



Home of the Tualatin River National Wildlife Refuge

CITY COUNCIL MEETING PACKET

FOR

Tuesday, September 15, 2015

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

5:30 pm Council Work Session

7:00 pm City Council Regular Meeting



Home of the Tualatin River National Wildlife Refuge

5:30 PM WORK SESSION

1. Metro Quarterly Report, Commissioner Dirksen (15 min)
2. Community Enhancement Program, Selection of Grants (30 min)
3. Update on Tualatin-Sherwood Rd. Project, Russ Knoebel (45 min)

REGULAR SESSION

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

4. APPROVAL OF AGENDA

5. CONSENT AGENDA

- A. Approval of August 18, 2015 City Council Meeting Minutes
- B. Approval of September 1, 2015 City Council Meeting Minutes
- C. Resolution 2015-074, Appointing Madeline Robinette to the Library Advisory Board
- D. Resolution 2015-075, Supporting an update to the Sherwood Comprehensive Plan and authorizing City staff to apply for grant funds from the Department of Land Conservation and Development in support of the Comprehensive Plan Update

6. PRESENTATIONS

- A. Eagle Scout Recognition

7. CITIZEN COMMENTS

8. PUBLIC HEARINGS

- A. Ordinance 2015-006, amending title 9 of the Municipal Code relating to public peace, morals and welfare by adding a new chapter 9.62 relating to graffiti
(Jeff Groth, Police Chief) *Second Reading*
- B. Ordinance 2015-007 Amending Title 6 of the Municipal Code and Division II of the Zoning and Community Development Code and Chapter 6 of the Municipal Code as it relates to the regulation of backyard chickens (Michelle Miller, Senior Planner) *First Reading*

AGENDA

SHERWOOD CITY COUNCIL September 15, 2015

5:30 pm Work Session

7:00 pm City Council Meeting

**Sherwood City Hall
22560 SW Pine Street
Sherwood, OR 97140**

C. Ordinance 2015-008 Prohibiting early sales of recreational marijuana by medical marijuana dispensaries (Josh Soper, City Attorney) *First Reading*

9. CITY MANAGER REPORT

10. COUNCIL ANNOUNCEMENTS

11. ADJOURN

How to Find Out What's on the Council Schedule:

City Council meeting materials and agenda are posted to the City web page at www.sherwoodoregon.gov, by the Friday prior to a Council meeting. Council agendas are also posted at the Sherwood Library/City Hall, the YMCA, the Senior Center, and the Sherwood Post Office. Council meeting materials are available at the Sherwood Public Library. **To Schedule a Presentation before Council:** If you would like to schedule a presentation before the City Council, please submit your name, phone number, the subject of your presentation and the date you wish to appear to the City Recorder Sylvia Murphy, 503-625-4246 or murphys@sherwoodoregon.gov



SHERWOOD CITY COUNCIL MEETING MINUTES
22560 SW Pine St., Sherwood, Or
August 18, 2015

EXECUTIVE SESSION

1. **CALL TO ORDER:** Mayor Clark called the meeting to order at 6:09 pm.
2. **COUNCIL PRESENT:** Mayor Krisanna Clark, Council President Sally Robinson, Councilors Linda Henderson, Jennifer Kuiper, Jennifer Harris, and Dan King. Councilor Renee Brouse was absent.
3. **STAFF AND LEGAL COUNSEL PRESENT:** City Manager Joseph Gall, Assistant City Manager Tom Pessemier, Community Services Director Kristen Switzer, and City Recorder Sylvia Murphy. City Attorney's Josh Soper and Chad Jacobs with Beery Elsner Hammond.
4. **TOPICS:**
 - A. ORS 192.660(2)(f), Exempt Public Records and
 - B. ORS 192.660(2)(e), Real Property Transactions
5. **ADJOURN**

Mayor Clark adjourned the Executive Session at 6:58 pm and convened to a regular session.

REGULAR SESSION

1. **CALL TO ORDER:** Mayor Clark called the meeting to order at 7:06 pm.
2. **COUNCIL PRESENT:** Mayor Clark, Council President Robinson, Councilors Linda Henderson, Jennifer Kuiper, Jennifer Harris, Dan King and Renee Brouse.
3. **STAFF AND LEGAL COUNSEL PRESENT:** City Manager Joseph Gall, Assistant City Manager Tom Pessemier, City Attorney Josh Soper, Police Captain Mark Daniel, Community Services Director Kristen Switzer and City Recorder Sylvia Murphy.

Mayor Clark addressed the Approval of the Agenda and asked for a motion.

4. **APPROVAL OF AGENDA:**

MOTION: FROM COUNCILOR KUIPER TO APPROVE THE AGENDA, SECONDED BY COUNCILOR KING. MOTION PASSED 7:0, ALL PRESENT VOTED IN FAVOR.

Mayor Clark addressed the next item on the agenda.

5. CONSENT AGENDA:

A. Resolution 2015-069 Re-appointing Joe Turner as the City of Sherwood Hearings Officer

MOTION: FROM COUNCILOR HARRIS TO APPROVE THE CONSENT AGENDA, SECONDED BY COUNCILOR KUIPER. MOTION PASSED 7:0, ALL PRESENT VOTED IN FAVOR.

Mayor Clark addressed the next item on the agenda.

6. CITIZEN COMMENTS:

Jim Claus Sherwood resident approached the Council and referred to a land use subject regarding planning that was a benefit and a shocking thing in Sherwood. He commented on a meeting he attended regarding a specific plan and referred to former Mayor Hitchcock, Langer and former City Manager Jim Rapp. He spoke of them taking it to LCDC and Mr. Benner. He said he spoke to Mr. Benner about the plan having some merit and other areas he was shocked about, he mentioned Sherwood Plaza and it being a ground lease and in violation of the concept. He said what he was worried about was political decisions on land use planning and said no specific plan can stand this. He said you are going to get zoning changes and said some of the Council participated. He spoke of Home Depot being light industrial and former City Manager Bormet and others deciding it was a lumber yard. He spoke of Home Depot getting a stop light. He spoke of conversations he had with Mr. Hitchcock regarding home depot. He mentioned changes in zoning for Sherwood Plaza, Home Depot, Target and the Walmart complex. He said something is wrong with this and mentioned getting \$15 million from Access Oregon for Meinecke and having to change the traffic pattern because it was overloaded on the other end. He spoke of zoning changes in Sherwood and said all land use is road driven. He said the Council will be tasked with people asking for zoning changes and said they need to keep in mind the Council will face exactions if they are not careful because some of the roads that have been put in have devalued in change of use on that property.

Shannon Harell Sherwood resident came forward and said she is the New Membership Development Director at the Sherwood Regional Family YMCA and said she is here to introduce herself to the community and offer a free 7 day pass for anyone that is interested in the health benefits at the YMCA. She reported they just completed the triathlon and community BBQ and thanked Mayor Clark for her participation. She reported the pool will be resurfaced next month and fall programs begin September 14.

Mayor Clark addressed the next agenda item.

7. NEW BUSINESS

A. Resolution 2015-070, Supporting the Washington County Cooperative Library Services Local Option Levy, Ballot Measure 34-235

Mayor Clark said the Council would be speaking of both resolutions regarding levies and asked if they wanted to speak about them together or as separate items, no comments were received indicating either option. Mayor Clark stated the reason she asked to talk about them together was because she met with Washington County Mayors this week and they as a mayoral group decided individually and separately, to agree to support both levies that support our local library, WCCLS and our County public safety. She said both areas are incremental in serving our public and said all the mayors agreed and were photographed in support of the levies. She said as many already know WCCLS helps to support our library as well as other libraries and said we are all intertwined. She spoke of how Sherwood is part of a very large system and together we can offer many more services than we could alone. She said all Washington County cities benefit from this and said the library is a place where intergenerational people can join together in a learning atmosphere. She said she signed in support as part of the Washington County Mayor's group and personally would recommend to Council that we as a Council from Sherwood support the levy for the library.

Councilor Harris said when it comes to the library it's important to remember that this levy is about 1/3 of the budget for Washington County and the library. She said if it doesn't pass we will see an impact here in Sherwood, whether its reduced library hours, reduced children programs and said this is not extra money to do more programs, it is to keep the library functioning as it is now and add material as needed to support the readers. She said she supports the levy and thinks both levies are important and said it is important to remember this is countywide and not just Sherwood. She said there are over 554,000 people in Washington County and this is economies of scale and said we are paying a very small amount to help keep the library open with this levy and said it more than benefits families, especially those with less resources. She said she encourages everyone to support it and said she supports it.

Councilor Brouse said although she personally might support both levies, as a paid employee from a local nonprofit, she cannot do a public endorsement and said she had a question for the Council to consider: With the recent added privilege tax from PGE and the conversations regarding the increased water rates and the community reaction to that, is it wise to come out as a Council and publically endorse two levies?

Mayor Clark asked to clarify, if Councilor Brouse can't vote or can't....Councilor Brouse said she cannot publically place her name to an endorsement for an issue such as this. Mayor Clark stated it sounds like you can't vote, as your position stops you from being able to support? She suggested if this was correct, that Councilor Brouse probably would want to recuse herself.

Councilor Brouse asked City Attorney Soper for his opinion. Mr. Soper replied this is something he can't guide Councilor Brouse on as it's not by virtue of her public position, it's by virtue of her private position. Councilor Brouse, said this is correct and in the nature of transparency, she would step down and recuse herself from the vote.

Council President Robinson stated as it pertains to the Library, we have a wonderful library in town and there are benefits that not everybody knows exists and said one of the most amazing programs the library has is the summer reading program. She said this program provides free events for children and anyone that wants to attend, programs such as reptile man, which is a big favorite. She said if we are not provided with 1/3 of the funding for the library by the passage of this ballot, then we will have to make cuts, but we might even lose events like that, and will have to look towards our general fund to support the library more than what we do now. She said it will take away from other things the City wants to do to support its citizens. She said she thinks it's important to support this and said it offers free passes for

cultural arts events, a very important field in which many citizens can't afford tickets to various museums. She said we have a pass at the library that can be checked out and returned at the end of the day, so someone else can utilize it. She said there are many wonderful things in our library that we may not realize exist and believes it is important given the fact that it does provide 1/3 of the funding. She said we need all the sources in our general fund for other things we currently take care of with our budget and not to add additional services to the library. She said she hates to see anything cut at the library.

Councilor Henderson said she looked on their website and it notes how they spend their money and asked Councilor Harris why they are recommending a 30% increase in the levy amount. She said this is what this is from .17 to .22, as opposed to the public safety levy, which is no increase.

Councilor Harris replied she doesn't know where they came up with their numbers. Council President Robinson said she would suspect it has to do with the new libraries being built in Washington County, not in Sherwood, Aloha and Cornelius and said there was one more.

City Manager Gall said this is his understanding, it was due to growth in the County in terms of population and said there are areas in the County that are underserved.

Councilor Henderson said we pay for this building and we don't receive WCCLS money to pay off the bond for this building. City Manager Gall replied that is correct. Ms. Henderson said while she is completely in support of the levy and realizes the consequences if it doesn't pass. She said the Council recently spoke of a 4% increase that would affect our citizens and this is a 30% increase, whether they use the library or not. She said she wanted to be conscious of the fact that when we like to compare ourselves to other communities, this is a pretty big increase. She said she was shocked that public safety wasn't asking for an increase. She said she would like to clarify, referred to Mayor Clark and the Mayor's association wanting to publish this, and asked if she was intending to use our vote in the voters' pamphlet.

Mayor Clark replied she is not and that would be done as a group, if we voted to approve it, then in order for us, the Sherwood City Council, we would sign "Sherwood City Council" on the voter's pamphlet.

Councilor Harris stated each person would have to sign their own name. Mayor Clark said she signed as Krisanna Clark. Councilor Henderson said in order to do that, we would have to meet the deadline of the 18, and get it into the County. She said this is something that gives support to the levy and wants to be conscious of the fact that this is a 30% increase.

Councilor Harris said 30% equals a .05 increase to what the homeowners are currently paying per \$1000. Ms. Henderson said its' .17 to .22 and said this is a fee that people pay whether they use the library or not and the water rate is only a fee they pay if they use additional water. Mayor Clark stated the dollar amount is drastically different.

Councilor Harris said when you state .17 to .22 it sounds like very little, but when stated as a 30% increase, it sounds scary. She said you have to put that into perspective and said we haven't had an increase in the library levy in quite some time. Councilor Henderson added it's a 5 year levy and Councilor Harris said we did not increase it this last time, it was a continuation and it's been over 10 years since there's been an increase in the actual amount. She said the population in the last ten years in Washington County has grown exponentially.

City Manager Gall referred to a flyer and said it had good information about the difference and said in 2016, homeowners with an average assessed value of \$255,000 would pay about \$56 in that year, a \$14 increase of what was paid in 2015.

Councilor Henderson asked Councilor Harris if there was a third party that was coming out with a “vote yes on the library,” with yellow signs? Ms. Harris said there are a couple of people who are supporting it and said Sherwood and Tualatin will go in together on a voter’s pamphlet piece and said if the Council decides to support it as a Council this is where that would go. She said if we don’t and for her personally, she will support it and sign her name. She said there are other groups and Washington County is doing their own as is WCCLS, and Friends of the Library in each County library is doing their own.

Discussion occurred clarifying endorsements and Councilor Harris noted the joint Sherwood/Tualatin endorsement was from the Friend’s groups, similar to what they had done in prior years. Councilor Harris said she had an endorsement letter for Councilor Henderson.

City Manager Gall said both levies when voted on 5 years ago, the previous City Council passed similar resolutions to support both levies. He said there is a historical precedence of previous Councils taking such action. General Council discussion occurred regarding the levies being countywide in comparison to our local water rate increase.

Councilor Kuiper stated she uses the interlibrary services quite a bit and shared her personal experiences using the library. She said libraries aren’t just being used for books and audio, they are becoming a second living room for many people. She said she absolutely supports what they are doing and their future plans.

Mayor Clark spoke of programs, explained the Read to a Dog Program, and said it’s a program designed for children who are just learning how to read and who may be a little nervous. She shared her personal experience with books on tape and reading with her children.

Mayor Clark stated the following motion.

MOTION: FROM MAYOR CLARK TO APPROVE RESOLUTION 2015-070 SUPPORTING THE WASHINGTON COUNTY COOPERATIVE LIBRARY SERVICES LOCAL OPTION LEVY, BALLOT MEASURE 34-235. SECONDED BY COUNCILOR HARRIS, MOTION PASSED 6:0, ALL PRESENT MEMBERS VOTED IN FAVOR, COUNCILOR BROUSE RECUSED.

Mayor Clark addressed the next agenda item.

B. Resolution 2015-071, Supporting the Washington County Public Safety Levy, Ballot Measure 34-236

City Manager Gall stated Councilor Harris drafted the resolutions and Councilor Henderson as the liaison to the Police Advisory Board may be a bit more aware of this levy.

Councilor Henderson said this levy is a renewal of the same amount, which is .42. She shared information of attending a suicide seminar she and other elected officials attended along with City Manager Gall and said they spoke about what this levy would continue to support. She spoke of our

proactive programs the Washington County Sherriff has put into place having to do with homeless individuals, families, people that have been abused, and parole opportunities. She said keeping people from ending up in jail or in the system by placing a mental health advocate or a mental health trained individual with an officer on patrol, teaching and educating them on how to handle a situation when dealing with mental issues. She said it also helps to continue to pay for special enforcement teams, the work release center and helps to subsidize emergency shelters for men, women, and children. She said this is not an increase it is continuing some of the programs that Washington County has implemented to be proactive to try and keep people from ending up incarcerated.

She read from a publication that the first year' cost for an average assessed value home in Washington County is \$107 per year or about \$9 per month. She said, this is also a 5 year levy.

Councilor Harris stated a lot of the things are already established, the jails and parameters and it's keeping these going and they are really focusing a lot on the mental health side. She said creating a mental health taskforce to ride along with officers and said this is huge, a big money saver versus taking people to jail and they then going through the system. She said all the things are important and this newer mental health program is worth every cent and she absolutely supports it and believes it is a great asset for our entire community, not just Sherwood.

Councilor Henderson asked Captain Daniel to describe our daily or weekly interactions with the Washington County Sheriff's office and or how might our citizens outside of the City limits be affected if this levy did not pass.

Captain Daniel said we interact with the County and the Sheriff's office on a daily basis and the mental health crisis team is available to us, not necessarily 24/7, but is available quite a bit. He said we have used their services and have asked them to come to Sherwood and help with people that are in crisis within our community. He said he has been on calls when the County was called to assist and said they are a tremendous asset. He said he has worked with Washington County mental health as far as emergency committals and what we do and how we work as a County together to make the system better. He said this is an integral part of the system and if it wasn't there we would not be able to provide a level of services, it's us together that provide to the citizens of Sherwood as well as the citizens of Washington County.

Councilor King said as he works for the other County downtown, he deals with mental health issues every day and based on the report from the Portland Police, it's crucial to have people out there supporting the police officers and deputies in the mental health crisis area. He mentioned the recent republican debate and comments that our jails are becoming mental institutions. He said he supports the levy.

Council President Robinson said we had a good presentation from the Washington County Sheriff and the Library Director and said they did a very good job in answering questions and presenting the ballot. She said if anyone who is watching wants to look at the tapes, they are available online.

Mayor Clark asked for a motion.

MOTION: FROM COUNCILOR HENDERSON TO ADOPT RESOLUTION 2015-071 SUPPORTING THE WASHINGTON COUNTY PUBLIC SAFETY LEVY BALLOT MEASURE 34-236. SECONDED BY

COUNCILOR KING, MOTION PASSED 6:0, ALL PRESENT MEMBERS VOTED IN FAVOR, COUNCILOR BROUSE RECUSED.

Record Note: Councilor Brouse returned to the dais.

Mayor Clark addressed the next agenda item.

8. CITY MANAGER REPORT

City Manager Gall reported the City is in the third year of a joint internship with the City of West Linn. He explained the program and said we have a recent graduate working for us 20 hours per week and 20 hours per week in West Linn. He said the value of this is the individual gets 6 months of work experience at two different organizations. He said the interns the City hosted in past years were employed very quickly after leaving us. He said the program has been a great success and has been replicated and has grown to 8 other cities in Washington County. He said when the intern completes his 6 months, he will continue another 6 months in Wilsonville and Lake Oswego. He said the City received applications for this position from across the Country and explained the investment was \$6000 for the 6 month period at 20 hours per week. He said the intern is primarily working on economic development and is scheduled to do a presentation to the Council on September 1 on the Citizens Academy.

Tom Pessemier introduced Mark Yager as a graduate from Indiana University and said Mark has done a great job for West Linn and us. He said Mark has been working on our community profile in preparation to provide it to Greater Portland Inc. (GPI), which will provide regional exposure for the City and he is also working on our featured properties which will be posted to the GPI website as well as on the Oregon Prospector site which is sponsored by the State. He said he has been working on the City's website, and the Tonquin Employment area. Council comments and questions followed.

9. COUNCIL ANNOUNCEMENTS:

Mayor Clark introduced City Attorney Josh Soper. She reported the City was ranked #6 in the Nation by Money Magazine for the best place to live. She said the only other Oregon City that was ranked was West Linn at #38. She said we are very proud of our ranking. She announced this Saturday, Sherwood Football will be having their carwash fundraiser, at 3 different locations in town. She stated Music on the Green is winding down with the last concert scheduled on August 28, she thanked staff and said the performances have been fantastic. She reported she will be attending the Chamber Golf Tournament on Saturday the 28 and said there are still openings if people wanted to register. She reported August 31 is the Back to School Rally for the Sherwood School District.

Councilor Kuiper reported the next Music on the Green would be featuring a band playing music by the Beatles, followed by the Woody Hite Band. She reported Friday night is Movies in the Park, featuring Big Hero 6 and the last movie is Friday the 28, Mary Poppins.

Councilor Brouse reported she did a ride-along with Sherwood Police Officer Perry and had conversations with other Sherwood Police Officers and said it was a great learning experience and commended the police department. She encouraged people to do a ride-along. She reported she attended a mixer with Sherwood Main Street and said they are doing a wonderful job and are working on

many different projects. She reported she will be attending the School Board meeting next Wednesday and attending the Breakfast Forum with Senator Wyden next Thursday.

Councilor Henderson reported Missoula Children's Theater wrapped up their second week of Jungle Book and had 62 kids in the show. She stated she believes the newness of the Center encouraged people to participate. She reported the Police Advisory Board meeting is this Thursday and reminded everyone that school is starting and to be mindful of school zones, and the 20 MPH speed. She mentioned the Money Magazine recognition and stated the last time the City was ranked, we placed 5 in the Nation. She read a portion of the article in the magazine that highlighted the Sherwood Center for the Arts and the relationship the City has with the School District. She stated this recognition is the result of many years of work, and commitment and contributions from staff that makes Sherwood an attractive place to live.

Mayor Clark reminded people that the City has 3 openings on the Cultural Arts Commission and encouraged people to apply.

Council President Robinson reported the Planning Commission will not be meeting next week. She thanked staff for the crosswalk on Murdock and said it was working. She thanked and complemented the Community Services Department, Public Works and especially Lance Gilgan who has done an amazing job scheduling all the football and soccer teams. She said every field in Sherwood is currently being used. She said in addition to the carwash, the tickets are \$5 and tickets for a trip to Disney Land are also being sold and they are \$10. She stated the prize is any trip with a value of \$3500 roundtrip, including hotel expenses.

Councilor Harris reported the Library meeting is tomorrow and said due to a lack of a quorum, the Cultural Arts Commission did not meet. She reported the Old Town Sherwood Art Walk is September 17 and Sherwood Main Street will be helping with this event. She said it will start at the Sherwood Arts Center and there will be wine tasting, live music and artist demonstrations. She stated there will be maps directing people to participating businesses in town and listed the businesses. She encouraged people to come and walk around Sherwood and participate. She reported the gallery opening of History in the Making opens October 2. She reported the gala event for the Sherwood Center for the Arts will be moved to the Spring of 2016. She reported the Missoula Children Theater, in addition to the 62 kids that participated, had 350 people that attended. She commented on how great the program is. She stated the #6 ranking was largely based on our arts and the way we have handled the arts in Sherwood, she commended staff and the prior Council for putting an emphasis on the Arts in Sherwood. She commented regarding being on these national lists and this bringing people to Sherwood and they needing a place to live.

Councilor King thanked all the first responders who responded to the trestle fire.

Mayor Clark asked for a motion to adjourn.

10. ADJOURN

MOTION: FROM COUNCIL PRESIDENT ROBINSON, SECONDED BY COUNCILOR KING TO ADJOURN. MOTION PASSED 7:0, ALL PRESENT VOTED IN FAVOR.

Mayor Clark adjourned the meeting at 8:04 pm and convened to a work session.

WORK SESSION

1. **CALL TO ORDER:** Mayor Clark called the meeting to order at 8:15 pm.
2. **COUNCIL PRESENT:** Mayor Clark, Council President Robinson, Councilors Linda Henderson, Jennifer Kuiper, Jennifer Harris, and Renee Brouse. Councilor King arrived at 8:27 pm.
3. **STAFF AND LEGAL COUNSEL PRESENT:** City Manager Joseph Gall, Assistant City Manager Tom Pessemier, City Attorney Josh Soper, Intern Mark Yagar, and City Recorder Sylvia Murphy.
4. **TOPICS:**

A. City Manager Annual Review Process

City Attorney Josh Soper provided a copy of Resolution 2013-032 to the Council indicating this is the most current City Manager evaluation criteria (see record, Exhibit A). Discussion followed regarding the process for conducting the City Manager's annual performance evaluation. The Council provided Mr. Soper with suggested amendments to the criteria with direction to bring back to the Council a resolution for consideration of adoption.

5. ADJOURN

Mayor Clark adjourned the work session at 8:40 pm.

Submitted by:

Sylvia Murphy, MMC, City Recorder

Krisanna Clark, Mayor



SHERWOOD CITY COUNCIL MEETING MINUTES
22560 SW Pine St., Sherwood, Or
September 1, 2015

WORK SESSION-Joint Session with Police Advisory Board

1. **CALL TO ORDER:** Mayor Krisanna Clark called the meeting to order at 6:02 pm.
2. **COUNCIL PRESENT:** Mayor Clark, Council President Sally Robinson, Councilors Linda Henderson, Jennifer Kuiper, Jennifer Harris, Dan King and Renee Brouse.

POLICE ADVISORY BOARD MEMBERS: Chair Laurie Zwingli, Vice Chair Bob Silverforb, Chris West, Diane Foster, Sean Garland, Rich Miller and Amy Miller-Juve.

3. **STAFF PRESENT:** Assistant City Manager Tom Pessemier, City Attorney Josh Soper, Intern Mark Yager, Planning Manager Brad Kilby, Senior Planner Michelle Miller, Police Chief Jeff Groth, Police Captain Ty Hanlon, Administrative Assistant Colleen Resch and City Recorder Sylvia Murphy.
4. **TOPICS:**

A. Best Practices-Citizens Academy's

City Intern Mark Yager presented information to the Council (see record, Exhibit A). He informed the Council that the project of researching a Citizen's Academy/Citizens University was tasked to him by City Manager Joe Gall. He explained the definition of a citizen's university as: Educational programs conducted by cities and counties aiming to create better informed and engaged citizens. He said the information presented was based on best practices from other established programs. He recapped the presentation and responded to Council questions.

B. Recreational Marijuana-Early Sales at Medical Dispensaries

Josh Soper, City Attorney informed the Council of SB460 which allows for early sales of recreational marijuana through the medical marijuana dispensaries starting October 1, 2015 and can continue through the end of 2016. He said the limitations include sales to individuals 21 or older and they can purchase up to ¼ ounce of dried marijuana leaves and flowers per person per day, up to 4 marijuana plants that are not flowering and marijuana seeds. He said the bill also allows for cities and counties to pass ordinances to prohibit recreational marijuana early sales within their jurisdictions. He stated it has to be by ordinance and would ideally be in effect before October 1. He stated this meeting is to explore the Council's and the Police Advisory Board's position on this issue. He addressed a question raised by Mayor Clark regarding the potential effect on tax revenues and said it is an interesting question and it is hard to determine. He

noted the League of Oregon Cities it predicting it will not have an effect on tax revenue and he tends to agree. He said the line in the legislation regarding tax revenues specifically says that if a city or county prohibits the establishment of these facilities completely they would not receive tax revenue and it does not appear that this would rise to that level. He also noted that there will be no tax on recreational marijuana until January 4, 2016.

Council President Robinson said if the Council does not prohibit the early sales is there anything in the law that says our medical marijuana distributor can refuse to sell recreational marijuana. Mr. Soper replied the dispensaries will be allowed to sell recreational marijuana sales but are not obligated.

Mayor Clark asked if it is prudent to allow early sales without a banking mechanism in place and commented regarding safety issues. Discussion followed. The Council and Board members discussed oversight, regulations, increased traffic, and the assumption of sales increasing when recreational sales are allowed.

Council President Robinson stated that the majority of Sherwood voters voted no on Measure 91 and with that in mind she would support waiting.

General discussion followed amongst the Council and Police Advisory Board Members. The business owner of Western Oregon Dispensary, Shari Ralston was present in the audience and provided information on her business.

Assistant City Manager Tom Pessemier discussed the process and asked Council for direction. Mayor Clark asked the Police Advisory Board and the Council if they support directing staff to present Council with an ordinance and they agreed. Mr. Pessemier said there will be opportunities for public comment when the ordinance is considered.

5. ADJOURN

Mayor Clark adjourned the work session at 7:02 pm and convened to a regular Council meeting.

REGULAR SESSION

1. **CALL TO ORDER:** Mayor Clark called the meeting to order at 7:10 pm.
2. **COUNCIL PRESENT:** Mayor Clark, Council President Robinson, Councilors Linda Henderson, Jennifer Kuiper, Jennifer Harris, Renee Brouse and Dan King.
3. **STAFF PRESENT:** Assistant City Manager Tom Pessemier, City Attorney Josh Soper, Police Chief Jeff Groth, Administrative Assistant Colleen Resch and City Recorder Sylvia Murphy.

Mayor Clark addressed the next agenda and asked for a motion.

4. APPROVAL OF AGENDA:

MOTION: FROM COUNCILOR HARRIS TO APPROVE THE AGENDA, SECONDED BY COUNCILOR KUIPER. MOTION PASSED 7:0, ALL PRESENT MEMBERS VOTED IN FAVOR.

Mayor Clark addressed the next item on the agenda and asked for a motion.

5. CONSENT AGENDA:

- A. Approval of August 4, 2015 City Council Meeting Minutes
- B. Approval of August 11, 2015 City Council Meeting Minutes
- C. Resolution 2015-072, Appointing Rob Rettig to the Planning Commission
- D. Resolution 2015-073, Adopting Protocol and an Evaluation Document Containing Criteria for the Review and Evaluation of the City Manager's Job Performance and Describing Process for Obtaining Staff Assessment of Manager's Performance

MOTION: FROM COUNCIL PRESIDENT ROBINSON, TO APPROVE THE CONSENT AGENDA, SECONDED BY COUNCILOR KUIPER. MOTION PASSED 7:0, ALL PRESENT MEMBERS VOTED IN FAVOR.

Mayor Clark addressed the next item on the agenda.

6. PRESENTATIONS:

A. Eagle Scout Recognition

Mayor Clark recognized and congratulated Jackson Grubbe for obtaining the rank of Eagle Scout. He was not present and Mayor Clark indicated the certificate would be mailed.

B. Constitution Week Proclamation

Mayor Clark stated the City will proclaim the week of September 17-23, 2015, as Constitution Week. She read the proclamation which stated the anniversary of the signing of the Constitution provides a historic opportunity for all Americans to realize the achievements of all the Framers of the Constitution and the rights, privileges and responsibilities it affords. She urged all citizens to celebrate and to reflect during this week the many benefits of our Federal Constitution and American Leadership.

Mayor Clark addressed the next item on the agenda.

7. CITIZEN COMMENTS:

Nancy Taylor Sherwood resident approached the Council and referred to the Police Blotter section of the September issue of the Sherwood Gazette. She read the information regarding an incident on Friday, July 24 concerning a call of indecent exposure after a resident reported that a neighbor was filming pornographic videos in full view of the resident's teen children. She read that the video maker admitted to the police that he runs an adult website and the Police warned him to keep his shades pulled. She said she is worried and shocked. She commented on the extra police officer and the need to keep an eye out for pornography in Sherwood. She stated there is obviously pornography in Sherwood and nobody is doing anything about. She said she is concerned that if neighbors are exposing themselves and then simply asked to close their curtains.

Mayor Clark asked Chief Groth and Assistant City Manager Tom Pessemier if residents are filming pornographic films for profit if a permit is required or is there code language that has to be followed.

Councilor Harris asked if it was different if it were pornography or gardening.

Mayor Clark restated filming for profit which would be a business that they are conducting.

Chief Groth said one could make the argument that if they are running a business out of the home they would need to have a business license. He said that is as far as they can take it from a code perspective. He stated they have had issues with film productions and getting a permit, but those have been in a public space. He said the issue here is that someone was in their private residence and America allows people to do what they want in their residence. He referred to some allowance of visibility, whether intended or not that occurred, and was addressed. He commented that the indecent exposure law is in ably named because it suggests that if you just expose yourself in some form of undress you have violated that law when in fact that is not what the law says. He said the law regarding indecent exposure has elements that require intentionality and that the exposure is done for a purpose. He noted if it was done unintentionally and was not put on as a display then it would not have violated the law. He said that is his understanding of what happened. He said it would be illegal to display a live show.

Mayor Clark thanked him for the clarification.

Tess Kies Sherwood resident came forward and provided an update on the YMCA. She said the pool is being resurfaced and will reopen on September 14. She stated painting updates will begin in September and the Board was able to reduce the cost and have them paint the locker doors. She said new signage and a reader board will be in place the week of September 14. She noted the new session will begin on September 14 with many new classes. She said the YMCA Columbia Willamette Golf Tournament is September 21 at Pumpkin Ridge. She said the Sherwood YMCA has been selected to offer the enhanced fitness program which will bring arthritis relief to the community. She said the diabetes marking will begin September 14 and that program will begin October 5.

Mayor Clark addressed the next item on the agenda and asked the City Recorder to read the Public Hearing statement.

8. PUBLIC HEARING:

A. Ordinance 2015-006, amending title 9 of the Municipal Code relating to public peace, morals and welfare by adding a new chapter 9.62 relating to graffiti

Chief Groth recapped the staff report and noted that graffiti has not previously been a rampant issue in Sherwood, but lately there has been an increase in the appearance of graffiti and delays in getting it removed from private property. He said Sherwood needs to be proactive and adopt code language. He stated research has shown that graffiti attracts graffiti and needs to be removed quickly. He said communities have had success in reducing graffiti by making sure it is not wanted and won't last. He said this ordinance would establish code language that addresses graffiti and the related aspects including possession of graffiti tools and requirements to report, clean-up and remove graffiti. He said without that language the officers just deal with graffiti under the Criminal Mischief Statutes which make it a crime and said in most instances that is not the effective way of dealing with it. He said this takes the matter out of

local hands and you could potential arrest someone for a misdemeanor. He stated it is more appropriate to deal with graffiti as a local violation and allow the offender to have more options locally and be held accountable locally. He noted if approved by Council tonight the ordinance will be brought back for a second reading and vote in accordance with the Charter.

Council Kuiper asked how long it took to have the recent graffiti removed from Old Town.

Chief Groth said there have been two arrests on separate graffiti issues one of which was the Old Town incident. He said prior to that there was another case. He said unfortunately there is still some graffiti from the first case that needs to be addressed. He said he needs to work with staff to contact the property owner. He said it took at least two weeks to have the graffiti removed from Old Town.

Council President Robinson stated it is a violation to possess and implement and that fee is not to exceed \$100, it is a violation to not clean it up in 4 days and that fee is not to exceed \$100 and the act of graffiti is a Class C violation and asked what the monetary amount is for that violation.

Chief Groth said a Class C violation is \$250 and he referred to establishing consistency in the code language. He said the fines associated with various violations are in a different section of the code.

City Attorney Josh Soper said the way the code is structured is classed violations are located in one section of the code. He said we may need to change that over time. He said there are unclassified violations and those fines are specified in that particular part of the code.

Mayor Clark opened the public hearing. With no public comments received, Mayor Clark closed the public hearing.

Assistant City Manager Tom Pessemier referred to an error on Page 71, Section 9.61.040(2) *"In addition to any fine that may be imposed under section 9.62.030 or 9.62.030."* He stated the first one should be 9.62.020. Mr. Soper said that is correct.

The City Recorder said there is an additional item and provided the Council with an amended Ordinance 2015-006 (see record, Exhibit B) that includes *Section 4: Effective Date*. She said that is standard language and when this ordinance was drafted staff accidentally omitted that section. She said if approved staff will make this amendment to the Ordinance and include this language for the second reading.

Councilor Harris referred to the language regarding graffiti removal and hardship and asked who decides if the hardship is legitimate. Mr. Soper responded the City Manager.

Councilor Brouse referred to language in that same section that states, *"the owner of any property within the City of Sherwood shall report any graffiti applied to the property to the Police Department within 48 hours"* and asked what happens if the property owner is not available to report within 48 hours. Chief Groth said they would use common sense discretion in those incidents. He referred to the intent of the language and provided examples where the property owner may not be aware of the graffiti.

Councilor Harris suggested changing the language to state "knowledge of the graffiti" after the "hours of".

Councilor Kuiper said on page 72 section 9.62.060(4) it states, *“if the owner is unable to remove, or cause to be removed, the graffiti within the four-day period due to a hardship, he or she may apply to the Manager for an extension..”*

Councilor Harris said that is different than the reporting piece.

Mr. Soper said the reporting requirement is an aspirational requirement and the fine only comes into play if they don't remove the graffiti within four days of being notified by the City that they need to remove the graffiti.

Councilor Henderson referred to the removal and said if the City is going to do the notification would it include the Police Department or generated by code.

Mr. Soper said the City Manager orders that it be done, in terms of procedure that would be left up to process.

Councilor Henderson proposed to change the *four calendar days* to *four business days* since it will most affect businesses. She commented that if the graffiti goes up Friday night that only leaves a business two days. She suggested declaring the ordinance an emergency and not waiting 30 days to be effective.

Council President Robinson responded that they have double the time to remove the graffiti from notification by the City to the owner and said the purpose is to remove it immediately. She said if it is not reported for a few days and the owners have 4 business days to remove, which is a week.

Councilor Harris said it might be easier to remove the graffiti when the businesses aren't open.

Council President Robinson suggested keeping the four calendar days.

Chief Groth said the language was drafted to deal specifically with graffiti and the issue of having it removed. He said it is impossible to come up with language that addresses every circumstance without the application of common sense discretion. He provided examples and said the issue is to have graffiti removed as quickly as possible. He emphasized that the point of the ordinance is to have a local tool to address offenders, to establish code language and the intent is not to punish but to proactively address an issue that we don't want to get any worse.

Mayor Clark said graffiti leads to more graffiti and said she agrees with Council President Robinson.

Mr. Pessemier referred to page 73 subsection (4) which states, *“The City Manager may adopt rules and procedures to implement this chapter”* and stated that is typical language and the City Manager typically designates authority regarding notification and implementation. He referred to the suggestion to add an emergency clause and said one of the requirements for an emergency clause is to have a definable reason. He said if there is not a justification the emergency clause cannot be used.

Mayor Clark said that an emergency clause is not necessary at this point. She said there has only been one graffiti sighting and this is being proactive. Mr. Pessemier said that regardless, staff will determine if an emergency clause can be used.

Councilor Harris asked if the Council declares an emergency will there still be a second reading with public comment. Mr. Pessemier said staff needs to determine if an emergency clause can be added.

Mayor Clark said she is fine not using the emergency clause and asked the other Councilors if they agree. Some councilors agreed and Councilor Harris asked if current graffiti will be grandfathered in. Chief Groth said this ordinance would not apply ex post facto. Councilor Harris said then she is fine with not declaring an emergency.

Council President Robinson referred to page 72 the section on removal refers to four calendar days except for section (C) which she proposes to change to four calendar day instead of four business days. Mayor Clark agreed and said that is probably a scribe's error and asked Mr. Soper for his opinion. Mr. Soper said yes, that should be calendar days.

Councilor Henderson asked if this ordinance is modeled from another municipality.

Chief Groth said yes. Mr. Soper said there are a lot of communities in the area that have very similar ordinances and this one is based mostly on Tualatin and Salem. He said the other communities in our area with similar ordinances include Salem, Portland, Troutdale, Tigard, Wilsonville, Beaverton, Cornelius, Damascus, Forest Grove, Gladstone, Wood Village, and Tualatin.

Mayor Clark said an ordinance against graffiti serves our community and citizens well. She said she is in support of the ordinance.

Councilor Brouse said she appreciates the proactive approach but is concerned for the potential hardship on the business. She asked how much time it took Officer Perry to take care of the graffiti in Old Town, how long it took him and approximate cost. She said she knows that the supplies were donated by Home Depot. She said there has been at least one business owner that has shared their concern about this ordinance.

Chief Groth clarified what occurred, and said Officer Perry was the arresting officer on the Old Town graffiti and he was trying to get those folks to clean it up. He said unfortunately, he is dealing with the juvenile system. He said in working in that process he wasn't able to get to the point he desired, meanwhile weeks past and he grew tired of seeing the graffiti and took it upon himself to speak with an owner/manager of the building, and he decided when he came to work to clean up the graffiti. Chief Groth said Officer Perry came into work, went to Home Depot to get supplies on his own initiative while on duty. He said, Home Depot found out what was going on and donated the supplies and Officer Perry cleaned it up. He said specific to the property owners, he has spoken to one of the property owners and managers in Old Town and he shared this idea with him seeking his thoughts and he was in support. Chief Groth said the property owner indicated he owns property in Portland and pays a service to clean up graffiti and said he rarely knows it occurred until he gets a bill.

Chief Groth said the position he is taking, is he believes a property owner is going to want to clean their graffiti up as it diminishes the appearance of their property. He said he doesn't feel with this ordinance that we are putting any additional imposition on the property owner, all we are doing is encouraging them through this legislation to get it done quickly. He said the intent of the ordinance is not to fine someone if they don't get it done in four days, but rather to make sure they get it cleaned up and we are establishing

the language that we want it cleaned up in four days. He said he did not know what the costs were to clean up the graffiti addressed by Officer Perry, maybe \$30-\$40 worth of supplies.

Councilor Harris said this keeps people from putting the clean up on the back burner and commented that many of the buildings in Old Town have multi-tenants and said she did not want people to think the tenants have to clean it up, it's the building owner who is responsible.

Mayor Clark stated that the Police Department is not going to be cleaning up graffiti nor was it authorized and said this is not a process that will be repeated and it is the business owner's responsibility to do that in the future. Mayor Clark stated the following motion.

MOTION: FROM MAYOR CLARK TO APPROVE ORDINANCE 2015-006 AMENDING TITLE 9 OF THE MUNICIPAL CODE RELATING TO PUBLIC PEACE, MORALS AND WELFARE BY ADDING A NEW CHAPTER 9.62 RELATING TO GRAFFITI WITH THE STATED SCRIBNER'S ERRORS AND PLACING IT ON THE NEXT AVAILABLE CITY COUNCIL MEETING AGENDA FOR ADDITIONAL PUBLIC COMMENT AND CONSIDERATION. SECONDED BY COUNCILOR HARRIS. MOTION PASSED 7:0, ALL PRESENT MEMBERS VOTED IN FAVOR.

Mayor Clark stated the Council will see a revised ordinance with language to Section 4 at the second hearing.

Mayor Clark addressed the next item on the agenda.

9. CITY MANAGER REPORT:

Tom Pessemier confirmed City Manager Gall was on vacation and said Mr. Gall sent Portland Western a letter last week asking them to inform the City as to what they will be doing with the trestle. He said he noticed in the newspaper that there was language that a decision will be made in the next few weeks and said he believes it will take longer and the City informed them we wanted to be part of that process.

Mayor Clark addressed the next item on the agenda.

10. COUNCIL ANNOUNCEMENTS:

Mayor Clark reported on August 19 she attended the West Side Economic Alliance Affordable Housing Tour and said it was very interesting to see new and remodeled buildings. She said on August 22 she attended the Growler House live music and said we are very lucky to have several establishments having live music, including 503 Uncorked. She said August 26 was the last Music on the Green and Woody Hite performed and she thanked all the musicians that performed. She said August 28 she attended the Chamber Golf Tournament and participated in a foursome with Washington County Commissioner Roy Rogers and his wife. She reported on August 29 she attended a Town Hall with Congresswoman Bonamici and listened to issues she is addressing on the federal level. She reported yesterday was the Sherwood School District Kickoff and Superintendent Cordie gave a great presentation. She reported she joined the Sherwood Police Department on their ORPAT fitness course and briefly explained the testing tool for police officers.

Councilor Harris reported Arts Education is launching at the Arts Center and they will be releasing a class list on Friday with registration to begin on Monday. She reported classes will include photography, painting and beading. She reported the Art Walk in Thursday the 17 from 6-9 pm. She said the Classic Film Series will begin and will be held the first Thursday of every month and said Family Matinee Series will be coming soon. She said all this information is available on their website. She reported the Library will be conducting a survey to see how people feel about the library and any wanted changes, the survey will be on their website and in paper form. She said Estate Planning is September 9, at 6 pm and is a free class. She reported there is a Backyard Bird Party coming up. She said September is Library Card Signup Month and said she believes a proclamation request will be coming to the Council. She said 1.6 million books are available across Washington County. She said flyers for the Library Levy will be in utility bills soon to educate the public about the levy.

Council President Robinson stated she had no report for the planning commission or the Citizens Advisory Committee as they did not meet. She said she has been busy with football and said the amount of volunteers is amazing. She commented regarding the number of participating kids on the 3-4th grade level and the number of volunteer coaches. She reminded that school starts next week and the speed is 20 MPH in school zones.

Councilor Kuiper thanked the Council for not voting on adding language of “declaring on emergency” on the ordinance. She reported September 12 there is a National Public Lands Day at the Refuge and explained the event and pulling of evasive plants. She said the event is sponsored by REI and they will be giving away t-shirts and coupons for visiting federal public lands. She reported the Parks and Recreation Board did not meet yesterday and they will be touring segment 1 of the Cedar Creek Trail next Monday. She said the plans are nearly complete and the trail won’t be completed until 2017. She said this is funded by a \$5 million grant. She reported the Art Walk is looking for volunteers to monitor stations.

Councilor Brouse reported she attended the Sherwood School Board meeting last Wednesday and they reviewed facility planning and an assessment report, which can be found on their website. She said the presentation indicated a potential future bond. She said they introduced new staff, including a new Board President, Jessica Adamson and Eric Campbell is the new Vice Chair. She said the next meeting is September 9. She reported she attended the Sherwood Main Street meeting and said they are planning Halloween activities on October 31 at the Arts Center. She reported she and Councilor Henderson volunteered at the Chamber Golf Tournament and the event was the largest event to date with 63 participants. She reported the next Chamber meeting is September 8 at 7:15 am and the Onion Festival is October 9. She said a new Wine Map has been completed and can be found at the Chamber office.

Councilor Henderson reported the Onion Festival is looking for volunteers. She reported on the 20 the Police Advisory Board met and the Council held a work session this evening with the Board. She reported she attended the Steering Committee meeting at the Senior Center and said they have three new members including a new Chair, Tammy Veal (sp?). She commented regarding the School District and a pending bond and said we live in a wonderful community and have a wonderful school district and we have experienced a lot of growth, anticipated much faster than when the original bond was passed in 2008. She said the high school has 160 students over capacity and the average class size at SMS is 33 and said in some classes there will be 40 students. She said she would be interested in seeing the facilities report.

Mayor Clark asked for a motion to adjourn.

MOTION: FROM COUNCILOR KING TO ADJOURN, SECONDED BY COUNCILOR KUIPER. MOTION PASSED 7:0, ALL PRESENT MEMBERS VOTED IN FAVOR.

12. ADJOURN:

Mayor Clark adjourned the meeting at 8:09 pm.

Submitted by:

Sylvia Murphy, MMC, City Recorder

Krisanna Clark, Mayor

Council Meeting Date: September 15, 2015

Agenda Item: Consent Agenda

TO: Sherwood City Council

FROM: Adrienne Doman Calkins, Library Manager
Through: Kristen Switzer, Community Services Director and Joseph Gall, ICMA-CM, City Manager

SUBJECT: Resolution 2015-074, Appointing Madeline Robinette to the Library Advisory Board

ISSUE:

Should the City Council appoint Madeline Robinette to the Library Advisory Board?

BACKGROUND:

The Library Advisory Board currently has one vacancy. Two applicants were interviewed for this position.

Council Liaison Jennifer Harris, Library Advisory Board Chair Christine McLaughlin, with assistance of staff, are recommending Madeline Robinette for appointment. Ms. Robinette has enthusiasm for connecting Sherwood students to the Sherwood Public Library. She is in a unique position to carry this out, as she is currently employed at the Edy Ridge Elementary School Media Center.

According to Chapter 2.12 of the Sherwood Municipal Code, members of the Library Advisory Board shall be appointed by the Mayor with consent of the City Council.

RECOMMENDATION:

Staff respectfully recommends approving Resolution 2015-074, appointing Madeline Robinette to the Library Advisory Board.



RESOLUTION 2015-074

APPOINTING MADELINE ROBINETTE TO THE LIBRARY ADVISORY BOARD

WHEREAS, there is currently one seat vacant for a member of the Library Advisory Board due to the completion of Amy Christie’s term; and

WHEREAS, Madeline Robinette has applied for the Library Advisory Board; and

WHEREAS, the applicant has been endorsed by the Council liaison, Board chairperson and staff liaison and by the Mayor; and

WHEREAS, Madeline Robinette currently resides in Sherwood, has school library experience and is extremely interested in connecting Sherwood schools to the Public Library.

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

Section 1: Madeline Robinette is hereby appointed to the Library Advisory Board for a four year term beginning September 2015 and ending September 2019.

Section 2: This Resolution shall be effective upon its approval and adoption.

Duly passed by the City Council this 15th day of September 2015.

Krisanna Clark, Mayor

Attest:

Sylvia Murphy, MMC, City Recorder

TO: Sherwood City Council

FROM: Brad Kilby, AICP, Planning Manager
Through: Joseph Gall, ICMA-CM, City Manager

SUBJECT: Resolution 2015-075, Supporting an Update to the Sherwood Comprehensive Plan and Authorizing City Staff to apply for Grant Funds from the Department of Land Conservation and Development in support of the Comprehensive Plan Update

Issue:

Is the City Council supportive of a Comprehensive Plan update, and if so, should the City Council authorize the Planning Manager to seek grant funds to help complete an update of the City of Sherwood Comprehensive Plan?

Background:

The City of Sherwood Comprehensive Plan has been sporadically updated as new plans are adopted (i.e. the Water System Master Plan in 2015 and the Transportation System Plan in 2014). However, the Comprehensive Plan has not been thoroughly updated since 1991. The population of Sherwood in 1991 was approximately 3,125 people. Today, the population of Sherwood is approximately 18,955. Further, the assumptions in the 1991 Comprehensive Plan were based on growth projected until 2005. The Comprehensive Plan is the City's primary tool used to set the stage for future growth and development. Usually, the Comprehensive Plan is updated on a regular basis with the idea that it will be thoroughly revisited at the end of the planning horizon. That would make the City of Sherwood's Comprehensive plan update overdue by about ten years. The Plan's goals and objectives are intended to be long term and comprehensive in nature, addressing everything from public facility provision to environmental enhancement and neighborhood preservation.

Over the past few years, the City has been updating some of the system plans that provide the information necessary to discuss the long-term vision of the citizens over the next planning horizon, and in the FY2015-2016 budget message, one of the priorities conveyed to the citizens was that, the City would shift to completing a update to the City's Comprehensive Plan once the Sherwood West Pre-Concept Plan was completed.

The Oregon Department of Land Conservation and Development offers grants to local governments to complete projects that update and modernize comprehensive plans, and have identified the deadline for Technical Assistance grant applications as September 30, 2015.

Financial Impacts:

Staff would be writing the grant requests, so the costs associated with pursuing the grant funding would be limited to staff time which is already accounted for within the current budget.

Recommendation:

Staff respectfully recommends adoption of Resolution 2015-075 Supporting an Update to the Sherwood Comprehensive Plan and Authorizing City Staff to Apply for Grant Funds from the Department of Land Conservation and Development in Support of the Comprehensive Plan Update.



RESOLUTION 2015-075

**SUPPORTING AN UPDATE TO THE SHERWOOD COMPREHENSIVE PLAN AND
AUTHORIZING CITY STAFF TO APPLY FOR GRANT FUNDS FROM THE DEPARTMENT
OF LAND CONSERVATION AND DEVELOPMENT IN SUPPORT
OF THE COMPREHENSIVE PLAN UPDATE**

WHEREAS, the Oregon Department of Land Conservation and Development is accepting applications for technical assistance grants; and

WHEREAS, the City of Sherwood has identified the update of the Comprehensive Plan as a high priority need in Sherwood; and

WHEREAS, the City Council is fully supportive of updating the Comprehensive Plan; and

WHEREAS, the City of Sherwood desires to participate in this grant program, to the greatest extent possible, as a means of financially supporting a needed update to the Sherwood Comprehensive Plan.

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

Section 1. Staff is authorized to apply for technical assistance grants from the Oregon Department of Land Conservation and Development in support of a Comprehensive Plan update.

Section 2: This Resolution shall be effective upon its approval and adoption.

Duly passed by the City Council this 15th day of September 2015.

Krisanna Clark, Mayor

Attest:

Sylvia Murphy, MMC, City Recorder

TO: Sherwood City Council

FROM: Jeff Groth, Police Chief

Through: Joseph Gall, ICMA-CM, City Manager and Josh Soper, City Attorney

SUBJECT: Ordinance 2015-006 amending title 9 of the Municipal Code relating to Public Peace, Morals and Welfare by adding a new chapter 9.62 relating to graffiti

Issue:

Should the City Council amend the Municipal Code to establish guidelines to address graffiti and graffiti related issues?

Background:

This ordinance and suggested code language was first presented during the September 1st regular City Council meeting.

As a recap, this amendment would establish code language that deals specifically with graffiti and the related aspects, including possession of graffiti tools and requirements to report, clean-up and remove graffiti. The amended language will provide valuable tools for police officers and the Municipal Court to address graffiti.

If approved by Council at the conclusion of this hearing, this ordinance will become effective in 30 days.

Financial Impacts:

This code amendment will not directly affect city budget and will not require any additional expenditures.

It should be mentioned, however, that the clean-up provisions could be viewed to have a financial impact on property owners. However, it is staff's position that property owners would expend resources to clean-up their property anyway and the code language simply places a time requirement.

Recommendation:

Staff respectfully recommends adoption of Ordinance 2015-006 amending title 9 of the Municipal Code relating to Public Peace, Morals and Welfare by adding a new chapter 9.62 relating to graffiti.



ORDINANCE 2015-006

**AMENDING TITLE 9 OF THE MUNICIPAL CODE RELATING TO PUBLIC PEACE, MORALS AND WELFARE BY
ADDING A NEW CHAPTER 9.62 RELATING TO GRAFFITI**

WHEREAS, city staff have noticed an increase in the appearance of graffiti and delays in getting graffiti removed from private property; and

WHEREAS, it is well known that graffiti attracts more graffiti and it is very important that graffiti be reported to police and photographed by police and them immediately removed or painted over; and

WHEREAS, Council believes that having specific language in the Municipal Code that addresses graffiti and related aspects will provide valuable tools for the police and Municipal Court to address graffiti.

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

Section 1. Findings. After full and due consideration of the information presented, the Council finds that the text of the Sherwood Municipal Code shall be amended to add specific language to address graffiti, and the proposed amendments shall be added as chapter 9.62 in the Public Peace, Morals and Welfare title of the Municipal Code.

Section 2. Approval. The proposed amendment for the Municipal Code identified in the attached Exhibit 1, is hereby **APPROVED**.

Section 3 - Manager Authorized. The City Manager is hereby directed and authorized to take such action as may be necessary to document this amendment, including necessary updates to Title 9 of the Municipal Code in accordance with applicable City ordinances and regulations.

Section 4 - Effective Date. This ordinance shall become effective the 30th day after its enactment by the City Council and approval by the Mayor.

Duly passed by the City Council this 15th day of September 2015.

Attest:

Krisanna Clark, Mayor		Date

Sylvia Murphy, MMC, City Recorder

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

9.62 Graffiti

9.62.010 Definitions

As used in this chapter, unless the context requires otherwise:

- (1) "Abate" means to remove graffiti from the public view.
- (2) "Aerosol paint container" means any aerosol container adapted or made for spraying paint.
- (3) "Etching device" means a glass cutter, awl, or any device capable of scratching or etching the surface of any property.
- (4) "Felt tip marker" means an indelible marker or similar implement with a tip which, at its broadest width, is greater than one-fourth inch.
- (5) "Graffiti" means any inscription, word, figure, or design that is marked, etched, scratched, drawn, painted, or otherwise applied to any surface, regardless of content, which is visible from premises open to the public, such as public rights of way or other publicly-owned property, and that has been placed upon any real or personal property, such as buildings, fences, and structures, without prior authorization from the owner.
- (6) "Graffiti implement" means an aerosol paint container, a felt tip marker, an etching device, or a graffiti stick.
- (7) "Graffiti nuisance property" means a property upon which graffiti has been placed if such graffiti has been permitted to remain for more than four (4) calendar days after the owner has been issued written notification pursuant to section 9.62.060(2-3) of this Code.
- (8) "Graffiti stick" means a device containing a solid form of paint, chalk, wax, epoxy, or other similar substance capable of being applied to a surface by pressure, and upon application, leaving a mark at least one-fourth of an inch wide.
- (9) "Manager" means the Sherwood City Manager or the manager's designee who is responsible for the administration of the graffiti nuisance property program under this chapter.

(10) "Occupant" means any tenant, sub-lessee, successor or assignee, or other person that exercises control over property.

(11) "Owner" means any person, agent, firm or corporation having a legal or equitable or management interest in a property and includes but is not limited to a mortgagee in possession; a person, agent, firm or corporation that owns or exercises control over a property; and a person, agent, firm or corporation acting as an agent for an owner by agreement that has authority over the property or is responsible for the property's maintenance or management.

(12) "Permit" means to knowingly allow, suffer, and acquiesce by a failure, refusal or neglect to abate.

(13) "Premises open to the public" means all public spaces, including but not limited to streets, alleys, sidewalks, parks, rights of way and public open space, and private property onto which the public is regularly invited or permitted to enter for any purpose.

(14) "Property" means any real or personal property, whether permanent or not, including but not limited to items affixed or appurtenant to real property or premises, houses, buildings, fences, or structures, items of machinery, drop boxes, waste containers, utility poles and vaults, post office collection boxes , and natural surfaces such as rocks and trees.

(15) "Unauthorized" means without consent of the owner.

9.62.020 Graffiti

(1) It is unlawful and a violation of this chapter for any person to apply graffiti.

(2) It is unlawful and a violation of this chapter for any person to solicit or command another person to apply graffiti or aid or abet, or agree to aid or abet, another person in applying graffiti.

(3) A violation of subsection (1) or (2) of this section is a class C violation. Each wall or object upon which graffiti is placed constitutes a separate violation. Each day on which a violation occurs or continues is a separate violation.

9.62.030 Possession of Graffiti Implement

(1) No person may possess, with the intent to apply graffiti, any graffiti implement.

(2) Unlawful possession of a graffiti implement is an unclassified violation of this chapter punishable by a maximum fine not to exceed one hundred dollars (\$100.00). Each day on which a violation occurs is a separate violation.

(3) In addition to issuing a citation, a graffiti implement used or possessed in violation of this section may be immediately seized and impounded by the police department. The court, upon disposition of the issued citation, shall determine whether the instrument shall be returned to the defendant or deemed to be contraband subject to destruction under Oregon law.

9.62.040 Community Service and Restitution

(1) In lieu of a portion of any fine that may be imposed under section 9.62.020 or 9.62.030 of this Code, the court may order the violator to perform community service. Reasonable effort shall be made to require the violator to perform a type of community service that is reasonably expected to have the most rehabilitative effect on the person, preferably community service that constitutes in significant part the removal of graffiti.

(2) In addition to any fine that may be imposed under section 9.62.020 or 9.62.030 of this Code, the court may also order the violator to pay restitution.

9.62.050 Graffiti Nuisance Property

(1) Any property located in the City of Sherwood that becomes a graffiti nuisance property is in violation of this chapter and is subject to its remedies.

(2) Every owner who permits a property to become a graffiti nuisance property is in violation of this chapter and subject to its remedies.

9.62.060 Graffiti Removal; Notice and Procedures

(1) An owner of any property within the City of Sherwood shall report any graffiti applied to that property to the police department within forty-eight (48) hours of the graffiti's appearance, and remove any graffiti from that property within four (4) calendar days of the graffiti's appearance.

(2) Whenever the Manager determines that graffiti exists on any property in the City, the Manager may issue an abatement notice. The owner shall have four (4) calendar days

after the date of service of the notice to remove the graffiti. The notice shall contain the following information:

(a) The street address or description sufficient for identification of the property.

(b) That the Manager has found the property to be potential graffiti nuisance property with a concise description of the conditions leading to his/her findings.

(c) A direction to abate the graffiti, or show good cause to the Manager why the owner cannot abate the graffiti, within four (4) calendar days from the date of service of the notice.

(d) That permitting graffiti nuisance property is a violation of this Code.

(e) That if the graffiti is not abated and good cause for failure to abate is not shown, the Manager may cause a citation to be issued.

(f) That the above remedies are in addition to those otherwise provided by law.

(3) The notice shall be served by addressing the notice to the owner and delivering it by personal service or by mailing it as certified mail. Service may also be accomplished by posting the notice in a clearly visible location on the subject property. Service by personal service or posting is effective upon the date of personal service or posting. Service by certified mail is effective three (3) business days after the date deposited with the U.S. Postal Service. Service by mail shall be addressed to the owner at the address of the property believed to be a potential graffiti nuisance property, and to such other address as shown on the tax rolls of the county in which the property is located or such other place which is believed by the Manager to give the owner actual notice. If service is by mail or personal service, a copy of the notice shall also be served on occupants of the property, if different from the owner. Such service may be completed by mailing the notice addressed to "occupant" of each unit of the property believed to be a potential graffiti nuisance property. The failure of any person to receive actual notice shall not invalidate or otherwise affect the proceedings under this chapter.

(4) If the owner is unable to remove, or cause to be removed, the graffiti within the four-day period due to a hardship, he or she may apply to the Manager for an extension of time in which to remove the graffiti. For purposes of this subsection, "hardship" includes but is not limited to serious illness or disability, extremely inclement weather that

temporarily prevents removal of the graffiti, or other extraordinary circumstance.

(5) If graffiti is not removed within four (4) calendar days after service of notice on the owner, the Manager may cause a citation to be issued to the owner requiring the person to appear in Sherwood Municipal Court.

(6) Failure to remove graffiti as required by this section is an unclassified violation punishable by a fine of up to one hundred dollars (\$100.00). Each day the graffiti remains after the four day period after notice is served constitutes a separate offense.

(7) The City Manager may adopt rules and procedures to implement this chapter.

TO: Sherwood City Council

FROM: Michelle Miller, AICP, Senior Planner

Through: Julia Hajduk, Community Development Director, Joseph Gall, ICMA- CM, City Manager and Josh Soper, City Attorney

SUBJECT: Ordinance 2015-007 amending Title 6 of the Municipal Code and Division II of the Zoning and Community Development Code and Chapter 6 of the Municipal Code as it relates to the regulation of backyard chickens

Issue:

Should the City Council amend the Municipal Code and Zoning and Development Code to allow raising backyard chickens in the residential zone and establish a license process with fees for the animals?

Background:

In 2011, the Planning Commission conducted a phased review of the Sherwood Zoning and Development Code to ensure that the Code was clear and continued to meet the community's needs and vision. Part of that review included amendments concerning raising a limited number of chickens in the residential zone. The Planning Commission recommended specific code language after conducting public outreach. However, the City Council at that time thought that more information was needed and did not hold a public hearing on the issue.

In March of 2015, the City Council directed the Planning Commission to re-evaluate the prior code language, conduct appropriate public outreach and provide a recommendation concerning raising backyard chickens in the residential zone.

The proposed Backyard Chicken Code Amendments include the following rules:

- Allowing up to 3 hens on single family detached lots at least 5,000 square feet in size
- Allowing up to 5 hens on single family detached lots at least 10,000 square feet in size
- Chicken enclosures must be at least 10 feet from any property line
- Chicken enclosures must be at least 25 feet from any abutting dwelling unit

The Planning Commission conducted a work session on May 24, 2015 to review the prior language. Staff developed an online survey that ran from April-May of 2015 concerning the issue that received 598 responses. A majority of the respondents were in support of establishing regulations for raising a limited number of chickens and a majority of respondents were opposed to allowing roosters. Information concerning the availability of the survey and the issue of chickens was published in the April/May Sherwood Archer.

The Planning Commission held a public hearing on July 14, 2015 where three people testified against establishing regulations concerning raising backyard chickens. Two other written comments were received against the proposed regulations. No one testified in favor of the proposal.

At the close of the hearing and deliberations, the Planning Commission voted to recommend denial of the proposed code amendments to the City Council. They did not believe that there was enough community support in favor of changing the policy concerning chickens and found the testimony regarding adjacent neighborhood health and hygiene concerns persuasive.

While the Planning Commission recommended that the Council not approve the proposed municipal code and text amendments, staff has prepared an Ordinance in the event that the City Council determines the proposed code changes are appropriate after holding a public hearing and taking additional testimony.

Financial Impacts:

If the Council approved the proposed ordinance, the license fee is expected to cover the cost of staff review time for the approval of the licenses. The Code Enforcement Officer responds to complaints for violations of the Municipal Code as part of the general duties of that staff position. Initially more time may be allocated to provide education on the new ordinance for those wishing to raise chickens.

Alternatives:

The Council has several alternatives to consider at the hearing:

- Accept the Planning Commission recommendation and not approve the Ordinance
- Approve the Ordinance as written
- Approve the Ordinance with modifications
- Send it back to the Planning Commission for further review

Recommendation:

Staff respectfully recommends City Council hold a public hearing on Ordinance 2015-007, concerning raising backyard chickens in the residential zones. The Planning Commission recommended that the City Council deny the proposal.



ORDINANCE 2015-007

AMENDING TITLE 6 OF THE MUNICIPAL CODE AND DIVISION II OF THE ZONING AND COMMUNITY DEVELOPMENT CODE AND CHAPTER 6 OF THE MUNICIPAL CODE AS IT RELATES TO THE REGULATION OF BACKYARD CHICKENS

WHEREAS, it is necessary for the City to update the development code to ensure that it is clear, consistent, and current; and

WHEREAS, the Planning Commission helped guide the development of proposed amendments after public outreach and opportunity for public input; and

WHEREAS, the substantive changes specifically seek to allow the raising of backyard chickens in the residential zones, establishing proper licensure procedures for their care and compatibility with other residential uses in the neighborhoods; and

WHEREAS, the City Council believes it is in the best interest of the health, safety and welfare of the citizens of Sherwood to establish regulations concerning raising backyard chickens; and

WHEREAS, the Planning Commission conducted a public hearing on July 14, 2015, and provided a recommendation to the City Council for the proposed Municipal and Zoning and Community Development Code amendments that regulates backyard chickens, and that recommendation was against approving such amendments; and

WHEREAS, the analysis and findings within the Planning Commission recommendation are identified in Attachment 1 of the City Council Staff Report; and

WHEREAS, the attached Exhibit A to this ordinance reflects the code amendments; and

WHEREAS, the City Council held public hearings on September 15, 2015 and October 6, 2015 and determined that the proposed changes to the Municipal and Development Code met the applicable Comprehensive Plan criteria and continued to be consistent with regional and state standards.

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

Section 1: Findings. After full and due consideration of the application, the Planning Commission recommendation, the record, findings, and evidence presented at the public hearings, the Council adopts the findings of fact attached as Attachment 1 and determines that the text of the Municipal Code Title 6 and Sherwood Zoning and Community Development Code shall be amended as documented in Exhibit A.

Section 2: Approval. The proposed amendments for Plan Amendment (PA) 15-03 identified in Exhibit A are hereby **APPROVED**.

Section 3: Manager Authorized. The Planning Department and City Manager are hereby directed to take such action as may be necessary to document this amendment, including notice of adoption to DLCD and necessary updates to Chapters 6 and 16 of the Municipal Code in accordance with City ordinances and regulations.

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

Section 5: Effective Date. This ordinance takes effect 30 days after passage and approval by the City Council.

Duly passed by the City Council this 6th day of October 2015.

Krisanna Clark, Mayor

Date

Attest:

Sylvia Murphy, MMC, City Recorder

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



Proposed Code Amendment Draft Language

Proposed Draft language additions are identified in Blue underline

MUNICIPAL CODE

TITLE 6-ANIMALS

Chapter 6.03 Backyard Chickens

6.03.010 Purpose: Residents of the City may be allowed to keep chickens, subject to the requirements of this Chapter.

6.03.020. Number of Chickens Licensed

A. Up to three (3) hens are allowed on properties at least 5,000 square feet in size.

B. Up to five (5) hens are allowed on properties at least 10,000 square feet in size.

C. No roosters are allowed within the City.

D. Chicks up to 12 weeks old are allowed indoors and are not subject to the limitations of (1) and (2) above.

6.03.030. Location Requirements

A. Chickens are only allowed on property that is occupied by a detached single-family dwelling.

B. Chickens are only allowed on property that is the principal residence of the owner of the chickens.

C. Chickens and chicken enclosures are not to be located in any area between the primary dwelling and the front property line.

D. Chicken enclosures must be at least ten (10) feet from the property line and at least twenty-five (25) feet from any abutting dwelling unit.

6.03.040. Ongoing Conditions of License

A. Chicken Enclosures

1. Chickens must be kept within a secure enclosure at night. During daylight hours, chickens must be kept within a secure enclosure unless under direct supervision within a fenced yard.

2. Allowing chickens to enter adjoining properties is prohibited.

3. Enclosures must be kept clean, dry, in good repair and not cause an odor that is unreasonably offensive or annoying to residents within the immediate vicinity.

4. Enclosures must be designed to prevent the entry of rodents and predators and must effectively contain and protect the chickens.

5. Enclosures must be designed so that they are not a breeding place or likely breeding place for rodents, flies or other pests.

B. Chickens must be kept for personal, non-commercial use only. No person may sell eggs or engage in chicken breeding or fertilizer production for commercial purposes.

6.03.050 Procedure

A. In a residential zone, a resident who wants to raise chickens per the requirements of this Chapter must obtain a license and demonstrate compliance with the above criteria and pay a processing fee. The City will issue a license after determining compliance with Chapter 6.03.020 and 6.03.030.

B. Tenants and renters of property are permitted to keep chickens only with the written permission of the property owner included with the license request.

C. Within 14 calendar days following the approval of a license application, the City will provide written notice by first class mail to all property owners immediately abutting the license holder's property. The notice must contain the name and address of the license holder for persons to seek information or file complaints.

6.03.060 Penalty: Violations of this chapter are classified as a Class C violation.

Chapter 6.04 Dogs (existing)

Title 16 Sherwood Zoning and Development Code
Chapter 16.12 - RESIDENTIAL LAND USE DISTRICTS

	VLDR	LDR	MDRL	MDRH	HDR
COMMERCIAL					
• Raising of Animals other than Household Pets ⁵	C	C	C	C	C
CIVIC					
• Public Recreational Facilities ⁶	P	P	P	P	P

⁵ [Except for a limited number of chickens as licensed under Title 6-Animals, Chapter 6.03. Chickens.](#)

⁶ Includes, but is not limited to parks, playfields, sports and racquet courts, but excludes golf courses.

Recommendation

The Planning Commission held a Public Hearing on July 14, 2015 to consider draft code amendments concerning raising a limited number of chickens in residential neighborhoods. The Commission deliberated over the proposed language and discussed the various restrictions that could be imposed. The Commission considered the information discussed during the public outreach efforts including the online survey conducted during April and May 2015 and the public testimony provided at the hearing.

Based on the information before them, the Commission recommended denial of the proposed Code Amendments. The Commission recommended denial based on the lack of public support for the proposed amendments through the public hearing process and the corresponding citizens' comments against the proposal. The Commissioners were persuaded by people testifying about their concern about the diseases that may result and the difficulty in enforcing community standards through the current code enforcement process.

Overall, the Commission wanted to make sure that enough people were aware of the proposal before making any changes and that any amendments adequately reflected the community's desires and considered all of the livability issues surrounding raising chickens. They did not believe that they could make that recommendation based on the public testimony presented at hearing as it primarily in opposition to any change to the current regulations concerning backyard chickens.

The Code Amendments reviewed by the Planning Commission are attached as Exhibit A.

Proposal:

The City proposes to amend **Title 6 Animals** and **Title 16, Zoning and Community Development Code** of the Municipal Code to regulate backyard chickens in the residential zones. The proposal includes amendments that allow a certain number of chickens based on the size of the lot. The regulation requires chicken enclosures to be maintained and kept a certain distance from the property lines, as well as adjacent homes. An applicant would apply for a license and adjacent property owners would be notified when a license was granted.

I. OVERVIEW

- A. Applicant: This is a City-initiated text amendment.
- B. Location: The proposed amendment is to the text of the Sherwood Municipal Code Title 6 (Animals) and Title 16 (Zoning and Development Code) and applies citywide to all property zoned residential.
- C. Review Type: The proposed text amendment requires a Type V review that involves public hearings before the Planning Commission and City Council. The Planning Commission considered the matter on July 14, 2015. The Council hearing is scheduled for September 1, 2015. The Council will make a final decision whether to approve, modify, or deny the proposed language. The Oregon Land Use Board of Appeals would consider any appeal of the City Council's decision relating to this matter.

D. Public Notice and Hearing: Notice on the proposed amendment was published in *The Times* on July 9, 2015 and published in the July 2015 edition of the Gazette. Notice was also posted in five public locations around town and on the web site on June 24, 2015 for the Planning Commission. Notice was published in *The Times* on September 3 and 10, 2015 for the City Council hearing.

E. 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).

F. Background

The City Council directed the Planning Commission to review the code language pertaining to backyard chickens in the spring of 2015. The Planning Commission held a work session on May 12, 2015. They reviewed the proposed amendments from 2010, compared other jurisdictions' regulations, and considered the most recent local backyard chicken online survey results (over 548 responses at the time of the work session). The Commission discussed the proposed code language during the work session and made some updates based on the survey results and new information. The Planning Commission discussed that residents wishing to raise backyard chickens should fill out an application, pay a processing fee, and agree to adhere to the city regulations. Once approved, staff will notify the property owners who reside near the resident who wishes to raise chickens. They concluded that with those changes, the recommended backyard chicken regulations were ready for public hearing.

The online survey was available for participation from April to May 2015 and ultimately 598 responses were received. The full results are attached as Exhibit E.

The proposed Backyard Chicken Code Amendments include the following rules:

- Allowing up to 3 hens on single family detached lots at least 5,000 square feet in size
- Allowing up to 5 hens on single family detached lots at least 10,000 square feet in size
- Chicken enclosures must be at least 10 feet from any property line and cannot be in the front yard
- Chicken enclosures must be at least 25 feet from any abutting dwelling unit

The purpose of the proposed amendments is to allow residents to raise a limited number of backyard chickens through a licensing process with the City and mitigate any issues through Code compliance. Nearby property owners and residents would be notified that a license has been issued for a particular property.

II. PUBLIC COMMENTS

Staff published an article in the June/July Sherwood Archer describing the proposed amendments. Staff published notice in the July 2015 edition of the Gazette and in the July 9, 2015, *The Times*. Notice was also posted in five public locations around town and on the web site on June 24, 2015. Notices was again published in the Times on September 3 and 10 in advance of the City Council hearing. Since that date, staff received the following comments.

Joyce Osborne, 23650 SW Platanus Place, submitted comments via email indicating that she was concerned about the ability of some residents to maintain chicken enclosures over time. She also expressed concern over the ambiguity of the Code language to determine whether a neighbor's coop had deteriorated to the point to be considered a "nuisance" under the terms of the existing nuisance ordinance and proposed language. Her comments are attached as Exhibit B.

Steven Hunt, 16958 SW Richen Park Circle, submitted comments via email indicating that he was not in favor of allowing roosters, but encouraged legislation that limited the number of chickens to no more than five hens that required a permit. He also indicated support for a process to make sure that any residents who have a complaint regarding chickens have appropriate recourse when a neighbor's coop was not being properly maintained. His comments are attached as Exhibit C.

Terry Miller, submitted a *Citizen's View* to the ***Sherwood Gazette*** and requested that the editorial comments be submitted to the Planning Commission. Mr. Miller indicated a concern about introducing backyard chickens into residential neighborhoods and that chickens will likely encourage raccoons, coyotes and other "varmints and rodents" into the neighborhoods. He thought that the ten-foot buffer between residences and the chicken enclosures were not far enough to avoid the sounds and smells of the chickens. He also thought that the City's online survey did not accurately reflect a majority opinion concerning backyard chickens and that more time was required to accurately find out how the entire community feels about chickens. His comments are attached as Exhibit D.

Terry Miller and Carole Miller, Sherwood residents testified at the July 14, 2015 hearing and conveyed their concerns with raising backyard chickens in the residential zone with the concerns described above. Terry Miller submitted additional written testimony and are attached as Exhibit H.

Robert J. Claus, Sherwood resident testified at the hearing and expressed his concern that the local government should not control any regulations concerning backyard chickens and was akin to not allowing people to raise exotic birds in their private residence.

Staff Response:

The public comments received thus far reflect the differing points of view that the Commission considered when making a recommendation concerning backyard chickens. Staff recommends that any proposed Code language balance the community's desire for allowing backyard chickens with the concerns addressed in the comments submitted. It is also apparent that the licensing process will need to be clear for the residents wishing to raise chickens and those that will live near those that keep them.

III. AGENCY COMMENTS

Staff sent notice to the Department of Land Conservation and Development on May 27, 2015. They have not commented.

Staff discussed the proposed code amendments with Bill Collins, Sherwood Police Department Code Enforcement Officer. He indicated support for clearer descriptions and penalties found directly within the new proposed Chapter 6.03, Backyard Chickens, rather than by reference to Chapter 9.44 Nuisance. Staff revised the proposed code amendments based on this discussion, adding penalty provisions as well as describing the owner's responsibility for maintaining the chicken enclosures in a sanitary and safe manner. The revised proposed code amendments are attached as Exhibit F.

Chief Groth, Sherwood Police Department, offered his assessment of the provisions via email dated July 7, 2015. His comments are attached as Exhibit G.

IV. PLAN AMENDMENT REQUIRED FINDINGS

The applicable Plan Text Amendment review criteria are 16.80.030.A and C.

16.80.030. A - Text Amendment Review

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

Consistency with State Statutes and Regulations

Raising backyard chickens for eggs has become popular in the region over the past decade. Communities across the metro region have established different policies and rules concerning raising chickens in a residential zone. The City's current regulations do not distinguish chickens from other farm-type animals and anyone wishing to raise a few chickens in any residential zone is required to obtain a conditional use permit. This has been cost prohibitive for many residents and staff is not aware of any conditional use permit applications for raising chickens in the past eight years. However, the Code Compliance Officer has responded to complaints of residents raising chickens without a permit over the years.

The Planning Commission evaluated backyard chicken rules in 2010 during the Development Code Clean Up project in 2010-2011, which included public outreach and made a recommendation to Council who decided at the time, to table the issue. At the March 17, 2015 meeting, the City Council directed the Planning Commission to look at this issue again, consider input from the public and propose recommend changes to the rules concerning backyard chickens.

Consistency with the Sherwood Comprehensive Plan

While this specific proposal does not include changes to the text of the Comprehensive Plan, it is a proposal that would amend language of a document that implements the Comprehensive Plan and is reviewed in that light. There do not appear to be any comprehensive plan requirements that would conflict with the proposed code language, as the Comprehensive Plan does not address or comment on specific types of land uses, like raising a limited number of chickens but rather identifies policy goals for the more general residential land uses. The proposed language continues to implement the Land Use goals and policies as they apply to Residential land uses.

Consistency with Statewide Planning Goals

Because the comprehensive plan policies and strategies are not changing and the Comprehensive Plan has been acknowledged by the State, there are no known conflicts with this text change.

Allowing a certain number of chickens in the residential zone has been discussed at several public work sessions over the past several years and most recently on May 12, 2015. Staff has been available to discuss the proposed changes with the public and invited public comments throughout the current discussion. An online survey was available for people to express their opinion concerning chickens and 598 responses had been collected. The responses are attached as Exhibit E. As a whole, the proposed amendments are consistent with Goal 1 (Citizen Participation) and Goal 2 (Land Use Planning).

The applicable Statewide Planning Goals include:

Goal 1 (Citizen Involvement)

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.

FINDING: Based on the above discussion, the applicant satisfies this planning goal.

Page 4 of 6

Goal 2 (Land Use Planning)

FINDING: The proposed amendment, as demonstrated in this report is processed in compliance with the local, regional and state requirements.

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)

Goal 9 (Economic Development)

Goal 10 (Housing)

Goal 11 (Public Facilities and Services)

Goal 12 (Transportation)

FINDING: The proposed amendments do not affect the functional classification of any transportation facility within the City, and are therefore considered to be consistent with the "Transportation Planning Rule" which implements Goal 12.

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: As discussed above in the analysis, there is an identified need for the proposed amendments in order to clarify the process for raising chickens in Sherwood and amending the Sherwood Zoning and Community Development Code to reflect these changes. The proposed amendments are consistent with the Comprehensive Plan and applicable City, regional and State regulations and policies should the Council approve the text amendment.

16.80.030 C - 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.

FINDING: The proposed amendments are not tied to any one development application and do not affect the functional classification of any street. The proposed amendments will have no measurable impacts on the amount of traffic on the existing transportation system; therefore, this policy is not applicable to the proposed amendment.

V. ATTACHMENTS

- A. First Draft of the Text Amendment dated June 10, 2015
- B. Comments from Joyce Osborne dated June 23, 2015
- C. Comments from Steve Hunt dated June 30, 2015
- D. Comments from Terry Miller as written in the Sherwood Gazette published on July 1, 2015
- E. Tabulated online survey responses concerning backyard chickens
- F. Second Draft of the Text Amendment July 7, 2015
- G. Comments from Chief Jeff Groth, Sherwood Police Department dated July 7, 2015
- H. Additional Testimony from Terry Miller, dated July 10, 2015



Proposed Code Amendment Draft Language

MUNICIPAL CODE

TITLE 6-ANIMALS

Chapter 6.03 Backyard Chickens

6.03.010 Purpose: Residents of the City shall be allowed to keep chickens, subject to the requirements of this Chapter.

6.03.020. Number of Chickens Permitted

- A. Up to three (3) hens may be kept on properties at least 5,000 square feet in size.
- B. Up to five (5) hens may be kept on properties at least 10,000 square feet in size.
- C. No roosters may be kept within the City.
- D. Chicks up to 12 weeks old may be kept indoors and are not subject to the limitations of (1) and (2) above.

6.03.030. Location Requirements

- A. Chickens shall only be kept on property that is occupied by a detached single-family dwelling.
- B. Chickens shall only be kept upon property that is the principal residence of the owner of the chickens.
- C. Chickens and chicken enclosures shall not be located in any area between the primary dwelling and the front property line.
- D. Chicken enclosures must be at least ten (10) feet from the property line and at least twenty-five (25) feet from any abutting dwelling unit.

6.03.040. Conditions of Permit

- A. Chicken Enclosures

ATTACHMENT A

1. Chickens shall be kept within a secure enclosure at night. During daylight hours, chickens shall be kept within a secure enclosure unless under direct supervision within a fenced yard.

2. Allowing chickens to enter adjoining properties is prohibited.

3. Enclosures shall be kept clean, dry, and free of noticeable odors and in good repair.

4. Enclosures shall be designed to prevent the entry of rodents and predators and shall effectively contain and protect the chickens.

B. Chickens shall be kept for personal, non-commercial use only. No person shall sell eggs or engage in chicken breeding or fertilizer production for commercial purposes.

C. The keeping of chickens in such a manner as to cause a nuisance, as defined in Chapter 9 of the Municipal Code or under applicable law, including the criteria in this chapter is prohibited. Violations shall be enforced per 9.44.060.

6.03.050 Procedure

A. In a residential zone, a resident who wants to raise chickens per the requirements of this Chapter must obtain a permit and demonstrate compliance with the above criteria, 6.03.040 and pay a processing fee.

B. Tenants and renters of property may keep chickens only with the written permission of the property owner included with the permit request.

C. Within 14 days following the approval of a permit application, the City shall provide written notice by first class mail to all property owners immediately abutting the permit holder's property. The notice must contain the name and address of the permit holder's contact information for persons to seek information or file complaints.

Chapter 6.04 Dogs (existing)

More on next page

Title 16 Sherwood Zoning and Development Code
Chapter 16.12 - RESIDENTIAL LAND USE DISTRICTS

	VLDR	LDR	MDRL	MDRH	HDR
COMMERCIAL					
• Raising of Animals other than Household Pets ⁵	C	C	C	C	C
CIVIC					
• Public Recreational Facilities ⁶	P	P	P	P	P

⁵ [Except for a limited number of chickens as permitted under Title 6-Animals, Chapter 6.03. Chickens.](#)

⁶ Includes, but is not limited to parks, playfields, sports and racquet courts, but excludes golf courses.

Michelle Miller

From: F Joyce Osborne <obornejoy@icloud.com>
Sent: Tuesday, June 23, 2015 9:21 AM
To: Michelle Miller
Subject: Re: Chicken ordinance response

Ms. Miller,

The ordinance states “Maintenance or keeping of any livestock or buildings for the purpose of housing such livestock in such places or in such a manner that they will be offensive or annoying to residents within the immediate vicinity thereof, or maintaining the premises in such a manner as to be a breeding place or likely breeding place for rodents, flies or other pests.”

I think the wording needs to be more specific. “Offensive or annoying” is open to interpretation. Part of the problem in Sherwood is that so many houses back up to open space. The “breeding areas” are behind our houses. All our neighbors in Sherwood maintain their yards very well year round! However, I had to take down bird feeder with seed because it attracted rodents from pond/open space behind us. If we had chickens, the neighborhood raccoons would quickly try and figure out how to open chicken coop or tear hole in fence. Neighborhood cats are always back in pond area catching rats and mice, but that is something that naturally occurs in wooded areas. Pond has no water in it now. You introduce chicken feed and rodents will come into yards to eat not breed, along with raccoons and other small animals. Tightly sealed containers to hold what is cleaned up out of chicken coop is essential or flies will really multiple in area. We had it happen from old neighbors chickens so know it is a possibility.

I see many people have written in expressing desire to have chickens. How many have actually raised chickens? There are lots of farms around Sherwood that probably have chickens. Has the city consulted with those owners to see what is necessary to maintain healthy chickens that don't bother neighbors? When we go to the Berry Barn their beautiful clean chicken coops look nothing like the one we had to live next door to at our old house for years. When we sold the house, the chickens next door were “undesirable” and decreased the number of potential buyers. This was in a city very similar to Sherwood not some trashy town. Chickens are fun and we didn't even mind the rooster crowing in the morning, but our experience taught us that wording of ordinances around chickens need to be specific for the owners of the chickens for their own health and safety as well as their neighbors.

Yes, we will try and come to meeting on July 14th. I prefer to put comments in writing rather than go through motion of getting on camera at meeting. If raising chickens is allowed, the council and planning commission have responsibility to make sure the wording is in place to regulate nuisances and prevent neighborhood squabbling about having chickens. The primary concern should be for health of the residents of Sherwood as well as the chickens health. It is sad to see chickens walking around in dirty unclean coop and or yard. Hopefully, the letters of residents don't go unread by those that make the final decisions.

Thank you for forwarding this to appropriate parties involved. Your name was online as a contact person.

Joyce Osborne
23650 SW Platanus Place
Sherwood, Oregon

obornejoy@icloud.com

On Jun 22, 2015, at 10:55 AM, Michelle Miller <MillerM@SherwoodOregon.gov> wrote:

ATTACHMENT B

Good morning,

Thank you for providing your experience/comments with living near chickens. For now, the proposal calls for regulating the coop based on proximity to other dwellings and the owner's property lines. Any violations of related to cleanliness would follow the nuisance provisions, which are located

here: https://www.municode.com/library/or/sherwood/codes/code_of_ordinances?nodeId=TIT9_PUPEMOWE_CH9.44NU

For now, the proposed chicken chapter references the nuisance provisions for enforcing good neighbor behavior and enforcement will be through our Police Department's Code Enforcement Officer. He has indicated a preference for specific nuisance criteria identified in the chicken provisions itself and the Planning Commission may decide to be more specific as to the "cleanliness" issue as you describe. I will provide your comments to the Planning Commission so that they can review it prior to the hearing.

Hope to see you at the hearing scheduled for July 14, 2015 at 7 pm here at City Hall

Other questions or comments, please contact me.

Thanks again,

Michelle

Michelle Miller, AICP
Senior Planner
City of Sherwood
millerm@sherwoodoregon.gov
503.625.4242

-----Original Message-----

From: joyce oborne [mailto:obornejoy@icloud.com]
Sent: Sunday, June 14, 2015 6:07 PM
To: Michelle Miller
Subject: Backyard Chickens Code Language

I don't read any specific language in documents online that address the procedures necessary to have a clean chicken coop. Are there any requirements that droppings from chickens MUST be kept in tight sealed container and disposed of on a regular basis. How often must chicken coop be cleaned? What City agency will enforce codes/laws. People are human and have different interpretations of the word "clean".

We lived for years next door to a family that had chickens due to their daughters 4H project. The chickens were fine, but the flies, odor and rodents that they attracted were not OK. We loved our neighbors and clear cut city rules about cleanliness would have helped prevent our problem. Their daughter would have had to either follow city rules or give up her chickens.

Sincerely,

Joy Osborne

Michelle Miller

From: Steven Hunt <steventhunt@gmail.com>
Sent: Tuesday, June 30, 2015 9:33 AM
To: Michelle Miller
Subject: Backyard chickens

Dear Sherwood Planning commission,

Thank you for encouraging Sherwood citizens to register our views regarding allowing backyard chickens in Sherwood. I am not wholly against the idea of people raising poultry in my suburban neighborhood, but I do have some concerns.

First, please do not allow roosters. I have lived next to roosters before and waking up to the crow of a rooster at 5am is not as romantic as it might sound.

Second, please limit the number of chickens to fewer than 5 per household. If someone wants to raise more chickens than that then they should move to a farm.

Third, ensure that anyone raising chickens obtain a permit and demonstrates that they have an appropriate covered, predator-proof secure enclosure.

Fourth, please include some regulations to allow neighbors to bring action should a homeowner fail to control the smell or appearance of their chickens and their living areas. There is a big difference between living next to someone who maintains a clean, well ordered chicken coop and someone who buys chickens but fails to properly maintain their hygiene.

Thank you for considering my views on this matter. Sincerely, Steve Hunt
(resident at 16958 SW Richen Park Circle)

ATTACHMENT C

Don't let backyard chicken fans push pro-chicken agenda

There is a move afoot to make it easy for people to keep chickens in their backyards. But chickens—bless them—have never learned how to confine their cackling to one backyard nor how to stop possibilities of poo-laden dust and poultry smells wafting on the winds.

My yard already has random visits from possums, skunks, and raccoons, and a neighbor saw a coyote taking an afternoon walk down Highpoint. Unfortunately, chickens will encourage these varmints and rodents.

Stunned by the impact chickens might have on the character of our home, I went to Sherwood City Hall. Presumably, pressure from the chicken ad-

CITIZEN'S VIEW

by Terrence Miller

vocacy group has already caused the Planning Commission to create proposed regulatory language.

The initial language explicitly ignores any notice to, or rights of, adjacent property owners to object to or veto this impairment to the livability and peace of their mortgaged and taxed property: It ignores the majority of us.

The suggestion is that poultry owners have to keep their fowls at least ten feet from property lines. (As if a solid 10 feet of empty air would be enough to isolate us from their

chickens?!)

A pro-chicken email accidentally sent to me stressed the need to quickly get signatures for an online 'survey' by the Planning Commission.

The group hoped to convince people in favor of chickens to participate in the bogus survey. They were trying to gather 1500 positive responses to indicate popular opinion, amongst our 18,000 plus citizens. But how many voting age individuals have ever accessed the city's web site, much less the Planning Commission?

The fowl advocates want enough online signatures and voices at city meetings to feign apparent popularity, without any realistic count of voters. Can anyone imagine the issue

being popular in the newer neighborhoods! My informal survey of neighbors within four blocks of our home east of Sunset showed that only one person had any inkling of this political move. Most of them were a bit aghast at the possibility and all of them were against it.

Backyard chicken advocates will try to push for a quick decision in their favor at future City meetings before the general populace has any chance to weigh in on the issues. Sherwood democracy again!

We need to stand up for the quality of life we all want in Sherwood.

Terrence Miller is a Sherwood resident.

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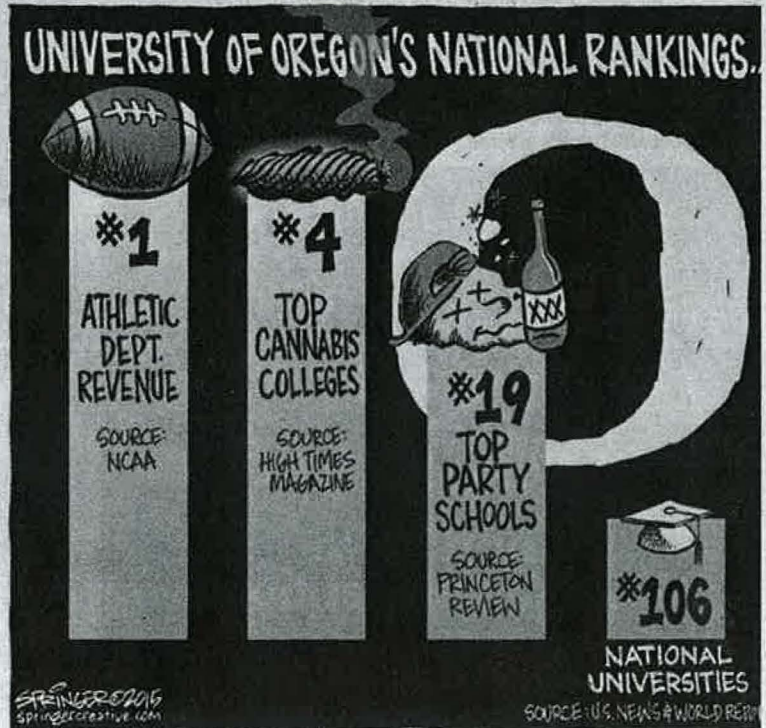
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The Sherwood Gazette welcomes press releases and news of interest to our readership. All unsolicited material is subject to the approval of the publisher. We reserve the right to reject or edit any material submitted for publication. Display ads and articles are due on the 15th of the month.



Backyard Chickens

Tuesday, May 22, 2015

Powered by  SurveyMonkey

598

Total Responses

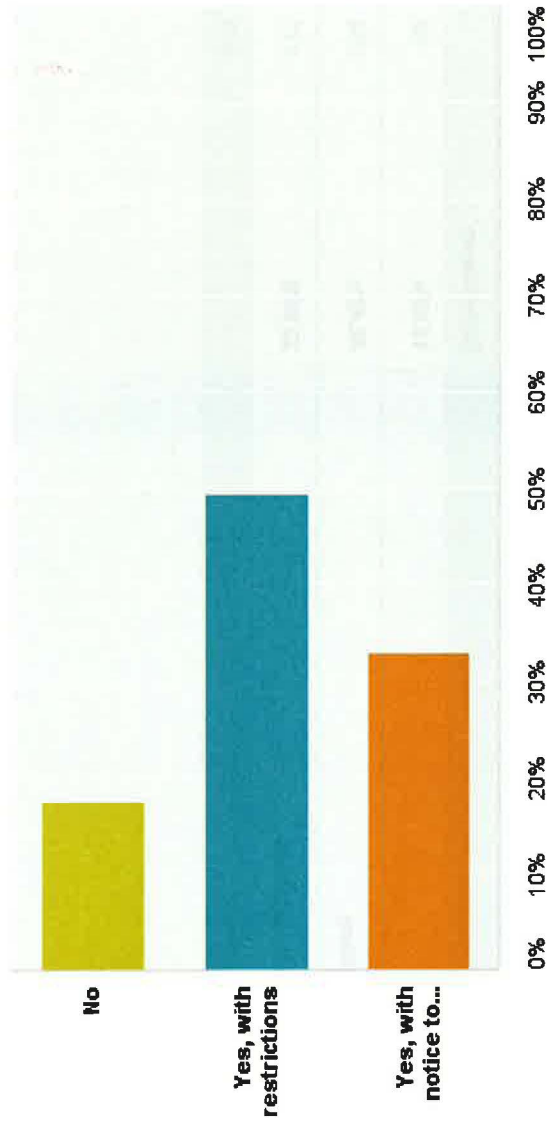
Date Created: Tuesday, April 14, 2015

Complete Responses: 535

Powered by  SurveyMonkey

Q1: Should the City of Sherwood change its policy to make it easier to allow backyard chickens?

Answered: 522 Skipped: 76



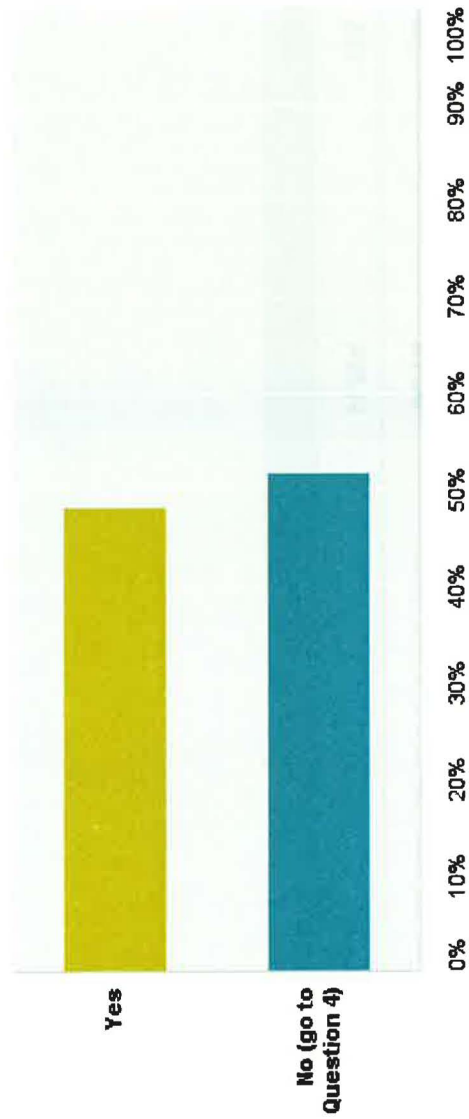
Q1: Should the City of Sherwood change its policy to make it easier to allow backyard chickens?

Answered: 522 Skipped: 76

Answer Choices	Responses
No	17.62% 92
Yes, with restrictions	49.43% 258
Yes, with notice to neighbors	32.95% 172
Total	522

Q2: If backyard chickens are allowed, should residents be required to get a permit from the City? (This could be a change from the existing requirement to obtain conditional use permit)

Answered: 531 Skipped: 67



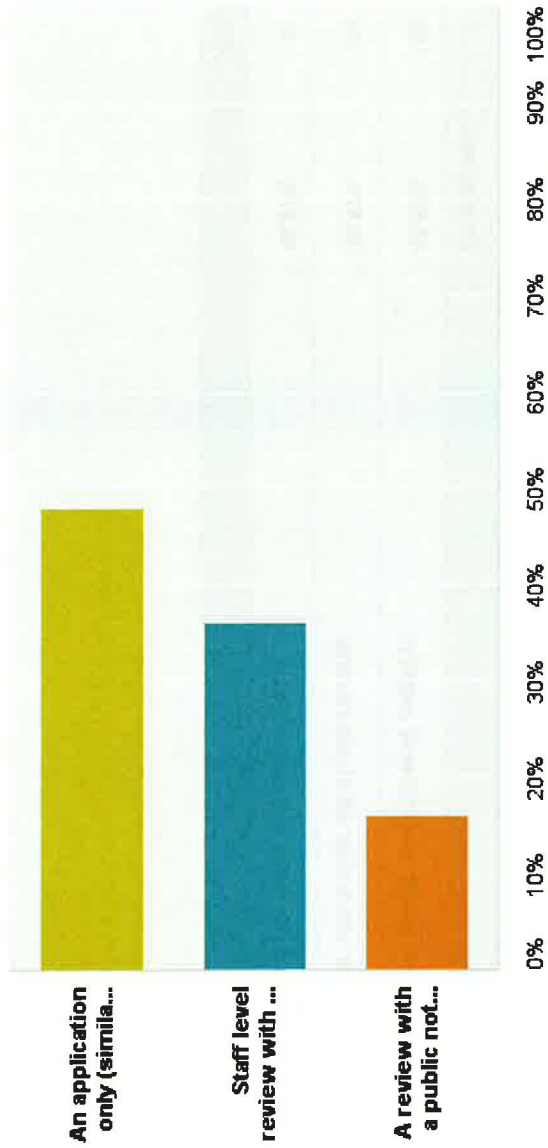
Q2: If backyard chickens are allowed, should residents be required to get a permit from the City? (This could be a change from the existing requirement to obtain conditional use permit)

Answered: 531 Skipped: 67

Answer Choices	Responses	
Yes	48.21%	256
No (go to Question 4)	51.79%	275
Total		531

Q3: If a backyard chicken permit is required, what level of review should an application have? (check all that apply)

Answered: 288 Skipped: 310



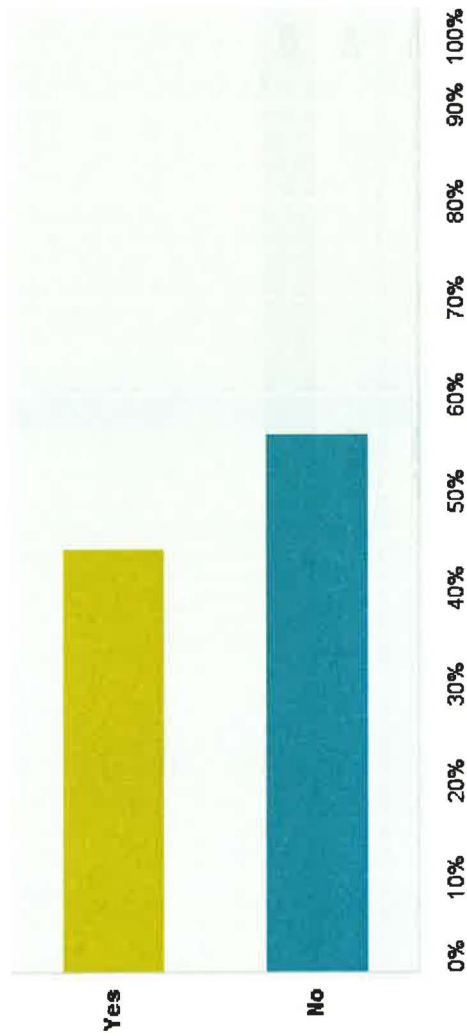
Q3: If a backyard chicken permit is required, what level of review should an application have? (check all that apply)

Answered: 288 Skipped: 310

Answer Choices	Responses
An application only (similar to a license or registry)	47.92% 138
Staff level review with a clear set of requirements	36.11% 104
A review with a public notice and public hearing	15.97% 46
Total	288

Q4: If your neighbor wanted to have chickens would you want to be notified?

Answered: 530 Skipped: 68



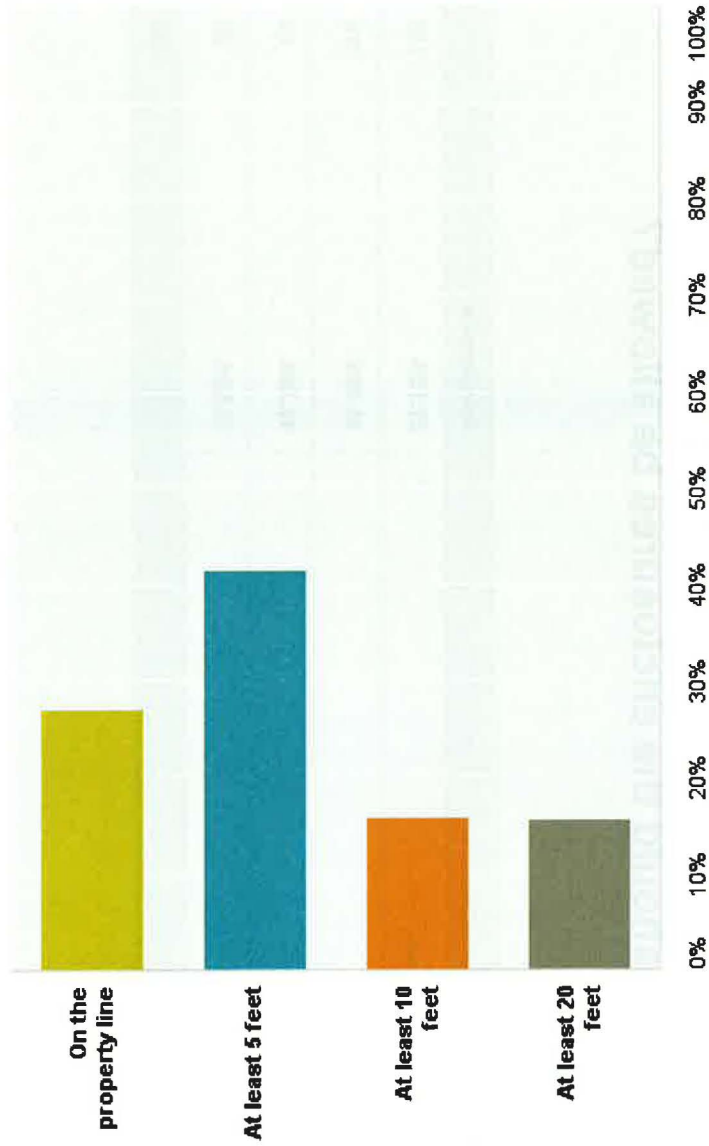
Q4: If your neighbor wanted to have chickens would you want to be notified?

Answered: 530 Skipped: 68

Answer Choices	Responses
Yes	44.15% 234
No	55.85% 296
Total	530

Q5: We currently allow accessory structures in the backyard. We would consider chicken enclosures an accessory structure. How far from the rear and side property lines should the enclosures be allowed?

Answered: 526 Skipped: 72



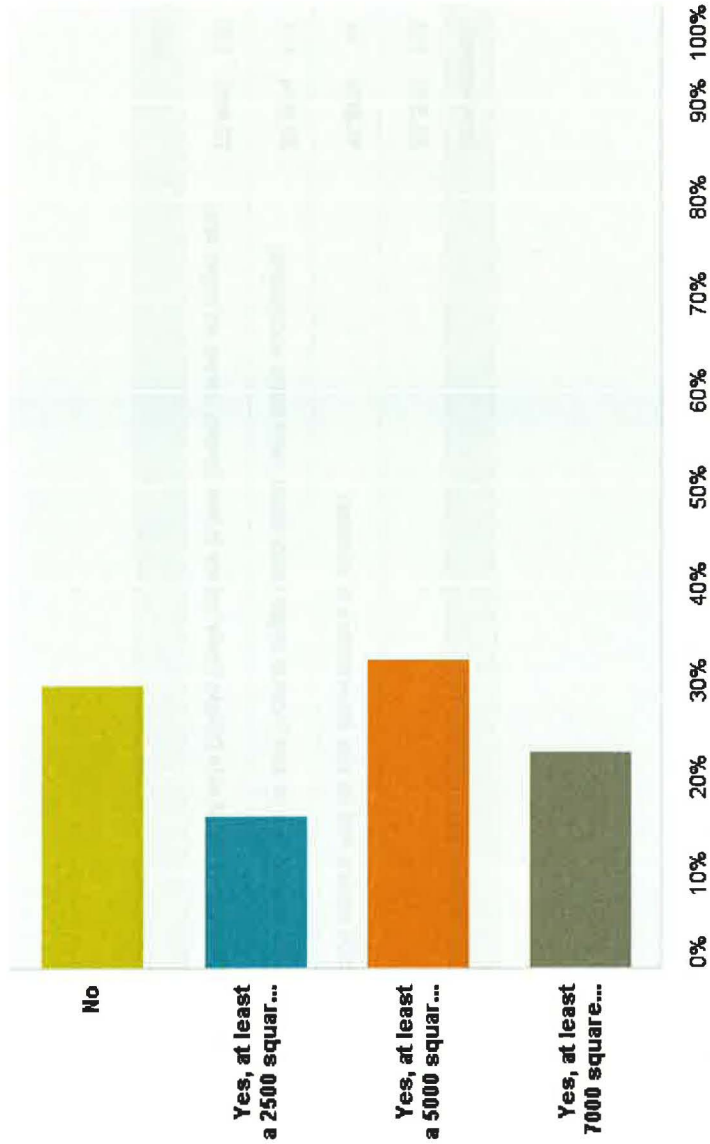
Q5: We currently allow accessory structures in the backyard. We would consider chicken enclosures an accessory structure. How far from the rear and side property lines should the enclosures be allowed?

Answered: 526 Skipped: 72

Answer Choices	Responses	
On the property line	27.19%	143
At least 5 feet	41.44%	218
At least 10 feet	15.78%	83
At least 20 feet	15.59%	82
Total		526

Q6: The lot size is the total land area of your property. Should there be a minimum lot size to have backyard chickens?

Answered: 531 Skipped: 67



Powered by  SurveyMonkey

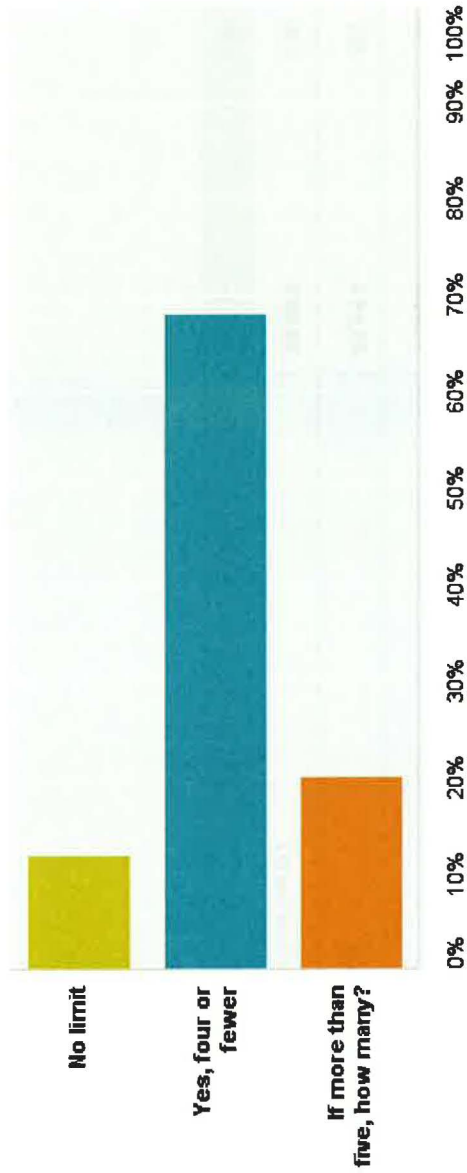
Q6: The lot size is the total land area of your property. Should there be a minimum lot size to have backyard chickens?

Answered: 531 Skipped: 67

Answer Choices	Responses
No	29.38% 156
Yes, at least a 2500 square feet lot size (townhomes or condos)	15.82% 84
Yes, at least a 5000 square feet lot size (typical single family home, with some exceptions)	32.20% 171
Yes, at least 7000 square feet lot size (single family homes in low density zones on larger lots)	22.60% 120
Total	531

Q7: Should there be a limit on the number of birds, and what should that limit be?

Answered: 530 Skipped: 68



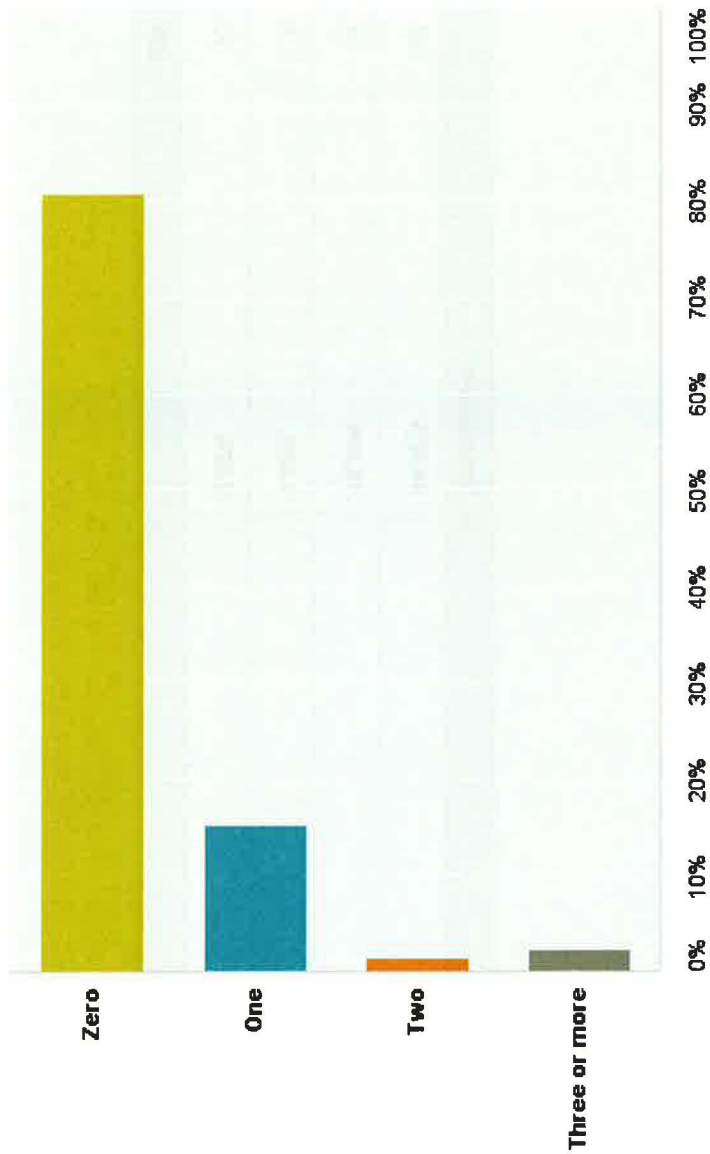
Q7: Should there be a limit on the number of birds, and what should that limit be?

Answered: 530 Skipped: 68

Answer Choices	Responses
No limit	11.89% 63
Yes, four or fewer	68.11% 361
If more than five, how many?	20.00% 106
Total	530

Q8: How many roosters should be allowed?

Answered: 528 Skipped: 70



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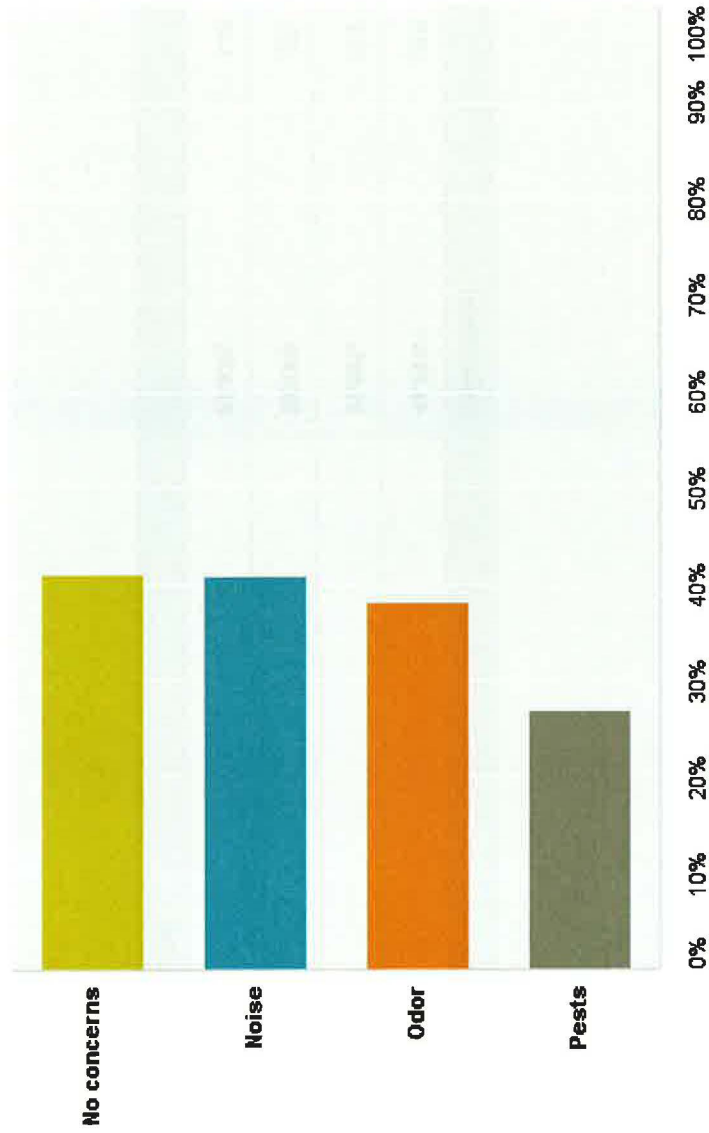
Q8: How many roosters should be allowed?

Answered: 528 Skipped: 70

Answer Choices	Responses
Zero	80.87% 427
One	15.34% 81
Two	1.52% 8
Three or more	2.27% 12
Total	528

Q9: If the City were to allow backyard chickens what would be your primary concerns? (check all that apply)

Answered: 529 Skipped: 69



Q9: If the City were to allow backyard chickens what would be your primary concerns? (check all that apply)

Answered: 529 Skipped: 69

Answer Choices	Responses
No concerns	41.21% 218
Noise	41.02% 217
Odor	38.19% 202
Pests	27.03% 143
Total Respondents: 529	

Backyard chickens survey comments

May 22, 2015

I really hope chickens are allowed in Sherwood. I hope you will allow it. Thank you for your time!

Chickens are not harmful and provide happiness to families!

Yes, with the following restrictions: - no roosters - lot size restrictions (many lot sizes in Sherwood are too small for chickens not for the chicken's sake but for neighbors) lot sizes less than 10k square feet would not work. - hoas must have the ability to reject chickens entirely - the permit fee should be reduced to a reasonable fee, but not so cheap that just anyone can add chickens without serious consideration. In other words, not \$50 but perhaps somewhere in the \$500 to \$800 range. - chickens must be in a penned or fenced yard, both for the safety of the chickens and the neighbors. - limit the number of hens, perhaps based on lot size?

Just let people have their hens, but require a registration or permit just to make sure they have the space and means to keep them humanely. But there should be no payments to the city involved besides perhaps a nominal admin fee for researching an applicant's space. That's just ridiculous to charge outrageous fees for such things.

Yes, with no restrictions. (3)

Yes. As in most progressive cities municipalities are discovering that small flocks with no rooster pose no problems in urban neighborhoods. In fact, their presence is bringing communities together.

Yes, but it shouldn't be anyone's business what someone wanted to do on their own property.

No restrictions (except for roos), no notification.

Restrictions should only for small land residence, no rosters allowed

Make a max # allowable without neighbor consent.

Absolutely. Neighbors don't need notification either.

No restrictions or notice to neighbors needed!

Yes...no notice required.

Neighbors should be notified - but they shouldn't decide the outcome. The application process should.

No fees if neighbors approve

As long as your neighbors approve, and it is registered with the city, that should be enough. My neighbors don't care but I would never pay anything to the city to have chickens.

I think having chickens is a superb idea. An application with approval from bordering neighbors and clear guidelines as to how many can be had would ensure harmony in the neighborhoods.

I think that citizens of Sherwood should be allowed to have chickens within their backyards with a small fee for a permit and possibly notifying the neighbors out of respect.

I worry about backyard chickens becoming a sort of "nuclear bomb" in neighbor disputes. While the city says it complies with all applicable ordinances, neighbor a disapproves of neighbor b's landscape scheme, for example. Neighbor b declines to make any changes. And so, as a retaliation or as a "bargaining chip," neighbor a decides to get some chickens.

Neighbors should also be notified, but the biggest help in making it easier would be a more reasonable permit fee. Tualatin, for example, only charges \$50 as long as the requirements are met and neighbors are notified about it. I know this because I own a home in Tualatin and my renters have backyard chickens. I think Tualatin's requirements are reasonable and Tualatin can be looked to as a model and resource for Sherwood as it is a nice, somewhat upscale community.

Portland allows for up to 3 chickens without a permit. Follow this model.

Please take time to consider how important it is to allow self-sufficiency to raise and grow food sources. Over \$4k for a permit restricts access to lower income that would greatly benefit from raising chickens. The fee for a permit in areas that require it like Portland is \$31.

Look at Portland, it works there. Go for it. Too often small cities that were once rural or boarder rural lands forget their heritage. Chickens pose no harm and bring a multitude of positive attributes to communities.

I'm super-excited that the city of Sherwood is considering allowing backyard chickens. I think Multnomah county allows three chickens in the backyard which seems reasonable. The issue is responsible pet ownership. Chickens are quieter than dogs, produce usable waste (garden), provide eggs, and are truly great pets. Believe it or not they have unique personalities and are smarter than people think they are. Thank you for considering this sustainable idea!

Check out Newberg. A great balance allowing chickens and keeping everyone happy

The city should not be involved with this \$4312.00 is bs just a way to control the people 4611 dollars for a permit insane!!

The current fee is outrageous and the process ridiculous. Smacks of rule-making to justify the need for rule-enforcers.

Charging 4600 for backyard chickens is one of the dumbest things I've ever heard. Dogs are a bigger nuisance and create more problems (on land and with neighbors) than almost any amount of chickens would.

I think it's a great idea. I would be first in line to have my own chickens but cannot afford over \$4000 to make it happen. Self sufficiency is a wonderful thing that all people should be able to attain.

Fees. Why do we charge someone to feed their families. Property taxes are insulting enough. Too much government at every level

I have successfully kept chickens in Sherwood, my neighbors enjoyed them also and I don't have them now solely due to the ridiculous fee.

The current \$4,611 conditional use permit application fee for backyard chickens is ludicrous, and an embarrassment to the city.

I think it is awesome. I am glad this is coming to the council. I have wanted two or three chickens for fresh eggs for some time but couldn't afford nor justify the 4k fee.

It should have some restrictions but not have such a high cost for a permit. \$100-\$300 would be good. Not over \$4000. That's way too much

It's moronic you have to pay over \$4500 if you want to have chickens

I have no problem with roosters crowing, but others might. Get rid of that encumbersome permit. Ridiculous

The permit should be less expensive.

The permit fee should be minimal.

Remove the permit fee.

No permit needed, cap on amount of chickens and no roosters.

Even if the permit was a reasonable cost, like the cost of a dog license is reasonable.

I think it should be less cost prohibitive, but restriction should be tight and neighbors should receive notification.

With restrictions to numbers, cooping requirements, and limit on number of days a rooster is allowed. Those animals get loud!

Offer chicken ownership classes to provide education on humane and neighborly chicken keeping.

Must follow certain guidelines for proper maintenance.

What would be the process to have the chickens removed if they become a nuisance?

There should be clear guidelines that if violated would preclude keeping your chickens.

I believe that the city needs to monitor living conditions to insure ethical and humane treatment of the animals

I like the idea of a permit so the person registering can obtain a clear set of expectations and perhaps local resources. I also think there should be a way for neighbors to get

involved if noise/smell/abuse are a problem. I live on the urban growth boundary and the neighbor behind us has a bunch of roosters the size of bulldogs! They crow 24/7. We don't like that but know it's the trade off. (seriously, why does he need so many roosters??)

Part of the permit procedure should be education and testing of the knowledge and skills required for keeping healthy poultry. All applicants should have a plan for swiftly dealing with sick or injured birds. Facilities should be inspected prior to issuing the permit, with a focus on proper ventilation as well as predator and pest protection. Facilities should be located closer to the permit-holder's residence than to any neighbor's residence. Considerations for other types of poultry (ducks, quail, turkeys) should be included in the new policy.

We live in a neighborhood that would require us to pay the \$4000. My 12 year old son is in 4h for he loves farm animals but we have to find a family outside the city to house our animals for us. He wants to raise a couple of hens for eggs at our home. He has a garden for his vegetables and will soon own a rabbit. We would like to have the ability to raise a few chickens for this experience for him. I think you should limit the number of chickens to less than 4, but allow households to raise their own hens and eggs

The fee should not be so exorbitant that it prohibits a family from producing eggs for their own consumption.

There shouldn't be a fee to have backyard chickens. The current standards are outdated and overbearing

Low fee!

I can't believe anyone ever paid over \$4000 to be allowed to raise hens for eggs. The city should be ashamed

Citizens should be able to raise chickens, if they desire, however the regulations shouldn't be fee-based, the regulations should require a minimum lot size (e.g. 3/4 acre).

I think this is great that the city is considering this. The number of chickens allowed could be based on the net available square footage of the lot. Net would be lot size minus house footprint and minus hard surface area. It benefits no one to have too many chickens in an area.

I personally think there should not be any chickens allowed on property less than 2 acres. Chickens do not belong in neighborhoods, they belong on farms.

Allow more chickens with a permit. Or allow an increased # according to lot size

My concerns could be mitigated by tying the number of chickens allowed to the size of the yard - the bigger the yard, the more chickens. I don't see a problem with smaller yards having one or two chickens as long as there are regulations in place to ensure they are kept properly (although I don't know how you will regulate/enforce that. It certainly doesn't seem like anyone is checking that dogs and cats are kept/cared for properly.)

Yes some restrictions will make sense. A limit to the number of hens. And a minimum square footage of yard. I know I could easily keep 4 well cared for hens on a 7k square foot

yard. I do not like the 100 foot from any dwelling restrictions that some cities have. It pretty much eliminates almost every home from being able to have chickens.

And other restrictions including minimum lot size allowed, buffers to neighbors, and maintaining a quiet, clean, odor-free environment.

I think that people within city limits we a large enough enclosed lot size should be able to raise chickens in order to promote growing and eating local. Chickens alone barely make any noise or create a disturbance. They are less noisy than most dogs in the neighborhoods. I think this issue should most definitely be reviewed and corrected.

The number should be tied to the size of the property

if people have them there should be at least three. Chickens are a social animal and will wither and die if there is only one or two.

Chickens should be allowed with very limited restrictions. Three hens with no restrictions at all, roosters prohibited & an inexpensive, easily obtained permit for keeping additional hens should be in place. Hens help connect people to their food & can help teach people how to create a small simple symbiotic system in their own back yard. My husband & I moved away from Sherwood when we bought a house in part because chickens are restricted.

Do not allow roosters. (noise pollution)

Perhaps just restrictions on the number of chickens

5 is a good amount. Max should be 10

2

3 (3 respondents)

Even less than 4.

5 (14)

5+ with permit

6 (37)

7 (2)

8 (7)

People should have no more than 10.

10 (11)

12 (2)

15

Less than 20

I think the number should be dependent on lot size

Limit based on square footage of lot.

Depending on lot size bigger the lot the more chickens

Ratio of three chickens per resident

Depends on size of property. Should be allowed at least 6

Ten or less with no permit, additional birds with a permit.

Amount contingent on lot size

As many as can live clean and healthy (plenty of green grass, etc. not a mud pit with tons of birds)

Depends on the size of the lot. A 5,000sqft lot should start with 6.

Depends on size and type of bird (chicken, duck, quail, turkey) and facility (coop, run, etc.).

Depends on the size of the property.

Depend on available space, and other restrictions like type of structure, health conditions.

1 bird/quarter acre

Limits should be based on yard size 2 chickens for 5000 square foot yards, 4 chickens for 7000 square foot yards. Etc..

Should be tied to the size of the lot

Four or fewer for 5,000 sq. ft. lots and 1 extra hen per 1,000 sq. ft. above 5,000 and capped at 10 hens maximum.

I just think with the cost of food it wouldn't be bad to allow for at least three chickens.

Definitely no roosters... They're super loud. Chickens don't really have much odor

If someone wishes to have more than 5 chickens a permit process should be considered. Why is this process any different than cats and dogs?

There should be a limit on number of chickens and some type of regulation on roosters crowing

Limit the number of chickens. No roosters.

My comments are for the majority of homes in the city. My concern is for those owners who have unusually large property and might need more than four birds, a rooster etc.

Absolutely no roosters!

I'm really for this!! Just a little apprehensive about roosters waking us up early.

Hens but not roosters

No roosters, limit number of hens...something similar to other large cities

The only restriction I would support is that roosters not be allowed in the city. They make too much noise.

No males.

I am concerned about the noise of roosters.

I've been around chickens all my life and they provide many benefits to the owners. As long as there were no roosters allowed I think it would be ok to allow residents to own chickens for meat or eggs.

No roosters allowed

They are good for neighborhood just no roosters!!

Only a ban on roosters

Roosters are too loud to have on less than 1-2 acres or more. Other ordinances should cover noise, odor or smell issues. It's silly not to allow a few backyard hens!

Do we have a "no roosters" policy? I think female chickens only. Sorry dudes.

Roosters could be allowed in residential areas for a certain number of days to allow breeding, growing up if hatched in yard, etc. But not all year around or past a certain age because they are loud.

If most of my neighbors can't keep their dogs quiet, how will they keep their cocks from crowing at ungodly hours?

My concern would be chickens too close to fencing where they could disturb neighboring pets. I am not opposed to roosters, however would not want noise from crowing. Also would prefer regulations that no slaughtering can be done within city limits.

Yes should people be allowed to kill them for meat if it's their chicken of course

I think they are less annoying than other animals

We seem so worried about noise (rooster), yet there is always noise from garbage trucks, landscapers, people at the senior center all before 6 am etc. Rather hear a rooster!

I am sorry, but what is the big deal? Dogs are louder and their poop is bigger and smellier (is that a word) ;)

When I lived in Eugene, my neighbors had chickens. They aren't noisy or smelly. I myself, would love to have a few chickens, fresh eggs... Yum!

We moved from Eugene where chickens were allowed and common. We had chickens in our back yard. They are not noisy or smelly and didn't bother the neighbors. We now live in Sherwood on one acre and would like to have chickens again.

While as a neighbor, my biggest concern is noise, I feel the main overall issue is ethical and humane welfare.

If there noisy they simply go away.

Residents must clean up after their chickens or be charged a fine.

Must be contained, not roaming through neighborhood, clean conditions to keep odor/pests away

Getting loose and into my yard.

Adequate screening on hutches to prevent a fly problem

Our neighbor has chickens and there have been no problems. No smell, mess or pests. The noises are very low and minimal. We love seeing and hearing them

Any home owner should be allowed to keep chickens in their backyard without cost to the city. Mess and odor should be monitored by the city just like dog poop odors or any other odor problem.

Must be clean and poop removed on a regular basis. Weekly disposal. Must use odor control and fly control if it is a problem

Cats do more damage, and have zero leash laws, why should we not allow backyard chickens?!

Chickens are considerably less noisy than dogs and produce less mess. The only restriction should be that situations which are causing a problem (smells or true disturbances of the peace) should be resolved in a reasonable amount of time. Your current pricetag is clearly an attempt to prevent chickens, not prevent issues with them.

Citizens can't be trusted to pickup their dog crap in our parks when we provide poop sacks for free. What makes anyone believe we can trust citizens to keep their chicken coup clean and odor free????? Seriously! Chicken crap has a severe stink when left unkept. Dog crap on my shoes at Snyder Park is bad enough on occasion and chicken stench every day at home is intolerable. No chickens, keep that stink in Portland.

Sherwood is a unique and vibrant community with no large negative elements like many neighboring communities. Sherwood is also very unique and does not necessarily need the same community components that many of our neighboring communities might feel works well for them. In Sherwood the old tannery site was once the huge stinking blemish on our town until it burned down one day. Now Sherwood is recognized as one of the best communities in the USA because of all of its great features including access to rural life activities. With rural areas so close if a citizen deeply wants to responsibly have chickens they can easily network with many of our local farmers or co-ops to have a community type chicken coup where several people share the responsibility of caring for the chicken flock. I've lived in communities that allow chickens in subdivision style homes and it all sounds nice and wonderful until a family goes on summer vacation in august and leaves the chickens on their own a few days in the summer heat. The stink grows exponentially each day with the heat and enforcement is almost impossible and quite honestly useless while all the neighbors suffer with the stink until the family returns. We have a respect for the idea of being sustainable, but this idea is a failure at its core in the long run. Please keep our entire community in mind and don't ruin it just for a couple people who thinks this is a new wonderful idea to raise their own eggs.

It's hard to get kids to clean a cat's litter box in the house. How are people going to keep their outdoor chicken coop clean so the neighbors don't smell the chicken feces odor that is outrageous if not well tended? We moved to Sherwood for all the great things it offers including no chickens. Our last house in a neighboring community had chicken neighbors and we lived on the down wind side. It was horrible and the realtor even asked, "what is that smell" when preparing to show our house.....it was the neighbors chicken coop. We moved to Sherwood to get away from chicken poop and now we hear one single particular city councilor named Jennifer Harris wants the smell of chicken poop in Sherwood neighborhoods. This is so frustrating for us as we are elderly and can't survive another move if chickens are living next door. Hopefully this will all blow over because we hear it's just one city councilor who wants chickens. Please hear our voice as we can't attend your meetings and we don't like to complain in public, but this situation can ruin Sherwood. No chickens!!!

Chickens smell horrible.

If u could control the dog poop & daily noise first, then maybe chickens. Most of the families that live in Sherwood work outside the area, and cannot even control their dogs during the day because no one is home.

Manure control and insects issues are a concern. Disposal of dead fowl. Bird flu. Most people work and will not have time to properly care for the birds. It is a fad? Maybe.

Absolutely 100% no. Sherwood is a top notch community that doesn't suffer from the stinking stench of chicken poop. When people with chickens go on vacation in the summer and leave their flock unattended the heat makes the chicken poop stink like the Albany pulp mill or the Newberg sewer plant. This is the sort of disgusting odor that causes real decreases in property value. Unlike many of Sherwood's neighboring community we have unlimited rural access where if a person wants chickens they can collaborate with a local farmer to clean/tend/care for a flock. A more responsible solution to this problem that fits Sherwood is a coordinated effort to work with a handful of surrounding rural properties owners for "community" type chicken flocks. Having chickens as a neighbor in my Woodhaven community is not the answer Jennifer Harris. Chickens stink like your idea to raise them in our town. Take your stink to another town.

Allowing backyard chickens increased the likelihood of predators in our neighborhoods such as raccoons, wolves and other hunter gathers where our children play.

I moved to Sherwood to have a suburban lifestyle. I have lived next to chickens and the noise level is unacceptable. Also, Sherwood has plenty of coyotes coming into the neighborhoods looking for easy prey, i.e. cats. Chickens will be a target as well if allowed to roam free in yards.

Being in a rural area, despite the density of housing in much of Sherwood, I think having chickens will have a strong potential of attracting predators into the neighborhood environment. We have coyotes and cougars in this area and having easy prey in backyards will only bring them closer in. I strongly feel that having backyard chickens is unnecessary and the negatives seriously outweigh the benefit.

Chickens attract rodents and skunks and raccoons. If left unattended the coop can sink of chicken poop and in the summer this odor will make your eyes water. How will the police monitor and enforce unattended stinking chicken poop houses? If we have marijuana and chickens in Sherwood in 2015 I predict Sherwood will plummet to the bottom over time in the list of "livable cities". Shameful. Hear citizens voice on this matter and keep chickens out. Tell Jennifer Harris if she wants chickens so bad to just go get her own outside Sherwood, but don't force chickens into our clean, fresh smelling neighborhoods. Please keep chickens where they belong.....on the farm.

I used to live in a city that allows chickens within city limits. It was horrible. Roosters would start crowing as early as 3:00am!! The smell is horrific! Even with good pet owners (if you want to consider chickens as pets) don't always keep up with cleaning the chicken houses. Did you know skunks love chicken eggs? We have plenty of houses in Sherwood that border fields, green space, etc. Skunks and pests would become everyone's problem, not just chicken owners! I just don't see the need to allow chickens within city limits. If some one wants farm fresh, organic, free range eggs they can easily be purchased all around this city! Just drive around...farmers have signs up all over the place! Our table co-op has them available everyday. No chickens within city limits please!!!

Waste disposal. Chicken droppings are toxic and should require proper disposal. I.e. Not in a garden or flower bed

Maybe a public service brochure on the positive aspects of chickens - like less slugs, less pests, less bees, and without roosters there really isn't a noise issue. People love healthy chickens putting around.

Chickens often get lice; they are dirty. They should not be allowed in the city, period

My chickens are quieter than my neighbor's obnoxious barking dog so noise isn't an issue if you don't allow roosters. Rats can be an issue if the owner doesn't know how to set up a coop properly, but with a little education they can be avoided. Outdoor is minimal. I have an ideal, predator proof setup. Happy to share info.

They are less noisy than small barking dogs- they eat insects and slugs- overall much more pleasant than dogs to keep up after and they lay eggs

The attention it would garner for predators. My neighbors behind me have chickens and my mom saw a bobcat in the yard one day. It makes me afraid for neighborhood children's and pets.

There needs to be ongoing regulation (code compliance) regarding enclosure size, animal neglect, cruelty, noise, odor and pest control. Failure to control or correct should be subject to loss of permit.

The bigger your yard is the more chickens you can have.

It's about time. Sherwood is a farm friendly town. Chickens should be a no brainer.

Chickens should be treated like other pets, they should be allowed as long as people give them adequate space and care. Information on proper chicken keeping practices should be available. Manual or chickens keeping class would be great!

Seems kinda of silly to be having this discussion in 2015. Chickens are not the enemy. Only concern would be if the chickens start wandering. Chickens have a tendency to escape little fences and like to roam. There should absolutely be restrictions making sure they are not allowed to roam free off property.

It's a fun and easy way for kids to connect with their food and allows families to raise protein in a small area.

They're honestly not very different from pet cats, rabbits, inside birds, and dogs. It is silly to have to go through all this.

Do the community a favor and make it as easy as possible for people to raise their own food

Besides coops, chicken tractors are a useful way to manage a couple of chickens. You get just enough eggs for a family of 4.

Given the recent upsurge in urban flocks it would be nice to have Sherwood keeping up with the times!

People should have free access to chicken raising on their own property.

Please, you allow dogs and cats, all surrounding communities allow a limited amount of chickens, please allow Sherwood residents the same opportunity.

It should be allowed to have chickens, with the option to have "welfare checks" if there was a complaint, and then be handled respectfully and appropriately.

I think a lower barrier to entry will also allow for more legal chickens.... There are several illegal chickens in the city currently due to the high permit cost (along with people's choice to get chickens regardless)

A structure for complaints that is easy to access and quick to resolve.

Cleanliness of the area used.

Disease! I live in old town and strongly oppose allowing back yard chickens.

Be logical. A few chickens should be ok if their area is kept clean.

Disposal of soiled bedding. In yard debris bin?

I'm very much in favor! My neighbor's dogs are far more annoying than chickens could ever be.

Yes. If allow chickens, what are you going to do when the dogs that most of us have start barking at the chickens next door? Are you then not going to enforce that noise restriction? Or is that enforceable by the local shelter? I see this creating more problems that it solves. What about violations on the weekends when code enforcement officer is not available? How are we going to judge what odor is too offensive? What about the wind blowing the smell over so that neighbors can't keep their windows open so they don't get smells of chicken feces coming inside their home? Is it right to grant a right to a few in order to inconvenience & trump the majority of us who don't have them? We live in a city that is

housed too close together to have chickens. Most of our housing is on lots smaller than 5,000 sq. ft. & there just isn't room. Move out of the city limits if you don't like it!

My main concern would be ground water contamination. In other cities the permit is free once they inspect the run and make sure it's safe for the birds and the environment.

Ducks and other poultry should be considered as well.

Ducks too please!

I would like the term "chickens" changed to "domestic fowl" as that would give residents the option of raising ducks, game hens, quail, and so on.

People don't normally have backyard chickens to raise them and sell. They have them for the eggs. This needs to be kept in perspective!

Let us have geese too

Raising animals such as chickens would provide a great opportunity for Sherwood youth to learn about raising and caring for animals, especially those youth that aspire to have a career in the area of animal science and/or veterinary care. Other small fowl such as ducks should also be allowed in the city limits (with the same regulations as chickens) because some may prefer them over chickens.

I think that having backyard hens should be a right. They provide eggs, which is a nutritious food. I think if a person has a right to have a dog or cat, a person should also have a right to have a few hens.

Sustainable living should be our right!

We think everyone should be able to raise chickens and it shouldn't be cost prohibitive.

Allowing backyard chickens will bring even more community to the town and encourage sustainable, healthy living. Thank you for reevaluating this issue.

I truly think that backyard chickens are a wonderful addition to cities. It is a wonderful way to help feed your family. A healthy cared for chicken will not spread disease. The risks for disease are only high in large operations where the chickens cannot be individually cared for by loving owners. I'm not against some restrictions. Lot size and number of chickens and no roosters. A clean cared for coop does not smell. One of the best things to put on the ground of a coop is sand and then the top can be sifted and the manure removed from the coop weekly. Hens are reasonably quiet during the day, though some do like to call out when laying. But as most people are out at work during the day the occasional sound should not likely be thought too terrible. By evening the hens have settled into their coop and are extremely quiet, they will not disturb anyone's sleep. I would really enjoy the opportunity to keep hens in my back yard. I've kept hens before and was disappointed to hear they were essentially illegal here in Sherwood. My neighbors before loved my coup, it was built to match the architecture of our home and blended in nicely and was always clean. The hens were well socialized and cared for, I never lost a hen to sickness.

With the problems of the commercial egg production practices coupled with thinks like avian flu, it is prudent that cities promote local food resources. Chickens are one way to do this.

Chickens are a valuable source of food and provide free fertilizer for gardens as well as help with weeds. Everyone should have access to them if they choose.

No restrictions. Everyone should be able to raise their own food resources.

No restrictions. Barking dogs and lawnmowers are more of a nuisance. Chickens provide a way for families to raise a cost effective source of organic protein.

I would love to have chickens again! I think this is a great idea!

Let people do what they want and don't complain about your neighbor

Sherwood is the only city in Oregon not to allow them!

This is silly! If I want chickens in my yard and they aren't bothering any one I should have, grew up having chickens my parents never had to get permission this city loves to many rules, crazy!

Allow chickens!

Please allow them!

Yes, finally!!

The city should get out of the people's lives. This is a way to control the people. The city are the royals and the people are commoners or just something they have to scrape of their boots

Barking dogs the neighborhood but no clucking chickens. We could have neighbors that are thieves break in the houses and selling drugs from the house but no chickens to me chickens are very peaceful to listen to. To keep the bugs out in the backyard which saves money on spray. People cooking on sale phones I see all the time you will never find a chicken that will do something against the law.

Living with chickens, under the proper restrictions, is no more of a nuisance than living with dogs. Except that chickens are more useful. It's outrageous that someone would have to pay thousands of dollars to be allowed to raise a couple of chickens in their back yard.

Every morning we hear the roosters down the street and I am constantly thinking about chicken dinner. Lol. Seriously I live in the city not in the country.

We would love to raise them!

They would cut back on pests! They eat them!:)

I feel that the current cost for growing backyard chickens in Sherwood is pretty outrageous. In fact, it is prohibitive for many people. If I were growing chickens in my backyard, it would be for the purpose of providing fresh, organic eggs for my family which I cannot afford to purchase at the market. In effect, the city is denying me quality, healthy food by imposing so much cost for doing something that no one would have thought twice about 75 years ago.

Their poo makes good fertilizer for organic gardening!

Let's get it done! This is taking Sherwood to long.

Allow chickens today. Don't deprive people of food.

Allowing chickens provides families with a sustainable source of food as well as the joy and pleasure if a pet. Chickens are certainly no noisier than the many dogs that persist in barking throughout the day in my neighborhood. The citizens of Sherwood should be allowed to raise 4 or fewer chickens.

My family crossed Sherwood off our list of possible places to live due to the chicken restrictions. I'd love to see this change for the better.

Yes, with very limited restrictions. No roosters is reasonable, as is a limit such as ten or under without a permit. Your current rule guarantees I will never live in your town.

Allowing chickens would be great. Planning on moving to your area but won't move until I find a town like mine.. We are allowed to have poultry and any miniature livestock in city limits

Would there be fees imposed for those who fail to follow the regulations and rules for backyard chickens? How would the new regulations be handled and made sure they were being followed? Where would complaints go & who would handle these to ensure residents are following the regulations?

Deal with problems as they happen like with other animals people have such as dogs, cats, etc.

I would want the home owners association to agree with these terms, and chickens allowed in Woodhaven.

We are a farming community and should be allowed to keep backyard chickens.

Chickens in high density neighborhoods are just not feasible, if you want chickens, you should have some land. I believe that even if enclosed, the chicken will get loose at some time and wonder the neighborhood. Then they become a problem to all residents. Would the owners be fined if the chickens get loose? If the chickens get loose, who cleans up the waste they leave behind? How could a neighbor enforce clean up of waste or destruction of property? Get land have chickens.

Too many concerns to voice them all. Please don't force this on citizens.

Chickens do not belong within city limits! Properties are way too close together. Even if the city puts restrictions on property size and number/sex of chickens, it would cause problems. Smell, pests, annoying rooster crowing, etc.

Chickens are farm animals that if not tended daily will generate odor and attract skunks, raccoons and other rodents. Many people can't responsibly pick up after their dogs in our parks where free bags are provided and this is hard to enforce. How would Sherwood enforce chicken standards on private property affectively?

Chickens are farm animals unlike cats or dogs. Leave them on the farm and maybe just maybe Jennifer Harris needs to be put out to pasture with this idiotic chicken idea. We just

got rid of the tannery and now Harris wants to smell chicken stink. If this passes I suggest an amendment that Jennifer Harris is required to have 5 chickens in her backyard while she is a city councilor so she has to smell the crap like the rest of us citizens. We need to smell chickens like we need a hole in the head. Dumbest idea I've heard for Sherwood in my 11 years here.

Chickens attract rats, mice and other rodents to eat their chicken feces and food. This sort of activity is better suited for urban cities that have no access to rural properties, but in Sherwood we are surrounded with rural large properties. I don't want to hear or smell chickens in Sherwood. Years ago there was a dairy where the bird refuge sits and it stunk unbelievably bad. At another time in Sherwood history the tannery stunk to high heavens and neighbors complained and property values plummeted. Only out of pure ignorance would a city councilor like Jennifer Harris who smokes marijuana for fun want to bring stinking chickens into Sherwood to ruin our wonderful little piece of heaven. Don't let chicken poop stink up our great town.

Chicken coops attract mice & rats. Sufficient space between the neighbor's property line and the coop is necessary so the neighbor doesn't have to deal with the rodents.

Needs to be limited. Farm animals don't belong in high density areas.

This is a city with mostly high density housing. No chickens or any other livestock please.

Chickens are a farm animal. Should not be allowed in the city for all of the reasons in question 9. (noise, odor, pests)

Please do not allow backyard chickens within Sherwood city limits

I wouldn't allow backyard chickens at all if possible

No chickens in the city limits please

No backyard chickens in Sherwood residential communities please. If people want farm animals, they should go live on a farm. Thank you.

This is a city not a farm. I don't think it's necessary to have farm animals in the city

This is a horrible idea to amend the code.

Not in my neighborhood, or I'll vote against any sitting council members!

They are not meant for suburban neighborhoods they are a rural animal or are we going to allow goats too

Move to a rural area if you want chickens! They should not be allowed in neighborhoods.

Thank you for considering the needs of both the backyard chicken advocates and the needs of the chicken-free backyard enthusiasts!

This is a dumb idea!!!

In today's world this is a good idea. People should have an option that doesn't cost them thousands of dollars. The price tag right now is ridiculous, especially in a suburb like Sherwood.

I'm good with hens but not good with roosters in back yard.

There should be some requirements as a condition of having chickens that owners keep the coop clean and free of pests...licenses should be able to be revoked if they don't follow cleanliness or pest rules.

Most residential homes have CC&Rs against farm animals. Chickens are not allowed. Chickens should not be allowed because of people complaining until the city gives in. We live in a city not in a rural area. If they want chickens let them move to a farm. When you live in a city you need to be considerate to your neighbors. Do we allow dog kennels in residential area - no. The city should respect that chickens are not a good fit. Make the right decision.

Please don't regulate this - more than a regular pet like dogs. It is such a beneficial Eco system and great for kids and families:)

Chickens belong on farms not in residential neighborhoods. I do not have confidence that the city respond appropriately. Many homes have CC&R cides that state NO farm animals. That includes chickens. There should be absolutely no chickens within city limits unless you live on farm zoned areas. If residents what chickens they should move to the country where it will not effect neighbors piece if mind and home values.

Having a fee for people to be able to grow a life sustaining product on their own is ridiculous! Get rid of the fee.

Clear rules and processes for handling complaints (with funding)

Any adjoining property owner ought to have veto power over the chickens. It's represents a nuisance to their property and possibly a diminution of value to them. As is I have raccoons, possums and skunks cross our yard at night, and coyotes within a few blocks away. Chickens could draw vermin, and their droppings can be a health hazard. In addition I had Lyme disease from ticks in my back yard last year and one of my neighbor contracted it from the nature center. Chickens can carry ticks. It's an idiotic fad to allow chickens in a developed urban area.

Just say NO!!!

Raising chicken is great and I consider them less nuisance than dogs and cats. They are gentle, quiet and provide family with fresh eggs. I moved here last year from New Mexico and I had chickens over there. I hope city of Sherwood will reconsider to allow residents to have chickens in backyard. Thank you!!!



Staff Revised Recommendation Proposed Code Amendment Draft Language

Original Draft language is in Blue underline

Staff recommended changes in green underline

MUNICIPAL CODE

TITLE 6-ANIMALS

Chapter 6.03 Backyard Chickens

6.03.010 Purpose: Residents of the City will be allowed to keep chickens, subject to the requirements of this Chapter.

6.03.020. Number of Chickens Licensed

- A. Up to three (3) hens may be kept on properties at least 5,000 square feet in size.
- B. Up to five (5) hens may be kept on properties at least 10,000 square feet in size.
- C. No roosters may be kept within the City.
- D. Chicks up to 12 weeks old may be kept indoors and are not subject to the limitations of (1) and (2) above.

6.03.030. Location Requirements

- A. Chickens will only be kept on property that is occupied by a detached single-family dwelling.
- B. Chickens may only be kept upon property that is the principal residence of the owner of the chickens.
- C. Chickens and chicken enclosures may not be located in any area between the primary dwelling and the front property line.
- D. Chicken enclosures must be at least ten (10) feet from the property line and at least twenty-five (25) feet from any abutting dwelling unit.

6.03.040. Conditions of License

ATTACHMENT F

A. Chicken Enclosures

1. Chickens must be kept within a secure enclosure at night. During daylight hours, chickens must be kept within a secure enclosure unless under direct supervision within a fenced yard.
2. Allowing chickens to enter adjoining properties is prohibited.
3. Enclosures must be kept clean, dry, in good repair and not cause an odor that is unreasonably offensive or annoying to residents within the immediate vicinity.
4. Enclosures must be designed to prevent the entry of rodents and predators and must effectively contain and protect the chickens.
5. Enclosures must be designed so that they are not a breeding place or likely breeding place for rodents, flies or other pests.

B. Chickens must be kept for personal, non-commercial use only. No person may sell eggs or engage in chicken breeding or fertilizer production for commercial purposes.

6.03.050 Procedure

- A. In a residential zone, a resident who wants to raise chickens per the requirements of this Chapter must obtain a license and demonstrate compliance with the above criteria, 6.03.040 and pay a processing fee.
- B. Tenants and renters of property may keep chickens only with the written permission of the property owner included with the license request.
- C. Within 14 days following the approval of a license application, the City will provide written notice by first class mail to all property owners immediately abutting the license holder's property. The notice must contain the name and address of the license holder's contact information for persons to seek information or file complaints.

6.03.060 Penalty: Violations of this section are classified as a Class C violation punishable by up to a two hundred fifty dollar (\$250) fine.

Chapter 6.04 Dogs (existing)

[More on next page](#)

**Title 16 Sherwood Zoning and Development Code
Chapter 16.12 - RESIDENTIAL LAND USE DISTRICTS**

	VLDR	LDR	MDRL	MDRH	HDR
COMMERCIAL					
• Raising of Animals other than Household Pets ⁵	C	C	C	C	C
CIVIC					
• Public Recreational Facilities ⁶	P	P	P	P	P

⁵ [Except for a limited number of chickens as licensed under Title 6-Animals, Chapter 6.03. Chickens.](#)

⁶ Includes, but is not limited to parks, playfields, sports and racquet courts, but excludes golf courses.

Michelle Miller

From: Bradley Kilby
Sent: Tuesday, July 07, 2015 10:26 AM
To: Michelle Miller
Subject: FW: Chickens-Municipal Code

Brad Kilby, AICP, Planning Manager
22560 SW Pine Street
Sherwood, Oregon 97140
503-625-4206



Please consider the environment before printing this e-mail.

From: Julia Hajduk
Sent: Tuesday, July 07, 2015 10:25 AM
To: Bradley Kilby
Subject: FW: Chickens-Municipal Code

From: Jeff Groth
Sent: Tuesday, July 07, 2015 10:05 AM
To: Julia Hajduk
Cc: Joseph Gall; Tom Pessemier; Ty Hanlon
Subject: Chickens-Municipal Code

Julia,

I am aware there are current discussions regarding the code to deal with backyard chickens. I want to share my input and desire that the code language/provisions be contained in chapter 6 of our current code, which deals with animals. I suspect at least some of the provisions needed are already contained in chapter 6. For example there is language regarding unreasonable noise and simply modifying it from "dogs" to "animals" will cover chickens as well.

The language should contain whatever restrictions & conditions needed with clear language establishing violations as Class "whatever" (likely C). This will enable the officer, or Bill to use discretion, as with any violation, and if they issue a citation the violator will have a chance to plead not guilty and go before the judge for a hearing. I do not want a "system" that complicates enforcement by requiring letters, etc.

From an enforcement perspective, this needs to be kept as simple and as clean as possible, or it will become too burdensome for us to enforce. Keeping it simple & in one place will enable any police officer to locate the code, understand the code and enforce the code, and the burden will not fall on Bill alone or require the officer to refer to multiple chapters and/or deal with chapters they are unfamiliar with. This has the potential to be a big deal for us and it is important we keep it manageable.

Thx-JG

Jeff Groth
Police Chief
Sherwood Police Department
grothj@sherwoodoregon.gov
(503) 625-5523

The difficult we do now; the impossible takes a little longer.

To: Sherwood Planning Commission
From: Terrence Miller
Date: 7/10/15

Health Risks to Humans from Chickens

The current Sherwood policy suggestions allowing residents to raise chickens in their backyards impose threats of diseases transmitted by the chickens and their hosts, threats that can be dangerous, especially to the young and the elderly. Those dangers compelled the Illinois Dept. of Health to issue a warning 3 years ago about the health risks due to raising of urban chickens [**Article No. 1, pp. 2-6**] In that warning they say:

“• Keep baby chicks and adult poultry away from persons with weaker immune systems, including the elderly, pregnant women, diabetics, patients receiving chemotherapy and people infected with HIV.”

“• The Centers for Disease Control and Prevention recommends that persons not keep chickens if the household has children less than five years of age.”

The current Sherwood policy suggestion is that poultry be kept only 10 feet away from my neighbor's back yard where 3 month old Iris and 2 year old Tommy play, and 10 feet away from my other neighbors who are in their 80s! When the facts are known about the disease spreading aptitude of chickens, the policy of allowing them to be planted alongside the yards of others—with no option for the neighbors to have a say—is an amazing and dangerous disregard for the welfare of others. The duty of city management is the wellbeing of the **whole population** irrespective of the interest of a small group interested in pursuing one of the latest urban fads. It's one thing to give people permission to risk **their health and their families**, and it's entirely another thing for a public authority to, in effect, give people permission to risk the wellbeing of other citizens.

The Disease Spreading Proclivity of Chickens

Chickens are hosts to viruses and bacteria that can be transmitted to human beings, including Staph and E. Coli., Lyme disease, Lysteria, and Avian flu, etc. Their feces are loaded with infectious agents that they scatter into the environment and that are especially picked up by mice. Ticks are eaten by chickens and feed on their blood. If Chickens eat ticks that carry the Lyme disease bug, and then carry ticks on their body, they will act to increase the infestation of Lyme laden ticks. Poultry in general are popular feeding stations for ticks. Mice, in particular, tend to be asymptomatic for Lyme disease but are carriers of it and a food source for ticks, and are attracted to areas where chickens are fed. Also, the poop from chickens is a rich source of Staph. Listeria is highly infectious and is an occupational hazard in the poultry industry. There was an outbreak of Listeria in a Seattle backyard chicken flock a few years ago.

Article 1: Notice from Illinois Dept of Public Health re Raising Chickens, pp. 3ff.

Article 2: Dangers of Listeriosis, p. 8

Article 3: Listeriosis: Backyard Chicken Infection in Seattle, p. 9

Article 5: Lyme Disease and Chickens

Article 1: Illinois Dept. of Public Health Warning – 2012

Human Health Concerns about Raising Poultry

An increasing number of citizens want to raise chickens in urban environments as a hobby or they may believe this method of raising birds for food may be safer or less expensive. Citizens should check to make sure that flocks are allowed in the area where they reside before purchasing poultry. This document examines the public health significance of some common concerns about urban poultry farming.

Bacterial diseases

Salmonella and Campylobacter are common public health hazards potentially associated with chicken contact. These bacteria are carried by healthy chickens and are communicable to people through direct contact, exposure to manure, or consumption of undercooked chicken and eggs. Infection is characterized by diarrhea, vomiting, fever, and/or abdominal cramps; small children, elderly persons, and those with weakened immune systems are more susceptible to severe illness. Young birds may be especially prone to shed these organisms in their droppings. This poses a hazard to anyone who comes into contact with the droppings. The public health hazards associated with Salmonella and Campylobacter are expected to be limited to those who are in contact with the chickens or their droppings or consume their meat or eggs without thorough cooking. **There have been several multi-state outbreaks of human Salmonella infections from handling baby chicks.** These hazards could be mitigated by avoiding contact with poultry feces, carefully washing hands with soap and water after handling the birds, avoiding hand-to-mouth contact while working with birds and education about food safety.

Histoplasmosis

Histoplasmosis can cause a respiratory disease with cough and shortness of breath. The fungal organism causing this disease is present throughout the Midwest but can be concentrated in areas with quantities of bird droppings. Persons acquire the disease by inhalation of the organism from the environment. Therefore, it is critical that flock owners have a method to maintain the property to minimize the accumulation of bird droppings. Animal waste should be disposed of in a safe manner.

Avian influenza (bird flu)

Avian influenza is a theoretical public health hazard potentially associated with urban chicken farming. Birds can shed the organism in the saliva, nasal secretions and feces. Avian influenza is a viral disease of birds that is communicable to people through exposure to respiratory or fecal secretions. The risk of human avian influenza infections in the United States is extremely low and is expected to be limited to those who are in contact with infected chickens.

Attraction of predators

The attraction of predators is a public health hazard potentially associated with urban chicken farming. The presence of chickens on a property might attract urban predators such as stray dogs, foxes and coyotes. This would increase the probability of conflict between humans and predators in the urban environment (e.g., animal bites). This hazard could be mitigated by requiring flock owners to provide sufficient structural protection to prevent predator access to their flocks.

Attraction of rodents

The attraction of rodents is a public health hazard potentially associated with urban chicken farming. Failure to maintain a clean environment for the chickens could attract mice or rats to a property. This hazard could be mitigated by educating flock owners on the proper care and maintenance of chicken flocks including the proper storage of bird feed.

Nuisance issues

Poultry may escape into neighbors' yards. Flies might be attracted to the area unless adequate fly control is practiced. **Communities are advised to have a system in place for handling public complaints regarding these issues if they allow urban poultry flocks.**

- See your physician if you experience fever and diarrhea.

Conclusion

The public health hazards potentially associated with urban chicken farming should be weighed against individual and community benefits.

References

CDC. Keeping Live Poultry. Available at <http://www.cdc.gov/Features/SalmonellaPoultry>.

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Article 2. Dangers of Listeriosis (in general)

<http://www.ncbi.nlm.nih.gov/pubmed/24822197>

What is new in listeriosis?
Hernandez-Milian A1, Payeras-Cifre A1.

Listeriosis is a disease caused by *Listeria monocytogenes* (*L. monocytogenes*). *L. monocytogenes* is bacteria that usually infects some determined inhabitants, especially **high risk patients such as the elderly, immunosuppressed patients and pregnant women. However, it can also affect people who do not have these risk factors. *L. monocytogenes* is widespread in nature being part of the faecal flora of many mammals** [Terry: Also in Poultry droppings] and it is a common foodborne source. It is acquired by humans primarily through consumption of

contaminated food. Besides, between 1% and 10% of the population is a faecal carrier of *L.monocytogenes*. Listeriosis may occur sporadically or in outbreaks. Infection causes a spectrum of illness, ranging from febrile gastroenteritis to invasive disease, including bacteraemia, sepsis, and meningoencephalitis. This infection has a low incidence, although it is undeniably increasing, particularly due to the rise of population of over 60 years old or of under 60 years olds with a predisposing condition. The diagnosis is complicated because of its incubation period and the different clinical manifestations. **Also listeriosis has a high mortality despite adequate and early treatment.** The importance of bacteraemia for *L. monocytogenes* lies in the infrequency of this bacterium and the high mortality, even with appropriate antibiotic treatment.

Article 3: Listeriosis: Backyard Chicken Infection in Seattle

Several chickens from a backyard flock (Seattle, WA) were presented to a private veterinarian. The affected flock consisted of 20 chickens that were approximately 8 months of age at the time of presentation. During the course of the previous five months, a total of 7 birds had died and other 5 had shown clinical signs of illness.

“Histologic findings were similar in the two birds submitted separately. The most prominent lesion was extensive inflammation of the heart (Figure 1), consisted of lymphocytes, macrophages, numerous multinucleated giant cells, and occasional heterophils. The lumen of larger blood vessels contained numerous large lymphocytes and scattered heterophils. In the liver there were random, small necrotic foci and accumulation of heterophils and macrophages (Figure 2). Lung sections revealed interstitial pneumonia, with infiltration of heterophils in the air capillaries and edema accumulating in the interparabronchial spaces. Lesions in the pancreas consisted of mild lymphocytic inflammation around the ducts. Spleen sections revealed severe lymphoid depletion, random accumulation of fibrin in the white pulp, and several macrophages contained intracytoplasmic cellular debris. Rod-shaped, Gram-positive bacteria were noted in the heart (Figure 3) and spleen.” **[Terry: These type of injuries are similar to those found in humans w/this infection.]**

Article 5: Lyme Disease & Chickens

<http://www.communitychickens.com/ticks-and-lyme-disease-in-chickens-jurys-still-out/>

Wendy Thomas raises chickens, has a website regarding her chickens, and is a microbiologist who has done some investigation of the possibility that chickens help spread Lyme disease. Thomas postulated that Lyme disease can pass from an infected tick eaten by a chicken into the blood stream of the chicken or into its baby chicks. She discovered research data that confirmed that **baby chickens are highly infectious for Lyme disease in the first weeks of their life**. As they grow older they develop an immune response. But it is a good reason to NOT have children play w/baby chicks. Thomas says they quickly “pick up and dispose of poop” and wash w/soap and water after handling chicks. In general she uses “bio-hazard precautions” when dealing with the chickens.

TO: Sherwood City Council
FROM: Josh Soper, City Attorney
Through: Joseph Gall, ICMA-CM, City Manager
SUBJECT: Ordinance 2015-008, Prohibiting Early Sales of Recreational Marijuana by Medical Marijuana Dispensaries

Issue:

Should the City Council adopt an ordinance to prohibit early sales of recreational marijuana by medical marijuana dispensaries?

Background:

SB 460, signed by the Governor on July 27, 2015, allows for the early sale of recreational marijuana by medical marijuana dispensaries starting October 1, 2015. These early sales are intended as a temporary source of recreational marijuana while OLCC works to develop regulations for recreational marijuana stores as required by Measure 91, which is expected to be completed in 2016. However, SB 460 also allows cities and counties to prohibit these early recreational marijuana sales within their jurisdictions by ordinance.

Council held a work session in conjunction with the Police Advisory Board on September 1, 2015 to discuss whether to adopt such an ordinance. At the conclusion of that work session, staff was directed to prepare an ordinance for presentation to Council on September 15, 2015.

Typically, in order to adopt an ordinance, a simple majority of the Council would need to vote in favor of the ordinance at two separate hearings at least six days apart, and the ordinance would then take effect thirty (30) calendar days after approval by the Council and the Mayor. Given the short timeframe between now and October 1, 2015, when early recreational sales are permitted to begin under SB 460, Council should consider adopting this ordinance after a single hearing, and on an emergency basis. To do so, the ordinance must be read by title twice, approved unanimously by the entire Council, and contain an emergency clause. Staff has therefore prepared two versions of the ordinance:

- Version A would be adopted after a single hearing, on an emergency basis, and effective immediately. It requires unanimous approval.
- Version B would be adopted after two hearings and effective thirty (30) days after final approval by the Council and the Mayor. It likely therefore would not take effect until October 22, 2015, leaving a three-week gap in which recreational marijuana sales could theoretically take place. It requires approval by a simple majority.

In all other respects, Versions A and B are identical.

Financial Impacts:

No direct financial impacts are anticipated. As discussed at the September 1, 2015 work session, it appears more likely than not that adoption of this ordinance will not have any impact on the City's receipt of tax revenues relating to recreational marijuana.

Recommendation:

Based on the discussions at the September 1, 2015 work session, staff respectfully recommends adoption of Ordinance 2015-008 prohibiting early sales of recreational marijuana by medical marijuana dispensaries. Staff further recommends that Council adopt Version A of this ordinance on an emergency basis.



ORDINANCE 2015-008

PROHIBITING EARLY SALES OF RECREATIONAL MARIJUANA BY MEDICAL MARIJUANA DISPENSARIES

WHEREAS, the Oregon Legislature enacted Senate Bill 460 (2015) to allow medical marijuana dispensaries to sell limited marijuana retail product starting October 1, 2015; and

WHEREAS, Senate Bill 460 also allows cities and counties to prohibit these early recreational marijuana sales within their jurisdictions by ordinance; and

WHEREAS, the City Council wants to prohibit the sale of marijuana retail products from medical marijuana dispensaries in the City to protect and benefit the public health, safety, and welfare of existing and future residents and businesses in the City.

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

- Section 1:** Ban Declared: After full and due consideration of the information presented, the City of Sherwood hereby prohibits the sale of limited marijuana retail product in any area subject to the jurisdiction of City of Sherwood, as described in section 2 of Senate Bill 460 (2015).
- Section 2:** Duration of Ban: The ban imposed by this ordinance will be effective until December 31, 2016, or until the Legislature ends sales of limited marijuana retail product by medical marijuana dispensaries, whichever comes later.
- Section 3:** Enforcement: Enforcement of this ordinance shall be pursuant to Title 9 of the Sherwood Municipal Code. Violation of this ordinance is a Class A violation. Each sale of marijuana product in violation of this ordinance constitutes a separate violation.
- Section 4:** Manager Authorized: The City Manager is hereby directed and authorized to take such action as may be necessary to document the adoption of this ordinance in accordance with applicable City ordinances and regulations.
- Section 5:** Emergency Declared: This ordinance being necessary for the immediate preservation of the public peace, health, and safety, an emergency is declared to exist, and this ordinance takes effect upon its enactment by the City Council and approval by the Mayor.

Duly passed by the City Council this 15th day of September 2015.

Krisanna Clark, Mayor

Date

Attest:

Sylvia Murphy, MMC, City Recorder

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



ORDINANCE 2015-xxx

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Section 3: Enforcement: Enforcement of this ordinance shall be pursuant to Title 9 of the Sherwood Municipal Code. Violation of this ordinance is a Class A violation. Each sale of marijuana product in violation of this ordinance constitutes a separate violation.

Section 4: Manager Authorized: The City Manager is hereby directed and authorized to take such action as may be necessary to document the adoption of this ordinance in accordance with applicable City ordinances and regulations.

Section 5: Effective Date: This ordinance shall become effective the 30th day after its enactment by the City Council and approval by the Mayor.

Duly passed by the City Council this 15th day of September 2015.

Krisanna Clark, Mayor _____
Date

Attest:

Sylvia Murphy, MMC, City Recorder

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

Sherwood Field House Monthly Report August 2015

<u>August-15</u>	<u>Aug-15</u>		<u>YTD</u>		<u>Aug-14</u>
Usage		People		People	People
	<u>Count</u>	<u>Served*</u>	<u>Count</u>	<u>Served*</u>	<u>Served*</u>
Leagues	2	221	2	442	208
Rentals	32	480	79	1586	1176
Other (Classes)					
[1] Day Use	8	81	13	140	2
Total Usage		782		2168	1386
Income	<u>Aug-15</u>	<u>YTD</u>			
Rentals	\$1,965	\$6,730			
League fees (indoor)	\$5,807	\$6,982			
Card fees (indoor)	\$70	\$90			
Day Use	\$224	\$382			
Advertising					
Snacks	\$73	\$137			
Classes					
Total	\$8,139	\$14,321			
FY 14 15					
Income	<u>Aug-14</u>	<u>YTD</u>			
Rentals	\$5,390	\$6,380			
League fees (indoor)	\$2,110	\$5,787			
Card fees (indoor)	\$30	\$80			
Day Use	\$6	\$6			
Advertising					
Snacks	\$91	\$160			
Classes					
Total	\$7,627	\$12,413			

*Estimated number of people served based on all rentals have a different # of people. Along with each team will carry a different # of people on their roster. This end the fiscal year 2014 2015



Fields and Gyms

Youth Soccer is in full swing with practice on all fields in town. Games for the Rec teams will start after Labor Day.

Youth football held a Jamboree on August 22nd at the high school they will also start games after Labor Day.

We had one adult co-ed game at the high school in August.

Volleyball will start at LRMS on Sept 8th after school starts.

Youth cheer will be in Edy Ridge once school gets going.

Field House

We are pretty slow at this time.

We will be closing down September 9th through the 19th as we replace our turf.

Men's league should start after we open back up.

Respectfully Submitted

Lance Gilgan

September 2, 2015