parcel to retail commercial, with the conditions provided below, the same designation as those properties to the north and south of this site, is justified.

Regarding the commercial policies identified in the EOA, this Council agrees with the applicant's proposed findings, as follows:

- **Policy 1. Commercial activities will be located so as to most conveniently service customers.**

Finding: *The subject site is associated with the large, established: Six Corners commercial area, making it very convenient to the customers who already use the area, as well as the large volume of traffic that passes through this area.*

- **Policy 2. Commercial uses will be developed so as to complement rather than detract from adjoining uses.**

Finding: *Development of a commercial use on this site would better complement the adjacent commercial land and uses than a mobile home park or the single-family / duplex uses allowed under the current MDRL zoning.*

- **Policy 3. Highway 99W is an appropriate location for commercial development at the highway's intersections with City arterial and major collector roadways.**

Finding: *The site is located along Highway 99W, near several major intersections.*

- **Policy 4. The 1983 "Sherwood Old Town Revitalization Plan" and its guidelines and strategies are adopted as a part of the Sherwood Comprehensive Plan.**

Finding: *The site is not part of Old Town, and the Revitalization Plan is not applicable.*

Conclusion: Based on the analysis above, the Council finds that the City's EOA in combination with the supplemental information provided in the Hovee reports (Attachment 1, Exhibit J and Attachment 3) has demonstrated a need for the requested redesignation in order to accomplish the City's goal of providing "Economic Opportunities". By addressing the policies of the EOA, the applicant further solidifies compliance of the above standard. In addition, the redesignation of property within the City potentially lessens the need for UGB expansions. This standard has been satisfied.

C. The proposed amendment is timely, considering the pattern of development in the area, surrounding land uses, any changes which may have occurred in the neighborhood or community to warrant the proposed amendment, and the availability of utilities and services to serve all potential uses in the proposed zoning district.

The Council agrees with the applicant that the mobile home park use was originally developed before Sherwood's Comprehensive Plan was adopted, at a time when there was comparatively very little commercial development in the Six Corners area, and no development on adjacent properties. Now, the site is an unused former mobile home park redesignated for medium density residential, between two commercial parcels. Because the mobile home park has been closed, it is timely to consider a redesignation before the property develops inconsistent with locational criteria in the comprehensive plan (discussed further in this report). The proposed amendment is both timely and consistent with the area's land use pattern.

FINDING: Based on the information provided and considering the pattern of development along SW Pacific Highway, this Council believes that the Retail Commercial designation is the most suitable designation for the area. Therefore, this standard has been satisfied.

D. Other lands in the City already zoned for the proposed uses are either unavailable or unsuitable for immediate development due to location, size or other factors.

The applicant refers back to the City of Sherwood's EOA which indicates a demonstrated need for additional commercial land. The subject site is the only property designated MDRL along Pacific Highway between Tualatin-Sherwood Road and Meineke Parkway. Staff questioned why the applicant chose to request a redesignation to retail commercial as opposed to another commercial designation that was also supported by the EOA. The applicant responded that the RC designation was requested after considering the existing land use designations surrounding the subject site. RC was chosen because it was less "permissive" than the general commercial designation.

FINDING: Based on the applicant's analysis and City's EOA, the Council finds that this standard is satisfied.

16.80.030 - Transportation Planning Rule (TPR) Consistency

- A. Review of plan and text amendment applications for effect on transportation facilities. Proposals shall be reviewed to determine whether it significantly affects a transportation facility, in accordance with OAR 660-12-0060 (the TPR). Review is required when a development application includes a proposed amendment to the Comprehensive Plan or changes to land use regulations.**
- B. "Significant" means that the transportation facility would change the functional classification of an existing or planned transportation facility, change the standards implementing a functional classification, allow types of land use, allow types or levels of land use that would result in levels of travel or access that are inconsistent with the functional classification of a transportation facility, or would reduce the level of service of the facility below the minimum level identified on the Transportation System Plan**
- C. Per OAR 660-12-0060, Amendments to the Comprehensive Plan or changes to land use regulations which significantly affect a transportation facility shall assure that allowed land uses are consistent with the function, capacity, and level of service of the facility identified in the Transportation System Plan.**

Chris Maciejewski of DKS has reviewed the traffic impact study material submitted for the proposed zone change. The reviewed materials included the original submission from July 2007 as well as addendums dated September 28, 2007 and October 19, 2007 that were in response to comments and request for additional information dated September 13, 2007. This review focused on determining if the City of Sherwood and OAR 660-012-0060 requirements were met.

The memo from Mr. Maciejewski was submitted to the City on October 29, 2007. The memo identifies that "The traffic impact study concludes that the proposed mitigation measures are adequate to mitigate the impacts of the proposed rezone. The mitigation measures listed in the October 19, 2007 addendum to the report include:

- Add a left turn lane to the Sunset Boulevard approach at Highway 99W/Elwert Road
- Add a left turn lane to the Sherwood Boulevard approach at Highway 99W/Edy Road and implement protected phasing.

- Add a southbound right turn lane on Highway 99W at Highway 99W/Tualatin Sherwood Road
- Add an eastbound right turn lane on Roy Rogers Road at Roy Rogers Road/Borchers Drive.

The following mitigation measures were not listed in the report but may be needed:

- A southbound right turn lane on Highway 99W at the site access was assumed in the capacity analysis but was not indicated in the list of improvements. This improvement may not be feasible due to the lane drop on Highway 99W in the access vicinity.
- Additional or revised mitigation may be required based on updating the analysis to address the items mentioned in the Capacity Analysis and Queuing Analysis section."

After extensive consideration by the City's traffic consultant, ODOT, and the applicant's traffic consultant, a condition of approval that would limit trip generation from the site under the RC Zone to the maximum number of trips permissible under the MDLR Zone without additional review. The Planning Commission and ODOT provided specific recommendations on the wording of potential conditions. The Council considered the recommended conditions as well as analysis by staff demonstrating that it is possible to develop some uses on the site even with the trip limit.

FINDING: Based on the traffic analysis of a professional traffic engineer the City consulted, the proposed redesignation, if allowed without conditions, is not consistent with the Transportation Planning Rule. However, Staff met with the applicant to discuss the findings of the traffic engineer, considered ODOT recommendations, Planning Commission recommendations and staff analysis and Council concludes that it is possible to place conditions on the property to ensure compliance with the TPR. Therefore, if the applicant satisfies the following condition of approval, this section will be met.

CONDITION:

1. A condition of this zone change is that the site is limited to 460 trips per day. If the applicant or future property owners wish to allow for more trips, a Plan Amendment with TPR analysis will be necessary to remove the trip limit.

2. Prior to this redesignation becoming final, the applicant shall provide a written agreement, recorded with the property and binding on all future owners that all development on this parcel shall be subject to the City's site plan approval process and that requires the site plan approval shall not be granted for uses that, taken cumulatively, exceed the trip generation of 460 trips per day unless and until:

- 1) Transportation improvements to allow for the additional trips have been funded and installed; or
- 2) The City's Plan is amended consistent with the Statewide Planning Goals to provide otherwise.

V. APPLICABLE COMPREHENSIVE PLAN POLICIES

The applicable portions of the Comprehensive Plan include Chapter 4, Land Use, Section E – Residential; and Section H - Economic Development, Section I - Commercial.

Chapter 4, Section E - Residential Land Use

Policy 1 Residential areas will be developed in a manner which will insure that the integrity of the community is preserved and strengthened.

Policy 2 The City will insure that an adequate distribution of housing styles and tenures are available.

Policy 3 The City will insure the availability of affordable housing and locational choice for all income groups.

Policy 4 The City shall provide housing and special care opportunities for the elderly, disadvantaged and children.

Policy 5 The City shall encourage government assisted housing for low to moderate income families.

Policy 6 The City will create, designate and administer five residential zones specifying the purpose and standards of each consistent with the need for a balance in housing densities, styles, prices and tenures.

The proposed redesignation is from Medium Density Residential (MDRL) to Retail Commercial (RC). There is no residential component associated with this request. However, the RC designation does allow for mixed use projects, which could include a residential element.

FINDING: Based on the analysis above, the Council finds that while residential is a potential component of an RC development, the proposed change does not include a residential element.

Chapter 4, Section H – applicable Economic Development Policies and Strategies

Policy 2 The City will encourage economic growth that is consistent with the management and use of its environmental resources.

Policy 5 The City will seek to diversify and expand commercial and industrial development in order to provide nearby job opportunities, and expand the tax base.

The subject site was developed in 1964 as a mobile home park and has never been identified with environmental resources. Changing the designation to Retail Commercial, the site will be able to provide job opportunities to the community while increasing the tax base of the City.

FINDING: The Council believes that the proposed redesignation is consistent with the above policies and supports economic development within the City.

Chapter 4, Section I – applicable Commercial Policies

FINDING: The Council notes that the commercial policies have been addressed earlier in this document, under section 16.80.030 of the Map Amendment criteria.

VI. APPLICABLE REGIONAL (METRO) STANDARDS

The only applicable Urban Growth Management Functional Plan criteria are found in Title 1 – Housing. The City of Sherwood is currently in compliance with the Functional Plan and any amendment to the Sherwood Plan & Zone Map must show that the community continues to comply. Table 3.01-7 of this Title indicates that Sherwood's dwelling unit capacity is 5,216 and the job capacity is 9,518. The proposed amendment will provide greater job opportunity while allowing mixed use projects which would allow residential and will not result in the loss of jobs. The applicant has provided adequate documentation that enabled Metro to provide comments confirming that "The City of Sherwood can maintain its current dwelling unit capacity even with the reduction of 41-63 dwelling units."

FINDING: Based on staff's analysis, applicant's submission, and comments from Metro, the Council finds that the proposed redesignation is consistent with the Metro Functional Plan criteria and the City would continue to be in compliance if the redesignation were approved.

VII. APPLICABLE STATE STANDARDS

The applicable Statewide Planning Goals include: Goal 9, 10 and Goal 12.

Goal 9 – ECONOMIC DEVELOPMENT

To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.

Oregon Administrative Rule 660-009 (Economic Development) implements Goal 9. OAR 660-009 requires that Cities and Counties prepare Economic Opportunities Analysis in accordance with the directions in the Rule. It also requires that Cities provide an adequate supply of land to meet identified employment needs.

As discussed above, Sherwood adopted an EOA earlier this year which was implemented through amendments to the goals and policies of the comprehensive plan. The proposed plan amendment helps meet some of the commercial land needs identified in the EOA, as shown by the Hovee testimony. The proposed redesignation meets economic goals and policies found in the EOA, the City's Comprehensive Plan, and the City's Economic Development Strategy.

FINDING: The Council finds that the proposed plan amendment is consistent with the requirements of Goal 9 and its Administrative Rule.

Goal 10 - HOUSING

This goal specifies that each city must plan for and accommodate needed housing types, such as multifamily and manufactured housing. It requires each city to inventory its buildable residential lands, project future needs for such lands, and plan and zone enough buildable land to meet those needs. It also prohibits local plans from discriminating against needed housing types.

Statewide Planning Goal 10 is implemented by the comprehensive plan and in the Metro region by OAR 660-007 (Metropolitan Housing). OAR 660-007 provides density standards and methodology for land need and supply comparisons. Metro Title 1 responds to the requirements of the Metropolitan Housing Rule. By complying with Metro Title 1, Sherwood complies with OAR 660-007 as well as Statewide Planning Goal 10. The Council concurs with Metro's analysis.

FINDING: Based on the analysis above, Council believes that this Goal has been satisfied.

Goal 12 - TRANSPORTATION

The goal aims to provide "a safe, convenient and economic transportation system." It asks for communities to address the needs of the "transportation disadvantaged."

Goal 12 is implemented by OAR 660-012-0000. Compliance with this Goal and the OAR was discussed above.

FINDING: The Council believes that the proposed redesignation is generally consistent with State standards, which have been met as conditioned previously.

VIII. CONDITION OF APPROVAL

1. A condition of this zone change is that the site is limited to 460 trips per day. If the applicant or future property owners wish to allow for more trips, a Plan Amendment with TPR analysis will be necessary to remove the trip limit.

2. Prior to this redesignation becoming final, the applicant shall provide a written agreement, recorded with the property and binding on all future owners that all development on this parcel shall be subject to the City's site plan approval process and that requires the site plan approval shall not be granted for uses that, taken cumulatively, exceed the trip generation of 460 trips per day unless and until:

- 1) Transportation improvements to allow for the additional trips have been funded and installed; or
- 2) The City's Plan is amended consistent with the Statewide Planning Goals to provide otherwise.

3. Prior to this redesignation becoming final, the applicant shall provide a written agreement, recorded with the property and binding on all future owners that all development on this parcel shall be additionally restricted as follows:

- a. Any new use shall not involve outdoor storage or outdoor sales of products or outdoor display of products for sale, except that an outdoor seating area for a restaurant or café or small scale seasonal display is permitted and
- b. No "fast food" type restaurant with drive through window shall be allowed.

IX. ATTACHMENTS incorporated by reference

Attachment 1 – November 6, 2007 staff report (with Exhibits A-I)

Attachment 2 – December 4, 2007 addendum staff report with Exhibit J

Attachment 3 – applicant additional submittal dated 1/25/08 including: letter from Ed Sullivan (3 pgs), Memo from Todd Mobley (4 pgs) and letter from Eric Hovee.(7 pgs)

Attachment 4 – February 4, 2008 memo from ODOT distributed at 2-5-08 hearing

Attachment 5 – Staff Executive Summary to Council dated 2-19-08 with Attachment 1