



ORDINANCE 2009-009

AN ORDINANCE APPROVING THE ADAMS AVENUE NORTH CONCEPT PLAN, AMENDMENTS TO THE COMPREHENSIVE PLAN AND ZONE MAP, AMENDMENTS TO THE COMPREHENSIVE PLAN TEXT AND AMENDMENTS TO THE DEVELOPMENT CODE TO IMPLEMENT THE CONCEPT PLAN AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the existing Comprehensive Plan (Part 2) was approved by Ordinance 91-922, and outlines a system-wide land use policy consistent with Statewide Planning Goals; and

WHEREAS, Metro brought 34.2 acres into the Urban Growth Boundary (UGB) in 2002 via Metro Ordinance 02-986A, and

WHEREAS, in order to comprehensively plan the area in consideration of the remaining PGE land surrounding the area, a study area totaling 55.5 acres, including the 34.2 acres brought into the UGB, was designated as the Adams Avenue Concept Plan Area (the Area); and

WHEREAS, due to its small size and limited options in the Area, a stakeholder working group was formed made up of property owners in and surrounding the Area, and including agency representatives, to provide recommendations for the Planning Commission which acted as the Steering Committee; and

WHEREAS, based on a concept developed by the stakeholder working group following a input from the work group, the Planning Commission provided guidance on further refinements to the plan and implementing provision; and

WHEREAS, upon Planning Commission recommendation of the concept plan, staff prepared proposed Comprehensive Plan text and map amendments, along with a staff report with analysis and findings to support the recommendation; and

WHEREAS, the Concept Plan was developed so that is would accommodate the planned road connection (Adams Avenue), the existing PGE power station, the necessary PGE and BPA power line easements and land uses that are appropriate considering the surrounding development, economic suitability of development within the study area and considering land use needs throughout the City; and

WHEREAS, the Planning Commission held a hearing June 9, 2009 and provided a recommendation to the Council to approve the draft Concept Plan; and

WHEREAS, the Concept Plan Map that implements the Concept Plan would change the zoning for three parcels currently inside the City limits and zoned Light Industrial to Office

Ordinance 2009-009

July 21, 2009

Page 1 of 3 with Attachments –A (22 pgs.), A-1 (1 pg), A-2 (2⁴/₅ pgs), A-5 (3 pgs), A-6 (1 pg) and A-7 (6 pgs)

Commercial (tax lots 2S129B001900 and 2S129A001400) and General Commercial (tax lot 2S129A001100), while at the same time designating the areas brought into the UGB in 2002 as Light Industrial; and

WHEREAS, this zone change was thoroughly reviewed for compliance with State, Regional and Local standards as documented in the analysis and findings attached as Exhibit A; and

WHEREAS, amendments to the Comprehensive Plan and Development Code are provided to ensure the concept plan is implemented; and

WHEREAS, the Sherwood City Council has received the proposal materials, the Planning Commission recommendation, including all Attachments entered into the record (PA 09-02), and the Council having reviewed the materials submitted, the findings of fact of the proposal, and conducted a public hearing for a Type 5 Legislative amendment on July 21, 2009:

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

Section 1. Commission Review & Public Hearings. The proposed Adams Avenue Concept Plan, Plan Map & Text Amendments (File No. PA 09-02) was subject to full and proper review and public hearings were held before the Planning Commission on June 9, 2009, and the City Council on July 21, 2009.

Section 2. Findings. After full and due consideration of the proposal, Staff report, the record, findings and evidence presented at the public hearings, the Council finds that the proposed Adams Avenue Concept Plan and Comprehensive Plan map and text amendments are consistent with all applicable local, regional and state requirements. The findings of fact and evidence relied upon are attached to this Ordinance as Attachment A.

Section 3. Approval. The following described Plan Map and Text Amendments are hereby **APPROVED:**

Attachment A-1 Draft Concept Plan Map – Preferred Alternative

Attachment A-2 - Draft Concept Plan document

Attachment A-5 - Proposed Comprehensive Plan Changes - Chapter 8

Attachment A-6 - Proposed Comprehensive Map including the following zone changes:

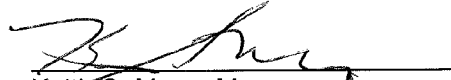
- Tax lot 2S129B001900 change from LI to OC
- Tax lot 2S129A001400 change from LI to OC
- Tax lot 2S129A001100 change from LI to GC

- Tax lots 2S129B001800 and the portion of 2S129A001600 inside the UGB will change from FD-20 to LI upon annexation into the City of Sherwood.

Attachment A-7 - Proposed Zoning Text Changes - OC Zone (Chapter 16.22) and LI zone (16.32)

Section 4. Manager Authorized. The Planning Supervisor is hereby directed to take such action as may be necessary to document the adoption of said amendment.

Section 5. Effective Date. This ordinance shall become effective the 30th day after its final adoption by the City Council and signature of the Mayor. Duly approved by the City Council and signed by the Mayor this 21st day of July 2009.



Keith S. Mays, Mayor

Attest:



Sylvia Murphy, City Recorder

	<u>AYE</u>	<u>NAY</u>
Folsom	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Clark	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Weislogel	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Henderson	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Grant	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Heironimus	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mays	<input checked="" type="checkbox"/>	<input type="checkbox"/>

CITY OF SHERWOOD
Planning Commission Recommendation

Date: June 9, 2009
File No: PA 09-02
Adams Avenue North Concept Plan

Proposal: Concept Plan, Comprehensive Plan Map and Text amendments and Development Code text amendments to implement the Adams Avenue North Concept Plan. The recommended Concept Plan and implementing documents are attached as Attachment 1-7. The Planning Commission held a hearing on June 9, 2009 and voted to forward a recommendation of approval to the City Council based on the analysis and findings contained within this report. The Commission recommended minor text changes to the proposed development code text and a minor change to the concept plan map. The recommended modifications have been incorporated into the attachments to this report and include:

- Additional language to ensure that if a PUD were approved for this area and residential uses permitted, only non-residential uses would be permitted on the ground floor.
- Removal of the “gateway” symbol on the map at the Adams Avenue/99W intersection to avoid confusion over whether this was a requirement of a particular form. The intent originally was to convey the concept that the buildings at the intersection entrance would act as an entryway into the city.

I. INTRODUCTION

Planning for the Adams Avenue North Concept Plan began in the fall of 2008. Engineering design for Adams Avenue is being conducted concurrently with the planning effort. Construction is planned to start as early as Spring of 2010.

Comments from three stakeholder involvement meetings, one open house, two work sessions with the Planning Commission and one joint work session with the Planning Commission and City Council were used in shaping the preferred alternative.

II. BACKGROUND

Background

The purpose of the Adams Avenue North Concept Plan is to provide a conceptual guide to the area’s development as a new addition to Sherwood. Title 11 of Metro’s Urban Growth Functional Plan requires that a concept plan be developed and adopted by the City Council prior to allowing urban development and zoning. The Concept Plan implements Metro’s decision in 2002 to expand the regional urban growth boundary (Metro Ordinance 2002-986A). The Sherwood City Council initiated the public process to comprehensively plan for the area prior to annexation and development. The Concept Plan identifies future land uses, parks and trails, natural resource areas, transportation improvements – all guided by planning efforts developed with public input and involvement.

The Adams Avenue North Concept Plan is a guide to development of 55.5 acres southeast of Highway 99W and north of Tualatin-Sherwood Road. Of this 55.5 acres, 34.2 acres were added to the regional urban growth boundary in 2002. The remaining 21.3 acres of property is not required to be

The report is organized into the following sections:

- I. Introduction
- II. Background (Public Involvement & Proposal Overview)
- III. Affected Agency, Measure 56 Public Notice, and Public Comments
- IV. Type 5 – Legislative Plan Amendment Criteria and Findings of Fact
 - A. Local standards
 - B. State standards
 - C. Regional standards
- V. Recommendation
- VI. Attachments/record

included in the concept plan but was included since these areas are undeveloped and interconnected. Therefore, the City, decided to look at this 55.5 acre area as one concept plan study area.

Process and Public Involvement

A stakeholder working group was established for the project. This group consisted of local property and business owners as well as affected agencies. The stakeholders met on three occasions and made recommendations to the Planning Commission who acted as the steering committee for the project. The Planning Commission was updated during three work session meetings and one joint City Council/Planning Commission work session where the City Council and Planning Commission provided feedback on the refined alternative presented by staff. The results of this work is the preferred alternative concept plan map and plan document.

In addition to these Committee meetings, additional process steps and community involvement included:

- A public open house
- Project website with regular updates
- Monthly updates in the Sherwood Gazette
- Direct mail to property owners within 100 feet of the proposed development

Early and continuous public outreach and involvement was coordinated and timed to coincide with project tasks and key outcomes. The major milestones in the process were:

- Development of a public involvement plan
- Inventory of base conditions and opportunities and constraints
- Interview key stakeholders
- Establishment of project and concept plan goals and objectives
- Development of three alternative concept plans
- Evaluation of alternatives and development of a draft concept plan incorporating the most desired elements
- Refinement of the concept plan
- Selection of a preferred alternative concept plan

Appendix E to the Draft Concept Plan document (attached as Attachment 3-E) is the public involvement plan used for public outreach and decision making.

Proposal Overview

The Comprehensive Plan was amended in 2006 with the implementation of the Area 59 Concept Plan to provide a framework for future concept plan approvals. This proposal is to adopt the Adams Avenue North Concept Plan by reference and incorporate the key findings and recommendations from that concept plan into Chapter 8 of the Comprehensive Plan (Urban Growth Boundary Additions). Implementation of the Concept Plan as part of this proposal will also include the adoption of amendments to the Comprehensive Plan Map to include new zoning designations for the Adams Avenue North area (see Attachment 6).

Three development opportunity sites have been identified within the concept plan. Due to site constraints from the power substation and high voltage power lines and easements, much of the property is not developable. Of the 55.5 total acres only 15.7 is unconstrained. This proposal would rezone 0.9 acres from Light Industrial to General Commercial, 7.2 acres from Light Industrial to Office Commercial and would establish 34.2 mostly constrained acres within the 2002 UGB expansion area as Light Industrial.

Annexation is anticipated to be placed on the November 2009 ballot. If the annexation is approved by the Council and the Sherwood voters, the 34.2 mostly constrained acres not currently within the City limits will be annexed and City zoning established consistent with the Concept Plan.

III. AFFECTED AGENCY, PUBLIC NOTICE, AND PUBLIC COMMENTS

The City of Sherwood sent notice to DLCD on March 26, 2009, more than 45 days prior to the first evidentiary hearing. Metro's Title 11 (Chapter 3.07.1140) requires notice sixty (60) days prior to adoption. Notice was sent to Metro on April 2, 2009 meeting this requirement. Mailed public notice, including Measure 56 notice, was provided on May 5, 2009, which exceeds the City requirement of 10 days prior to the first evidentiary hearing. Notice was posted near the concept plan area and at five (5) locations in the City on May 5, 2009 and were published in The Times on May 14th and May 21st. The City has continued to stay in contact with DLCD, Metro and ODOT throughout this process to ensure they are up-to-date on the status and potential issues as the hearing process has progressed.

Agency Comments

Formal agency comments are included in the record and attached as Attachment 8. The following is a summary of agency and public comments received:

Department of Land Conservation and Development (DLCD)

Meg Fernekees of DLCD commented in an e-mail dated April 14, 2009. Ms. Fernekees indicated that DLCD preferred existing industrial but is ok with the Office Commercial zoning on Highway 99W. DLCD would not support General Commercial zoning for the 99W location. DLCD understood the reasons for establishing General Commercial zoning on the small parcel on Tualatin-Sherwood Road as long as it stays limited in scale and the City's overall supply continues to be in keeping with the Comprehensive Plan and associated Economic Opportunities Analysis and Economic Development Strategy.

Oregon Department of Transportation (ODOT)

ODOT commented in a memo dated April 13, 2009. The comments indicated that Edy Road should be included in the transportation study but Cipole Road could be excluded. ODOT is applying the 0.99 volume to capacity v/c ratio as opposed to the 1.1 v/c ratio used in town centers. Future details on changes to the intersection at Highway 99W need to be coordinated with ODOT.

Marah Danielson of ODOT commented in an e-mail dated April 27, 2009. Ms. Danielson indicates that the 0.99 v/c applies and the 1.1 v/c for town centers does not since the City does not have an adopted plan for the Sherwood Town Center. The traffic analysis indicates that the Adams Avenue Concept Plan may not be able to meet the more restrictive 0.99 v/c ratio without improvements to the 99W/Edy Road intersection. ODOT recognizes that this project would not be able to bear the full cost of the needed improvements at 99W/Edy and would not be proportional. Future industrial growth Area 48 that will add 300+ acres of urban land to Sherwood would need to establish a way to fund traffic improvements at 99W/Edy. ODOT will allow the project to move forward if the City will commit to a way to fund the 99W/Edy improvements as well as identify the specifics of the improvements. ODOT encourages the City to apply for a Transportation and Growth Management (TGM) grant to fund a planning process for the town center where a boundary and uses can be established and the mobility standard clearly identified.

In a subsequent memo dated 5/26/09 and more detailed letter dated 6/8/09 ODOT reversed its interpretation that the .99 v/c ratio applied within Sherwood's Town Center boundaries. As a result, no mitigation is required to comply with the Transportation Planning Rule.

Kinder Morgan Energy and CWS indicated that they have no conflicts with the proposal.

The City sent request for comments to the following agencies and did not receive formal comments: Tri-met, NW Natural, Division of State Lands, Bonneville Power Administration¹, TVF&R, Pride Disposal, Raindrops2Refuge, Portland General Electric¹, Washington County¹, and Metro¹

Public Comments

The City mailed notice to property owners within 100 feet of the subject parcels as well as interested parties. The following summarizes the comments received at the time of this report:

Ray Paul submitted comments encouraging approval and indicating that Section 1100 should be zoned commercial indicating that it is too valuable to be anything else.

Jim Claus – provided verbal comments at the June 9th public hearing. He questioned the cost of developing this area as well as the impact to existing property owners who are trying to develop their property. He expressed concern that a way to fund the infrastructure costs were not included in the report.

IV. REQUIRED FINDINGS FOR A PLAN TEXT AMENDMENT

A. Local Standards

The City shall find that the following criterion is met by the proposed amendment:

1. Section 4.203.01 Text Amendment Review Criteria

“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.”

FINDING: The following section of this report addresses the need for the Comprehensive Plan map and text amendments as well as consistency with the Plan policies and applicable regional and state standards.

2. Section 4.203.02 Map Amendment Review Criteria

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

Compliance with the Comprehensive Plan policies is discussed below in IV.A.3

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

The construction of Adams Avenue from Tualatin-Sherwood Road to Highway 99W is the overwhelming driver of public need for the Concept Plan. Sherwood has limited north-south connections throughout the City and this project will provide additional connectivity between Highway 99W and Old Town Sherwood. The City has over two miles of frontage on Highway 99W but only four crossings. Further, Sherwood Boulevard is the only direct

¹ While the City did not receive formal comments from this agency, coordination throughout the process was provided to ensure the plan is consistent with their standards.

north-south connection from Old Town Sherwood to 99W. Adams Avenue North would add an additional direct connection from Highway 99W to Old Town improving connectivity to the City's core. Adams Avenue is identified in the City's Transportation System Plan in its proposed location.

The 2002 decision that added this area to the Urban Growth Boundary (UGB) added the minimal amount of property necessary to accommodate the road improvements. The net developable area within the UGB expansion and currently outside the City limits is only 6.5 acres due to the power substation, power easements and wetland. This area is proposed to be industrial.

Although not required by Metro, the City decided to include additional property already zoned and within the City as part of the concept plan. Three development areas were identified that are currently within the City limits and include a 5.8 acre site on 99W, a 0.9 acre site on Tualatin-Sherwood Road and a 1.4 acre site on 99W adjacent to Home Depot. It has been determined that the property on Highway 99W would be best used as Office Commercial. This area will act as a gateway into the City and the Office Commercial is believed to provide more opportunity for an economically viable and aesthetically inviting entrance than a light industrial site. Further the parcels' small size do not lend themselves to a use that would have high employment. The small 0.9 acre parcel on Tualatin-Sherwood Road is also found to be too small to work as a light industrial site and lends itself better to a small general commercial property that will be adjacent existing and future commercial properties. The commercial and industrial buildable lands in Sherwood were reviewed in the 2006 Goal 9 Economic Opportunities Analysis (EOA). Further analysis was conducted as part of this concept plan process to factor in adjustments since 2006. This analysis found that with the proposed zone changes, the 20-year land supply for industrial and commercial would continue to meet or exceed the demand, particularly due to the expected employment uses in Area 48. See Draft Concept Plan Document Appendix A (attached as Attachment 3-A) for further detail.

FINDING: In consideration of the EOA, adequate demonstration for the amount of commercial and industrial land is met by this proposal. The small amount of land involved will have a minimal and temporary impact on the overall land supply. Further, this proposal greatly serves the public good by providing a collector street connection identified on the City's Transportation System Plan.

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

The concept plan has three distinct development areas, therefore the surrounding area of each unique development opportunity area is defined as follows:

Development Opportunity 1 and 4

Development Opportunity 1 and 4 (aka The 99W Parcels) are proposed to be rezoned from Light Industrial to Office Commercial. The surrounding area of this site is bounded by the BPA power line easement to the west, the PGE power substation to the south, and the urban growth boundary line to then north and east. This area is crossed by Highway 99W and separated from other urban development by power infrastructure and the urban growth boundary line. The area is zoned Light Industrial but has not developed as such. In the 1990s the Sherwood Commercial Center was constructed and is located on the

north side of Highway 99W adjacent the BPA power line easement. At the time of development, the Light Industrial zone allowed General Commercial uses and the good visibility available from the highway led to this flexible tenant space to develop with commercial uses. The site north and east of this property, also zoned Light Industrial, has developed as professional office space with two, two to three story office buildings being constructed. In 2001, the Home Depot store was constructed in the Light Industrial zone based on a land use decision made outside the City's control in circuit court. All of these developments has resulted in this area being more office and commercial oriented than Light Industrial. It is questionable whether the decision to zone this area Light Industrial was the best decision in light of the relatively small size of the area and parcels and the fact that it is somewhat isolated from the other industrial areas in the City located further to the south and east along Tualatin Sherwood. Further, access restrictions expected to occur from Adams Avenue make industrial development more challenging. Therefore these changes within the surrounding area do not lend themselves well to development of the property as light industrial given the changes and pattern of land uses that have occurred over the last 10 to 15 years.

Development Opportunity 2 – Central Parcel

This 7.6 acre site is bounded by the BPA power line easement to the west, the power substation to the north and light industrial property to the south. The eastern tip of the property, which is mostly wetlands, is bounded by the urban growth boundary to the east. The majority of this property is within the 2002 UGB expansion and is currently outside the City limits and does not have urban zoning. This site is proposed to be zoned Light Industrial. This is consistent with previous discussion made in 2002 and is also consistent with surrounding land uses. The BPA easement and PGE substation act as a border between proposed commercial zones and the site while east of the site is industrial property developed and zoned as light industrial. Therefore zoning this site Light Industrial is consistent with the surrounding area.

Development Opportunity 3 – Tualatin Sherwood Road Parcel

This is the smallest development area at 0.9 acres. The eastern edge of this parcel is the BPA power line easement that forms a boundary between industrial and commercial uses. North and west of this parcel are areas developed as or zoned to accommodate commercial uses. These commercial uses stretch the length of Tualatin-Sherwood Road west and north to Highway 99W. This parcel is at the intersection of Tualatin-Sherwood Road and Adams Avenue. Currently the southwest corner is developed as commercial and includes the Target store. The northwest contains a mini-storage facility and southeast corner is vacant. Both these large parcels at the northwest and southeast corners are zoned Light Industrial but due to a 1990s Planned Unit Development decision these parcels can be developed as commercial. It is anticipated that the mini storage and large undeveloped area will be commercial. Therefore, allowing this parcel to develop as commercial is consistent with the pattern of land uses and development within the surrounding area of this parcel.

Utilities and Services

Services and utilities are adequate to serve the proposed concept plan or will be made available with the extension of Adams Avenue. A detailed review of utilities is provided in the draft Concept Plan document and is included as Attachment 1.

FINDING: Each development area within the concept plan has a distinct surrounding area. A different zoning designation is proposed for each development opportunity to address the unique land use and zoning pattern that exists around each development

opportunity. The proposal is timely given that Adams Avenue will be extended to serve the concept planning area with access and utilities and allow development.

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

This criterion is intended for zone change applications for land inside the city limits instead of new UGB additions and therefore this standard is only applicable to the two areas inside the city limits.

Development Opportunity #1 and #4 (99W parcels) are proposed to be zoned Office Commercial (OC). There is only one other area within the City zoned OC and is located on the south side of Highway 99W, north of Woodhaven at the south west end of the City. Within that area the only part that has development or redevelopment potential consists of four tax lots of approximately 7.7 acres. The property has been zoned as OC for many years. The property has limited right-in/right-out access to Highway 99W and would likely need to access through the developed OC property to the south. Also approximately 1.2 acres of the property are constrained by a wetland that is shown on the local wetland inventory. This is shown as a linear wetland feature that segregates the southern 1.3 acre parcel from the remaining developable area. Further this southern parcel is partially developed with a residence and stump removal business. The access constraints, existing use and wetlands make this property less suitable for immediate development since the proposed OC property has better access and is not constrained by wetlands and existing development.

Development Opportunity #2 is a small, 0.9 acre parcel and is proposed to be zoned General Commercial (GC). There are other undeveloped GC zoned properties within the City limits. These include areas near the 99W and Meinecke Road intersection and contiguous GC property north of 99W and west of Meinecke Road and property located in the northeast corner of 99W and Tualatin-Sherwood Road.

General Commercial zoning provides for a wide range of land uses. Suitability and availability will depend on many factors including visibility, access, constraint, market demand, owner's willingness to sell or develop and parcel size. The decision to rezone the property to GC commercial is based less on the need of the property and more on the suitability of the parcel as commercial and that fact that it is not a viable industrial parcel. Although there are other available General Commercial parcels, there are really no more viable uses for this site. Further, the construction of Adams Avenue will provide a four-way intersection with good access to the property and it will be located adjacent to other commercial properties. No other parcels of this relative size within the City have these desirable features making it more suitable than other properties for development as a small -scale commercial property.

FINDING: As discussed above, this standard is satisfied.

3. Comprehensive Plan Policies

Chapter 4:

Section I.2 (Commercial Planning Designations)

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

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

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

The Concept Plan is consistent with the applicable commercial designation policies by providing for commercial uses within close proximity to 99W and along Adams Avenue, a designated Collector. The locations are conveniently located to serve residents who will be traveling from the 99W to Adams Avenue and into the city. A multi-use path is proposed next to the road to accommodate pedestrians and cyclists who will work in or patron these business and who do not choose to drive.

FINDING: The Concept Plan and proposed map and text amendment are consistent with these policies.

Section K.2 (Industrial Planning Designation)

Policy 1 - Industrial uses will be located in areas where they will be compatible with adjoining uses, and where necessary services and natural amenities are favorable.

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

The plan proposes light industrial uses in the central area of the Concept Plan. This is appropriate as light industrial uses are located to the east and the power line easements and substation provide a boundary to the west between commercial and industrial uses.

FINDING: The Concept Plan and proposed map and text amendment are consistent with these policies as proposed.

Section O (Community Design)

Policy 1 -The City will seek to enhance community identity, foster civic pride, encourage community spirit, and stimulate social interaction through regulation of the physical design and visual appearance of new development.

Policy 2 - The formation of identifiable residential neighborhoods will be encouraged.

Policy 3 - The natural beauty and unique visual character of Sherwood will be conserved.

Policy 4 - Promote creativity, innovation and flexibility in structural and site design.

The Concept Plan and plan policies meet the above policy goals by establishing a conceptual plan that includes preservation of open spaces, parks, an integrated trail system, industrial and commercial uses that are in harmony with surroundings. The proposed concept plan provides for a gateway entrance into Sherwood that provides for enhanced community identity.

FINDING: The Concept Plan and proposed map and text amendment are consistent with these policies.

Chapter 5:

Section C.3 (Natural resources and Hazards)

Policy 2 - Habitat friendly development shall be encouraged for developments with Regionally Significant Fish and Wildlife Habitats identified as Map V-2

Policy 3 - Prime agricultural soils will be reserved from development until required for other uses

Policy 4 - Provide drainage facilities and regulate development in areas of runoff or erosion hazard.

The 2002 UGB expansion in this area included lands zoned at the time for Exclusive Farm Use (EFU). However, this was the amount of land minimally necessary to support the extension of Adams Avenue. Much of the 34.2 acres added to the UGB was already developed as a power substation. As part of the road project a wetland has been identified and delineated in the field. This wetland will be protected as part of the road project. Additional wetlands may exist within the concept plan boundary and outside the proposed road right-of-way that will need to be identified prior to development. Drainage for the road will be constructed with the project.

FINDING: The Concept Plan and proposed map and text amendment is consistent with these policies.

Section E.3 (Recreational Resources Policies)

Policy 1 - Open Space will be linked to provide greenway areas.

Policy 2 - The City will maximize shared use of recreational facilities to avoid cost duplication.

Policy 5 - The City will protect designated historic and cultural landmarks in accordance with the Code standards.

The Concept Plan identifies potential trails and a dog park underneath the power lines. In discussion with BPA and PGE officials, these are uses that have been approved in other locations and potentially could be approved for use in this location. The trails under the power lines could be linked to the proposed multi-use path along Adams Avenue. Other than the PGE substation and training facility, there are no structures. Therefore no historic or cultural landmarks have been inventoried within the Concept Planning area.

FINDING: The Concept Plan and proposed map and text amendment are consistent with these policies.

Section F.(Energy Resources)

Policy 4 - The City will encourage energy efficiency in the design and use of sites, structures, transportation systems and utilities.

The new road connection will provide for connectivity within the City and reduce travel times. The multi-use path will encourage use by cyclists and pedestrians.

FINDING: The Concept Plan and proposed map and text amendment are consistent with these policies.

Chapter 6, Goal 1

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

Policy 1 – The City will ensure that public roads and streets are planned to provide safe, convenient, efficient and economic movement of persons, goods and services between and within the major land use activities. Existing rights of way shall be classified and improved and new streets built based on the type, origin, destination and volume of current and future traffic.

Policy 2 – Through traffic shall be provided with routes that do not congest local streets and impact residential areas. Outside traffic destined for Sherwood business and industrial areas shall have convenient and efficient access to commercial and industrial areas without the need to use residential streets.

Policy 3 – Local traffic routes within Sherwood shall be planned to provide convenient circulation between home, school, work, recreation and shopping. Convenient access to major out-of-town routes shall be provided from all areas of the city.

Policy 4 – The City shall encourage the use of more energy-efficient and environmentally-sound alternatives to the automobile by:

- **The designation and construction of bike paths and pedestrian ways;**
- **The scheduling and routing of existing mass transit systems and the development of new systems to meet local resident needs; and**
- **Encouraging the development of self-contained neighborhoods, providing a wide range of land use activities within a single area.**

Policy 6 – The City shall work to ensure the transportation system is developed in a manner consistent with state and federal standards for the protection of air, land and water quality, including the State Implementation Plan for complying with the Clean Air Act and the Clean Water Act.

Policy 7 – The City of Sherwood shall foster transportation services to the transportation-disadvantaged including the young, elderly, handicapped, and poor.

Policy 8 – The City of Sherwood shall consider infrastructure improvements with the least impact to the environment.

The proposed alignment of Adams Avenue is within the location identified on the Transportation System Plan (TSP). The road provides for a new north-south collector street connection between Old Town Sherwood and Highway 99W. This will provide for a convenient and direct connection through the City. The construction of a multi-use path next to the road will promote alternative means of transportation consistent with these policies. The road alignment will be outside the delineated wetland and 50-foot buffer avoiding impacts to sensitive areas. Further, the plan identifies the local street extension of Arrow Steering and does not preclude potential future street connections to the west/northwest.

FINDING: The Concept Plan and proposed map and text amendment are consistent with these policies.

Chapter 7:

Objective 1 – Develop and implement policies and plans to provide the following public facilities and services: public safety fire protection, sanitary facilities, water supply, governmental services, health services, energy and communication services, and recreation facilities

Objective 2 - Establish service areas and service area policies so as to provide the appropriate kinds and levels of services and facilities to existing and future urban areas. (Page 2)

Objective 3 - Coordinate public facility and service plans with established growth management policy as a means to achieve orderly growth. (Page 2)

Objective 4 - Coordinate public facility and service provision with future land use policy as a means to provide an appropriate mix of residential, industrial and commercial uses. (Page 2)

The City of Sherwood will be the primary provider of urban services. Service areas will not extend outside the urban growth boundary. Utilities will be extended consistent with utility master plans for the area (see the Concept Plan document for further details).

FINDING: The Concept Plan and proposed map and text amendment is consistent with these policies.

Chapter 8 (Urban Growth Boundary Additions)

Policy 1 - Focus growth into areas contiguous to existing development rather than "leap frogging" over developable property.

Policy 2 - Encourage development within areas that have access to public facility and street extensions in the existing city limits.

Policy 6 - Provide multi-modal access and traffic circulation to all new development that reduces reliance on single occupant vehicles (SOV) and encourages alternatives to cars as a primary source of transportation.

Policy 7 - Establish policies for the orderly extension of community services and public facilities to areas added for new growth consistent with the ability of the community to provide necessary services. New public facilities should be available in conjunction or concurrently with urbanization in order to meet future needs. The City, Washington County, and special service districts should cooperate in the development of a capital improvements program in areas of mutual concern. Lands within the urban growth boundary shall be available for urban development concurrent with the provision of the key urban facilities and services.

Policy 8 - Provide for phased and orderly transition from rural to suburban or urban uses. Larger UGB expansion areas shall include a phased development plan to achieve a sustainable transition over time.

The concept planning areas are bounded by existing development and the area has access to public utilities that will be extended with the road construction. Multi-modal transportation will be provided by a multi-use path constructed in conjunction with road project. The commercial development to the west is used as a park and ride lot providing access to a bus line that runs through Tigard to downtown Portland (Route #94). The proposed expansion area is small with the majority of the public infrastructure provided with the road project, therefore phasing is not necessary.

FINDING: The concept plan and proposed map and text amendment is consistent with these policies.

B. State Standards

1. **Transportation Planning Rule (TPR):** The City finds that the proposed concept plan complies with applicable requirements of the state Transportation Planning Rule (OAR 660-12-0060) Plan and Land Use Regulation Amendments:

(1) Amendments to functional plans, acknowledged comprehensive plans, and land use regulations which significantly affect a transportation facility shall assure that allowed land uses are consistent with the identified function, capacity, and performance standards (e.g. level of service, volume to capacity ratio, etc.) of the facility. This shall be accomplished by either:

- (a) Limiting allowed land uses to be consistent with the planned function, capacity, and performance standards of the transportation facility;**
- (b) Amending the TSP to provide transportation facilities adequate to support the proposed land uses consistent with the requirements of this division;**
- (c) Altering land use designations, densities, or design requirements to reduce demand for automobile travel and meet travel needs through other modes; or**
- (d) Amending the TSP to modify the planned function, capacity and performance standards, as needed, to accept greater motor vehicle congestion to promote mixed use, pedestrian friendly development where multimodal travel choices are provided.**

(2) A plan or land use regulation amendment significantly affects a transportation facility if it:

- (a) Changes the functional classification of an existing or planned transportation facility;**
- (b) Changes standards implementing a functional classification system;**
- (c) Allows types or levels of land uses which would result in levels of travel or access which are inconsistent with the functional classification of a transportation facility; or**
- (d) Would reduce the performance standards of the facility below the minimum acceptable level identified in the TSP.**

A transportation analysis has been completed that analyzed the preferred alternative in accordance with TPR requirements (see Appendix 3 of the Concept Plan document). ODOT standards allow for use of a higher volume to capacity ratio (v/c) within a Metro designated town center. Sherwood's Town Center is located adjacent to the project and encompasses both the Highway 99W/Tualatin-Sherwood Road intersection and the Highway 99W/Edy Road-Sherwood Boulevard intersection. The City's initial traffic analysis was prepared using the higher v/c ratio of 1.1. ODOT commented that the City does not have an adopted plan for the Town Center and therefore must use the more restrictive v/c standard of 0.99. Although City staff did not agree with this determination, in order to ensure TPR compliance, the traffic analysis was modified to consider the more restrictive 0.99 v/c ratio as requested by ODOT. Use of the more restrictive 0.99 v/c standard triggers the need for capacity mitigation (such as the construction of a north-eastbound right-turn lane) at the intersection of Highway 99W/Edy Road-Sherwood Boulevard for the proposed zone change. This improvement is costly and the City does not find that this improvement is proportional to the impacts caused by this proposal. The traffic generated from this proposal is a very small fraction of the overall traffic using this intersection (less than a 1% increase in PM peak hour traffic volume)

After further discussions, ODOT agreed with the City that the 1.1 v/c was the applicable standard within the Town Center intersections as documented in Attachment 8-f and 8-g.

It should be noted that while the 1.1 v/c is the appropriate ratio at intersections within Sherwood's designated Town Center, the City does want to minimize congestion within Sherwood. While the City does not believe the minimal amount of traffic impact at this intersection justifies expensive and extensive short term fixes, the City is committed to findings and obtaining funding to secure a long term solution.

FINDING: As discussed above, with the 1.1 v/c ratio acknowledged as the appropriate standard within Sherwood's Town Center boundary, intersection performance standards continue to be met with the preferred alternative and TPR compliance is met

2. Statewide Land Use Planning Goals

Goal 1: Citizen Involvement – This Goal calls for "the opportunity for citizens to be involved in all phases of the planning process." It requires each city and county to have a citizen involvement program containing six components specified in the goal. It also requires local governments to have a committee for citizen involvement (CCI) to monitor and encourage public participation in planning.

Appendix E to the Concept Plan document (attached as Attachment 3-E) provides a summary of the citizen involvement opportunities provided through the development of the Stakeholder Involvement Group recommendation. The Planning Commission, which is the designated Citizen Involvement Committee under this goal, provides advisory recommendations to the City Council for review and adoption.

FINDING: The plan has been developed consistent with this Goal.

Goal 2: Land Use Planning - outlines the basic procedures of Oregon's statewide planning program. It says that land use decisions are to be made in accordance with a comprehensive plan, and that suitable "implementation ordinances" to put the plan's policies into effect must be adopted. It requires that plans be based on "factual information"; that local plans and ordinances be coordinated with those of other jurisdictions and agencies; and that plans be reviewed periodically and amended as needed. Goal 2 also contains standards for taking exceptions to statewide goals. An exception may be taken when a statewide goal cannot or should not be applied to a particular area or situation.

Through the concept planning process, a number of land uses and zoning designations that address the local, state and regional standards were considered. The plan was developed based on factual information regarding existing conditions and projected demands. The plan was developed with Washington County, Metro, DLCD and ODOT input.

FINDING: The Plan has been developed consistent with this Goal.

Goal 3: Agriculture

This goal does not apply.

Goal 4: Forestry

This goal does not apply.

Goal 5: Natural Resources - covers more than a dozen natural and cultural resources such as wildlife habitats and wetlands. It establishes a process for each resource to be inventoried and evaluated. If a resource or site is found to be significant, a local government has three policy choices: preserve the resource, allow proposed uses

that conflict with it, or strike some sort of a balance between the resource and the uses that would conflict with it.

The plan was developed using the Metro inventory of significant natural resources and, once brought into the City, the Tualatin Basin Program as implemented by the City will apply. The City implemented the Basin program in 2007 after over 5 years of regional, county-wide and local discussion of the resource values compared to the environmental, social, energy and economic (ESEE) consequences of prohibiting development in those resources. Because the Basin program as implemented by the City is compliant with Goal 5 at both the Regional and State level, additional Goal 5 analysis was not conducted for this project in respect to natural resources. A wetland was identified on the site near the road alignment. This wetland has been delineated in the field and surveyed. A natural resources report is being prepared and will be submitted to Clean Water Services for approval. A 50-foot buffer or vegetated corridor will be preserved. No cultural or historic resources have been identified.

FINDING: The Plan has been developed consistent with this Goal.

Goal 6: Air and Water Quality - requires local comprehensive plans and implementing measures to be consistent with state and federal regulations on matters such as groundwater pollution.

Sherwood is located in the Portland Metropolitan Air Quality Management Attainment Area. The proposal encourages alternative modes of transportation through construction of a multi-use path as part of the road project.

FINDING: The Plan has been developed consistent with this Goal.

Goal 7: Natural Hazards - deals with development in places subject to natural hazards such as floods or landslides. It requires that jurisdictions apply "appropriate safeguards" (floodplain zoning, for example) when planning for development there.

FINDING: No natural hazards have been identified. The property does not contain steep slopes, floodplains or unstable soils.

Goal 8: Recreation - This goal calls for each community to evaluate its areas and facilities for recreation and develop plans to deal with the projected demand for them. It also sets forth detailed standards for expedited siting of destination resorts.

The City considered identified park needs under the power lines to ensure that uses under the lines occurred that would provide for a well-maintained and compatible use. Initially the City considered ball fields; however comments back from the utility agencies indicated a concern with these uses. There was, however support from PGE and BPA for establishing a dog park and walking trails under the power lines. PGE and BPA officials have indicated that these uses are possible but further approvals and details would be needed. City staff discussed the opportunity with the Parks Board. The Parks Board is supportive of the concept if funding is obtained from private sources or grants, etc.

FINDING: The plan has been developed consistent with this Goal.

Goal 9: Economic Development - calls for diversification and improvement of the economy and family wage jobs. It asks communities to inventory commercial and

industrial lands, project future needs for such lands, and plan and zone enough land to meet those needs

The concept planning area was expanded to include vacant areas outside the 34.2-acre UGB expansion and includes a total of 55.5 acres within the planning area. Of this 55.5 acres, only 15.7 acres are available for development due to land already in use by a power substation and high voltage power line easements. Three distinct and segregated development areas were identified in the concept planning process. It was apparent that each of these development areas had unique conditions that warranted separate zoning for each area to fit in with uses and zoning adjacent to each area. Due to the limited amount of land available for development it was most prudent to look at what the best use for each specific site is in context of its surroundings being that the small amount of land would have limited impacts on the overall land inventory for the City.

The commercial and industrial land supply was inventoried in the 2006 Economic Opportunities Analysis. For the purposes of the concept plan, the inventory was updated and the preferred alternative evaluated in terms of industrial and commercial land needs and available supply according to Goal 9 requirements. It was determined that although the proposed rezoning would remove a net of 1.6 acres of industrial land from the City supply (after adding the change from FD-20 to LI), Area 48 will add approximately 348 acres of industrial. With Area 48 and with the proposed zoning for this concept plan the City will be meeting or exceeding its 20-year commercial and industrial land supply (see Appendix 1 of the Concept Planning Document for a Goal 9 Inventory and Analysis).

FINDING: The Plan has been developed consistent with this Goal.

Goal 10: Housing - This goal specifies that each city must plan for and accommodate needed housing types, such as multifamily and manufactured housing. It requires each city to inventory its buildable residential lands, project future needs for such lands, and plan and zone enough buildable land to meet those needs. It also prohibits local plans from discriminating against needed housing types.

FINDING: No housing proposed. This Goal does not apply.

Goal 11: Public Facilities - calls for efficient planning of public services such as sewers, water, law enforcement, and fire protection. The goal's central concept is that public services should be planned in accordance with a community's needs and capacities rather than be forced to respond to development as it occurs.

This Goal is addressed by the existing water, sanitary and storm sewer master plans that already have anticipated development within this area and identified projects that will ensure this area will be adequately served. Utilities will be extended within Adams Avenue consistent with these master plans.

FINDING: The Plan has been developed consistent with this Goal.

Goal 12: Transportation - The goal aims to provide "a safe, convenient and economic transportation system." It asks for communities to address the needs of the "transportation disadvantaged."

FINDING: The proposed Concept Plan was reviewed using the TPR standards. This staff report evaluates TPR criteria to make findings of fact and demonstrate compliance as discussed previously in this report. Therefore, this Goal has been met.

Goal 13: Energy Conservation - declares that "land and uses developed on the land shall be managed and controlled so as to maximize the conservation of all forms of energy, based upon sound economic principles."

Compliance with Goal 13 is addressed through compliance of the City's Comprehensive Plan Policy (Chapter 3, Section F, Policy 4) regarding energy resources. As discussed previously, the road project will include a multi-use path to promote alternative means of transportation.

FINDING:The Plan has been developed consistent with this Goal.

Goal 14: Urbanization - This goal requires cities to estimate future growth and needs for land and then plan and zone enough land to meet those needs. It calls for each city to establish an "urban growth boundary" (UGB) to "identify and separate urbanizable land from rural land." It specifies seven factors that must be considered in drawing up a UGB. It also lists four criteria to be applied when undeveloped land within a UGB is to be converted to urban uses.

FINDING: In the Portland Metropolitan Area, Metro has the burden and authority to conduct growth and land need projections and determine whether and where to expand the Urban Growth Boundary, therefore, Sherwood cannot uniquely address urbanization criteria. This Concept Plan was developed in accordance with Metro's Goal 14 requirements. Therefore, this criteria has been met.

C. Regional Standards

1. Title 11

All territory added to the Urban Growth Boundary as either a major amendment or a legislative amendment pursuant to Metro Code Chapter 3.01 shall be subject to adopted comprehensive plan provisions consistent with the requirements of all applicable titles of the Metro Urban Growth Management Functional Plan and in particular this Title 11. The comprehensive plan provisions shall be fully coordinated with all other applicable plans. The comprehensive plan provisions shall contain an urban growth plan diagram and policies that demonstrate compliance with the RUGGO, including the Metro Council adopted 2040 Growth Concept design types. Comprehensive plan amendments shall include:

A. Specific plan designation boundaries derived from the general boundaries of design type designations assigned by the Council in the Ordinance adding the territory to the UGB.

The area brought into the UGB is identified as industrial on the 2040 Growth Concept Map. No other specifics were given in Ordinance N0. 02-986A in regards to land uses. This area is planned to be zoned Light Industrial (LI) and used for industrial consistent with the Metro design type.

FINDING: As discussed above, this standard has been met.

B. Provision for annexation to the district and to a city or any necessary service districts prior to the urbanization of the territory or incorporation of a city or necessary service districts to provide all required urban services.

The City intends to annex the property into the City limits following adoption of the concept plan consistent with Washington County/Sherwood Urban Planning Area Agreement (UPAA). Further, the area is planned to be annexed into Clean Water Services' boundary for storm and sanitary sewer services. The City will provide urban services as part of any urban development. Utilities will be extended with the proposed north Adams Avenue extension that will serve this area. As shown on the Development Opportunities map contained within the Concept Plan document, due to the presence of a large power substation, only 6.5 acres are available for urban development within the UGB expansion area.

FINDING: As discussed above, the Concept Plan is consistent with this standard.

C. Provision for average residential densities of at least 10 dwelling units per net developable residential acre or such other densities that the Council specifies pursuant to Section 3.01.040 of the Urban Growth Boundary Functional Plan.

FINDING: Housing is not proposed, this standard is not applicable.

D. Demonstrable measures that will provide a diversity of housing stock that will fulfill needed housing requirements as defined by ORS 197.303. Measures may include, but are not limited to, implementation of recommendations in Title 7 of the Urban Growth Management Functional Plan.

FINDING: Housing is not proposed, this standard is not applicable.

E. Demonstration of how residential development will include, without public subsidy, housing affordable to households with incomes at or below area median incomes for home ownership and at or below 80 percent of area median incomes for rental as defined by U.S. Department of Housing and Urban Development for the adjacent urban jurisdiction. Public subsidies shall not be interpreted to mean the following: density bonuses, streamlined permitting processes, extensions to the time at which systems development charges (SDCs) and other fees are collected, and other exercises of the regulatory and zoning powers.

FINDING: Housing is not proposed, this standard is not applicable.

F. Provision for sufficient commercial and industrial development for the needs of the area to be developed consistent with 2040 Growth Concept design types. Commercial and industrial designations in nearby areas inside the Urban Growth Boundary shall be considered in comprehensive plans to maintain design type consistency.

Light Industrial is proposed for the area added to the UGB in 2002 and is consistent with the 2040 Growth Concept Map. General Commercial and Office Commercial is being considered for areas already inside the City limits. These areas are designated as employment on the 2040 Growth Concepts map. As detailed within this report and in Appendix A to the Concept Plan (attached as Attachment 3-A), the amount of industrial land provided is consistent with the identified need.

FINDING: As demonstrated above, this standard has been met.

G. A conceptual transportation plan consistent with the applicable provision of the Regional Transportation Plan, Title 6 of the Urban Growth Management Functional Plan, and that is also consistent with the protection of natural resources, either identified in acknowledged comprehensive plan inventories or as required by Title 3 of the Urban Growth Management Functional Plan. The plan shall, consistent with OAR Chapter 660, Division 11, include preliminary cost estimates and funding strategies, including likely financing approaches.

North Adams Avenue is listed as a collector street on the City's Transportation System Plan (TSP). The road alignment shown on the concept plan follows the TSP alignment. The City is within Clean Water Services' jurisdiction and the City intends to bring the area into the Clean Water Services District boundary prior to development of the road or property. Clean Water Services, through compliance with the design standards, implements Title 3 within the City of Sherwood and surrounding area.

A wetland specialist has performed a wetland delineation and did not identify any jurisdiction wetlands within the road corridor. There are no significant Title 3 resources within the concept planning area that have been mapped or identified on-site by a wetland specialist. Part of a wetland and its buffer exist within the concept planning area at the east boundary. This wetland and buffer has been delineated in the field and surveyed for use in the design of the road project. A natural resources report is being prepared for submittal to Clean Water Services.

FINDING: As demonstrated above, this standard has been met.

H. Identification, mapping and a funding strategy for protecting areas from development due to fish and wildlife habitat protection, water quality enhancement and mitigation, and natural hazards mitigation. A natural resource protection plan to protect fish and wildlife habitat, water quality enhancement areas and natural hazard areas shall be completed as part of the comprehensive plan and zoning for lands added to the Urban Growth Boundary prior to urban development. The plan shall include a preliminary cost estimate and funding strategy, including likely financing approaches, for options such as mitigation, site acquisition, restoration, enhancement, or easement dedication to ensure that all significant natural resources are protected.

Of the 34.2 acres added to the UGB in this location, 16.6 acres are developed as a power substation. With the exception of the small wetland and buffer and a power linemen training facility, the remaining area is currently being farmed.

Sherwood is part of the Partners for Natural Places (Partners) alliance. The Partners represent an alliance of eight cities and Washington County working together with Metro and Clean Water Services to meet federal, state and regional requirements for protecting riparian corridors and wildlife habitat in the Tualatin Basin. Sherwood is working through the Partners adopted amendments to the City's comprehensive plan and zoning code to be in compliance with Metro's Title 13 (Nature in Neighborhoods) which implements the latest requirements of the State's Goal 5 (Natural Resources, Scenic And Historic Areas, And Open Spaces). Implementation through Clean Water Services and City regulatory requirements ensures compliance with habitat conservation planning.

Fieldwork was conducted to delineate wetland boundaries and to determine wetland buffers. A small jurisdictional wetland was identified on the site by Mason Bruce & Girard. Mason Bruce & Girard did not note any high quality habitat areas within the jurisdictional wetland. A natural resource assessment was conducted to determine the vegetated corridor buffer. This report is currently being completed and will be submitted to Clean Water Services for approval. The vegetated corridor is rated as degraded per Clean Water Services Standards RO-07, and is a currently active agricultural operation.

The area does not fall within the Rock Creek floodplain located to the east, does not contain steep or hazardous slopes, nor do areas not farmed contain extensive non-native/invasive plant species. There does not appear to be a direct, surface water linkage to Rock Creek and the jurisdictional wetland is located on a terrace approximately 40 feet above the Rock Creek floodplain.

The development of the roadway infrastructure project does not impact the jurisdictional wetland nor its vegetated corridor buffer. The wetland and buffers are indicated on the Concept Plan as undevelopable areas to be preserved with future development.

FINDING: As demonstrated above, this standard has been met.

I. A conceptual public facilities and services plan for the provision of sanitary sewer, water, storm drainage, transportation, parks and police and fire protection. The plan shall, consistent with OAR Chapter 660, Division 11, include preliminary cost estimates and funding strategies, including likely financing approaches.

The expansion area consists of only 6.5 acres of net developable land and will be zoned Light Industrial (LI) and will have little to no impact on utilities capacity. Utilities will be provided with the Adams Avenue road construction. As the area is brought into the Clean Water Service's boundary, Clean Water Services will provide sanitary sewer and storm drainage. The area will be annexed to the City of Sherwood who will provide parks, police and other urban services. The area is within the Tualatin Valley Fire & Rescue District who provides fire protection services. The light industrial, office commercial and general commercial zones will have no impact on school services. Right-of-way for the road is expected to be dedicated at no cost by Portland General Electric and road construction is anticipated to be paid by a private developer as documented in a memo of understanding between the City, PGE and the developer.

FINDING: As demonstrated above, this standard has been met.

J. A conceptual school plan that provides for the amount of land and improvements needed, if any, for school facilities on new or existing sites that will serve the territory added to the UGB. The estimate of need shall be coordinated with affected local governments and special districts.

FINDING: No housing is proposed and therefore no need for schools have been identified.

- K. An urban growth diagram for the designated planning area showing, at least, the following, when applicable:**
- 1. General locations of arterial, collector and essential local streets and connections and necessary public facilities such as sanitary sewer, storm sewer and water to demonstrate that the area can be served;**
 - 2. Location of steep slopes and unbuildable lands including, but not limited, to wetlands, floodplains and riparian areas;**

3. **General locations for mixed use areas, commercial and industrial lands;**
4. **General locations for single and multi-family housing;**
5. **General locations for public open space, plazas and neighborhood centers; and**
6. **General locations or alternative locations for any needed school, park or fire hall sites.**

Street connections, buildable lands, sensitive areas, open space, commercial and Industrial areas are shown on the Concept Plan map. None of the other standards apply including steep slopes, housing and schools.

FINDING: The Concept Plan has been prepared meeting these standards.

L. A determination of the zoned dwelling unit capacity of zoning districts that allow housing.

FINDING: Does not apply, housing is not proposed.

M. The plan amendments shall be coordinated among the city, county, school district and other service districts.

As stated previously, the concept plan process included extensive public involvement overseen by the steering committee comprised of the Planning Commission.

FINDING: As demonstrated above, this standard has been met.

Other Metro conditions

Condition #2 - The city or county with land use planning responsibility for an area brought into the UGB shall apply the 2040 Growth concept design types shown on Exhibit C of this ordinance to the planning study area.

FINDING: In reviewing Exhibit C, all of the findings and discussion are in regards to the needs for a transportation connection between Tualatin-Sherwood Road and Highway 99W as well as expansion of Teal Road north of 99W. There is no discussion of land uses for this area mainly because the developable land is limited and the primary purpose of the UGB expansion is to establish transportation connections. The land is shown as industrial on the 2040 Growth Concept map and is intended to be zoned Light Industrial. Other contiguous property already inside the City limits has been being studied for rezoning from Light Industrial to Office Commercial and/or General Commercial. These areas are not required to be part of the concept plan but have been added in the interest of good planning and looking at this area as a whole. As evidenced by Appendix A of the Concept Plan (Attachment 3-A), the changes from industrial to commercial land can be accommodated over the next 20 years.

Condition #3 - The city or county with land use planning responsibility for an area included in the UGB shall apply interim protection standards in Metro Code Title 11, UGMFP, section 3.07.1100, to the study area.

FINDING: The land is currently under Washington County jurisdiction and is zoned Future Development 20-acres (FD-20). Urban development will not be approved for this area until the concept plan is adopted by the City, the area annexed into the City and urban zoning is assigned to the property by the City. This condition is satisfied.

Condition #4 - No urbanization shall occur in this area until the actual alignment of the Adams Road Extension has been determined and adopted in the City of Sherwood TSP

FINDING: The alignment has been adopted into the TSP. Adams Avenue is intended to be the first improvement in the area that will allow urban development to occur. This condition is satisfied.

Condition #5 - In the application of statewide planning Goal 5 (Natural Resources, Scenic and Historic Areas and Open Spaces) to Title 11 planning, the city shall comply with those provisions of Title 3 of the UGMFP acknowledged by the Land Conservation and Development Commission (LCDC) to comply with Goal 5. If LCDC has not acknowledged those provisions of Title 3 intended to comply with Goal 5 within four years following the effective date of this ordinance the city shall consider any inventory of regionally significant Goal 5 resources adopted by resolution of the Metro Council in the county's Goal 5 process.

FINDING: The area will be brought into the Clean Water Services District boundary. Clean Water Services is in compliance with Title 3 and will implement Title 3 for this area. Sherwood is part of the Partners for Natural Places (Partners), an alliance of eight cities and Washington County working together with Metro and Clean Water Services to meet federal, state and regional requirements for protecting riparian corridors and wildlife habitat in the Tualatin Basin. Sherwood working through the Partners adopted amendments to the City's comprehensive plan and zoning code to be in compliance with Metro's Title 13 and therefore the latest requirements of the State's Planning Goal 5. Implementation through Clean Water Services and City regulatory requirements ensures compliance with habitat conservation planning and Goal 5. This condition is satisfied.

Condition #6 - Copies of all applicable comprehensive plan provisions and implementing ordinances as proposed to be amended.

FINDING: The City intends to use existing zoning designations. Findings of compliance are within this report. Proposed text amendments for Sherwood Comprehensive Plan Chapter 8: Urban Growth Boundary Additions are attached as Attachment 5 and proposed development code changes are attached as Attachment 7.

V. RECOMMENDATIONS

Based on the above findings of fact, and the conclusion of law based on the applicable criteria, and in consideration of agency and public comments, the Planning Commission staff recommends the City Council approve the Concept Plan and the plan amendment (PA 09-02), subject to any additional amendments

VI. ATTACHMENTS

These are part of the record and have been presented to the Commission during the course of their review.

1. Draft Concept Plan Map – Preferred Alternative
2. Draft Concept Plan document
3. Appendix to the Concept Plan document including:
 - A. Zoning and Buildable Lands Memorandum dated April 2nd, 2009
 - B. Stakeholder Meetings Summaries

- C. Open House Survey
- D. Existing Conditions Report
- E. Public Involvement Plan
- 4. Technical Appendix to the Concept Plan document including:
 - A. Traffic Existing and Future Memorandum
 - B. Traffic Alternatives Analysis Memorandum
 - C. Traffic Analysis of Preferred Alternative
- 5. Proposed Comprehensive Plan Changes - Chapter 8
- 6. Proposed Comprehensive Map
- 7. Proposed Zoning Text Changes - OC Zone
- 8. Agency Comments
 - 8a – DLCD e-mail from Meg Fernekees dated April 14, 2009
 - 8b – ODOT memo from Doug Baumgartner & Seth Brumley dated April 13, 2009
 - 8c – ODOT e-mail from Marah Danielson dated April 27, 2009
 - 8d – Memo from Tom Nelson, City of Sherwood Economic Development Manager
 - 8e – Memo from Jackie Sue Humphreys, Clean Water Services, dated May 11, 2009
 - 8f – Letter from Seth Brumley, ODOT dated May 26, 2009
 - 8g – letter from Seth Brumley, ODOT dated June 8, 2009.
- 9. Public Comments
 - 9a – Ray Paul

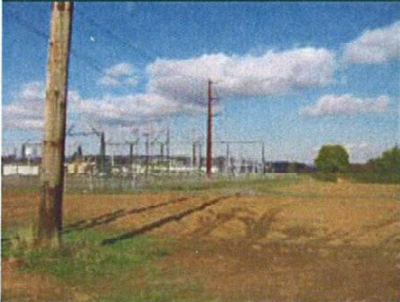
NOTE: The technical appendix was attached to the Commission report with the appendices attached to each technical appendix document. Due to the volume of materials (222 pages), the appendices to the technical appendix were not included in the City Council packet. However, they are available for review at the City Hall and on the City Web site under the May 26, 2009 Planning Commission packet materials.



ADAMS AVENUE NORTH EXTENSION - PREFERRED CONCEPT PLAN
 SHERWOOD, OREGON



Adams Avenue North Concept Plan



**Harper
Houf Peterson
Righellis Inc.**

ENGINEERS ♦ PLANNERS
LANDSCAPE ARCHITECTS ♦ SURVEYORS

Draft #3 - May 18, 2009



ADAMS AVENUE NORTH CONCEPT PLAN

Summary and Recommendations

Prepared by:

Harper Houf Peterson Righellis Inc. (HHPR)

Prepared for:

City of Sherwood

Consultant Team:

Cogan Owens Cogan, LLC

DKS Associates

Draft #3 – May 18, 2009

Adams Avenue North Concept Plan



PROJECT PARTICIPANTS

Stakeholder Involvement Group

Mike Livingston	Portland General Electric
Cam Durrel	Les Schwab
Jim Morse	Juniper Ridge Investments LLC
Roger Fulop	Home Depot
Matt Langer	Langer Family LLC
Matt Grady	Gramor Development
Bill Blakeslee	Bilet Products Company Inc.
Pete Schmidt	Tualatin National Wildlife Refuge
Seth Brumley	ODOT
Douglas Baumgartner	ODOT
Steve L. Kelley	Washington County

City Staff

Julia Hajduk	Planning Manager
Jason Waters	Engineering Associate II
Tom Nelson	Economic Development Manager
Stephanie Guediri	Engineering Permit Specialist

Consultant Team

Keith Jones	Harper Houf Peterson Righellis Inc.
Ben Austin	Harper Houf Peterson Righellis Inc.
Chris Anuszkiewicz	Harper Houf Peterson Righellis Inc.
Chris Maciejewski	DKS Associates
Kirstin Greene	Cogan Owens Cogan, LLC
Steve Faust	Cogan Owens Cogan, LLC



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APPENDIX

1. Zoning and Buildable Lands Memorandum dated May 18th, 2009
2. Stakeholder Meetings Summaries
3. Open House Survey
4. Existing Conditions Report
5. Public Involvement Plan

TECHNICAL APPENDIX

1. Traffic Existing and Future Memorandum
2. Traffic Alternatives Analysis Memorandum
3. Traffic Analysis of Preferred Alternative

REFERENCES

1. City of Sherwood Economic Development Strategy
2. Downtown Sherwood Market Study



I. EXECUTIVE SUMMARY

The Adams Avenue North Concept Plan is a guide to development of 55.5 acres southeast of Highway 99W and north of Tualatin-Sherwood Road. Of this 55.5 acres, 34.2 acres were added to the regional urban growth boundary by Metro in 2002 at the request of the City of Sherwood. The primary objective in adding this land to the urban growth boundary was to allow construction of a collector street and alternative route between Highway 99W/Tualatin-Sherwood Road and Old Town/Downtown Sherwood. Although not the primary purpose for expanding the urban growth boundary, this additional land will become available for urban development once the concept plan is finalized and implemented.

The purpose of this concept plan report is to document the following:

- Inventory key opportunities and constraints
- Present the input received from the stakeholder involvement group
- Make a recommendation of a final concept plan for adoption by the Sherwood Planning Commission and City Council
- Meet Metro Title 11 requirements for creation of a concept plan

Key features of the recommended concept plan are:

- Allow for gateway-oriented commercial development along Highway 99W and Tualatin-Sherwood Road
- Allow for industrial development in the interior of the plan area
- Encourage use of power line easements for trails, dog park and parking areas
- Encourage visual buffering of the power substation
- Encourage roads and trails that interconnect existing development to adjacent roads and property
- Encourage placement of buildings near roads and parking behind buildings



II. BACKGROUND

Introduction

The Adams Avenue North planning area was brought into the Sherwood urban growth boundary (UGB) in 2002 to allow construction of a collector street and alternative route between Highway 99W Tualatin-Sherwood Road and Old Town/Downtown Sherwood. Although not the primary purpose for expanding the UGB, approximately 34.2 acres of land owned by Portland General Electric (PGE) will become available for urban development once the concept plan is finalized and implemented. However, much of this property is encumbered by a large electrical substation, high voltage transmission lines and tall transmission line towers. Much of the PGE infrastructure was constructed in the 1950s and 1960s prior to the development boom in Sherwood that took place over the last 20 years. Therefore, the area has grown up around this existing infrastructure.

Site Description

In general, the area is bounded by Highway 99W to the northwest, Tualatin-Sherwood Road to the south and the urban growth boundary to the east. There is a Portland General Electric (PGE) transmission facility located in the middle of the project area and a PGE training facility on the eastern portion. Large PGE and Bonneville Power Administration transmission towers and lines cross the project area. The area is mostly flat and areas not covered by the transmission towers, substation and training facility are currently being farmed. The project area parcels are currently zoned Light Industrial within the city limits and Future Development-20 (FD-20) by the County in areas not within the city limits. FD-20 acts as a holding zone until the City annexes the property and rezones it for urban development.

Areas to the west, across Highway 99W are mostly developed with office or professional and personal service uses but are zoned Light Industrial. The parcel to the north, although zoned for Light Industrial, is developed with a Home Depot, a commercial use. Much of these properties were allowed commercial uses at a time when the City allowed commercial uses within industrial zoning. The City has since revised the zoning code to no longer allow commercial uses in industrial zones. The City considers the 99W and Adams Avenue intersection as a visual gateway to the Sherwood community. Areas to the east and north, outside the UGB, are agricultural and resource lands while property south and east is industrial. The area to the east and inside the city limits is zoned Light Industrial and is a developing industrial subdivision. There are large tracts of undeveloped Light Industrial property south of the study area on the opposite side of Tualatin-Sherwood Road that is expected to develop with commercial uses consistent with a prior Planned Unit Development approval.

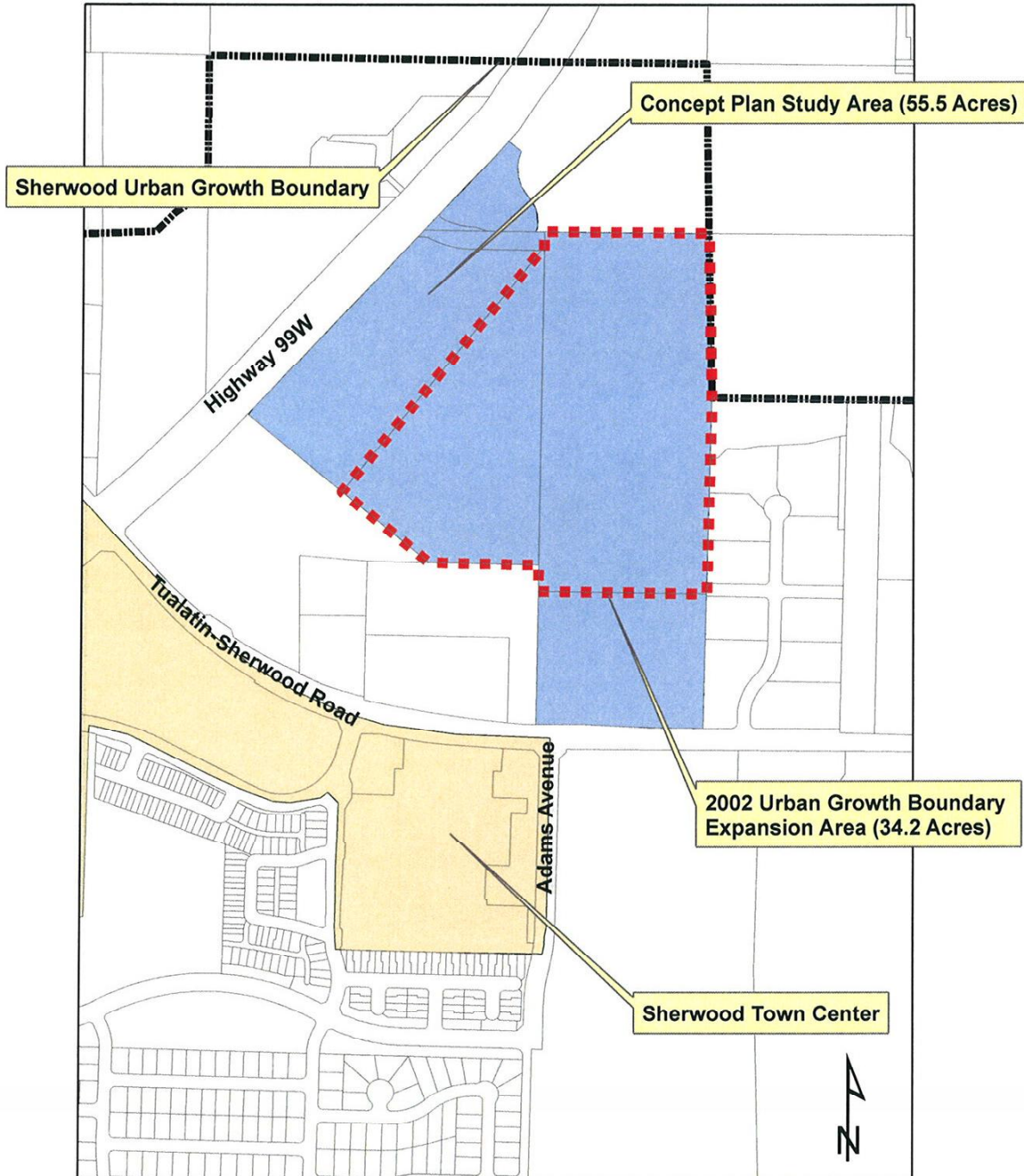
See vicinity map on the next page.

Adams Avenue North Concept Plan



Background

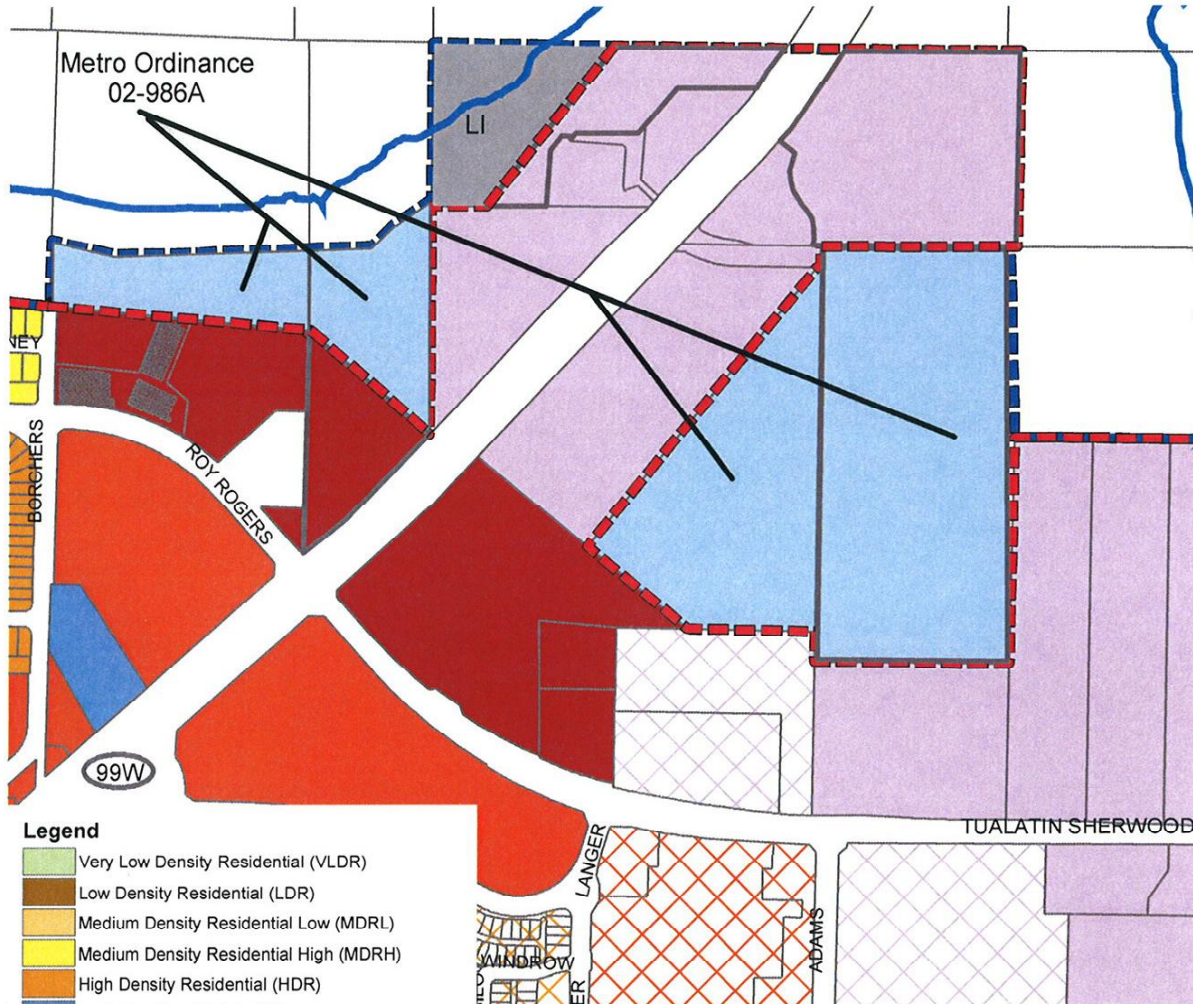
Project Vicinity Map



Adams Avenue North Concept Plan



Background



Legend

- Very Low Density Residential (VLDR)
- Low Density Residential (LDR)
- Medium Density Residential Low (MDRL)
- Medium Density Residential High (MDRH)
- High Density Residential (HDR)
- Institutional and Public (IP)
- Neighborhood Commercial (NC)
- Office Commercial (OC)
- Retail Commercial (RC)
- General Commercial (GC)
- Light Industrial (LI)
- General Industrial (GI)
- Parks and Open Space
- Planned Unit Development (color of underlying zone)
- Future Urban Growth Areas (no concept plan yet)
- Unannexed Areas (inside UGB)
- Urban Growth Boundary
- City Boundary
- Old Town Overlay (SZCDC 9.202)
- Floodplain

Sherwood Zoning Map



Regional and Local Context

The Adams Avenue North Concept Plan area is 55.5 acres of land located at the northeastern edge of Sherwood and the UGB. It marks a transition point between the City's current edge of urbanization and the rural and resource lands to the north and east.

The majority (34.2 of the 55.5 acres) was added to the Metro UGB in 2002. An additional 20.2 acres of undeveloped land already within the City limits was added to the concept plan study area. The Concept Plan area carries Metro design type designations of Employment and Industrial on the Region 2040 Growth Concept Map. Employment design type areas, as defined by Metro, allow various types of employment with some residential development and limited commercial uses. Industrial design type areas are set aside by Metro primarily for industrial activities with limited supporting uses.

The primary objective of planning this area is for a road connection between Highway 99W and Tualatin-Sherwood Road and completion of Adams Avenue that will eventually extend from Oregon Street near Sherwood's Old Town to Highway 99W. The UGB was expanded at the request of the City and the following findings were made by the Metro Council in the ordinance that expanded the urban growth boundary in this area:

- "Whereas, transportation improvements that make areas work is part of the transportation priorities of the Metro Council."
- "Whereas, this road alignment and extension of Adams road has the goal to relieve congestion"

Unlike larger areas that have been added to the Sherwood UGB such as the Brookman Road area, Area 59 and Area 48, the North Adams Avenue Concept Plan is limited in development potential and therefore does not carry as high of importance as a development area. Nevertheless, the area does serve as an important transportation connection and as an eventual new gateway to the City as people leave the highway and enter the City limits at the north end of the project area.

Existing Conditions Inventory – Policy and Regulatory Background

Development of a successful concept plan begins with inventorying existing conditions. A detailed existing conditions report was completed before commencement of the project and is attached for reference. Review of existing conditions should identify categories that have policy and regulatory requirements for land use. These categories start at the state level as the 19 Statewide Planning Goals. Metro is responsible at a regional level for implementing these goals and does so through the 2040 Growth Concept. Each community in Metro, including Sherwood must be in compliance with the State and Metro in applying zoning and land use regulations. Sherwood implements the 2040 Plan and Statewide Planning Goals through the City's Comprehensive Plan, Transportation System Plan and utility and facility master plans.

The following land use categories were studied in review of existing conditions:

1. *Public Involvement*

The following groups were established to solicit input for the plan:

Stakeholder Working Group (SWG) – an advisory committee comprised of property owners, business owners, institutional partners, and developers charged with providing input and advice to the Project Design Team and ultimately to the City Council.



Planning Commission (PC) – charged with providing on-going input and guidance to the Project Team about technical aspects of the concept plan and recommendation to the City Council.

Three meetings were held with the stakeholder working group to develop a preferred plan. Work sessions were held with the Planning Commission to review the stakeholder work group's refined alternative. A public open house was held to inform the public of the stakeholder working group's refined alternative. Updates were provided on the City's webpage.

A public involvement plan was developed to identify stakeholders and interested parties. The public involvement plan is attached. Further discussion of the stakeholder involvement process is provided in Section III of this report.

2. *Natural Resources*

Wetlands, streams and sensitive areas are regulated by four agencies in Sherwood. The Army Corps of Engineers and Oregon Division of State Lands regulate what is termed as jurisdictional streams and wetlands. While these agencies regulate the wetland itself, Clean Water Services regulates mandatory vegetated corridors or buffers from these features. These regulations are aimed at the protection of riparian habitats. In addition to these riparian protections, the City of Sherwood has voluntary regulations for projects with upland habitats that may be in excess of the riparian protections. These additional upland regulations were developed to be in compliance with Nature in Neighborhoods, Title 13 of Metro's 2040 Urban Growth Management Functional Plan.

Fieldwork was conducted to delineate wetland boundaries and to determine wetland buffers. A small jurisdictional wetland was identified on the site by the project team. The project team did not note any high quality habitat areas near the jurisdictional wetland. A Natural Resource Assessment is being prepared to determine the vegetated corridor buffer. This fieldwork was done along the road corridor for Adams Avenue. No significant features of note have been identified within the concept plan boundaries but specific field work must be done prior to development of areas outside the road corridor as required by Clean Water Services.

3. *Natural Hazards*

Statewide Planning Goal 7 identifies natural hazards as floods, landslides, earthquakes and related hazards as well as tsunamis, coastal erosion, and wildfires. The City of Sherwood Comprehensive Plan Part II, Chapter 5 identifies the following potential hazards for Sherwood where development should be restricted and/or limited:

- 100-year floodplains
- Areas with slopes which have slide or erosion potential
- Areas with weak foundation soils
- Wetlands

The study area is not within a 100-year floodplain, is mostly flat and does not contain steep slopes or weak foundation soils. Construction within wetlands is not contemplated by the concept plan. Wetlands have been delineated and will be protected as described above.



4. *Parks and Historic Resources*

The adopted Sherwood Parks and Recreation Master Plan shows no parks or recreation facilities proposed for the study area. The Bonneville Power Administration easement is identified as open space on the Master Plan. The City adopted the Sherwood Cultural Resource Inventory as an appendix to the Comprehensive Plan. No historic or cultural resources have been identified within the study area.

5. *Economic Development*

The City of Sherwood completed an Economic Development Strategy in 2007. Economic Development Policy 5 states that, “The City will seek to diversify and expand commercial and industrial development in order to provide nearby job opportunities, and expand the tax base.”

Residential and institutional uses have not been considered for the site as industrial and commercial uses are most appropriate next to the power infrastructure and existing commercial and industrial developments. The proposed commercial and industrial land is consistent with the policies of the Economic Development Strategy.

6. *Public Facilities and Services*

The City of Sherwood Comprehensive Plan Part II, Chapter 7 – Community Facilities and Services lists public facility and services as follows:

- Public Utilities
- Private/Semi-Public Utilities
- Transportation (Listed in Item 7 below)
- Public Health and Safety
- Recreation (Listed in Item 4 above)
- Schools

The concept plan impacts these areas as follows:

A. *Public Utilities*

Public utilities include water, sanitary sewer and stormwater. The City of Sherwood updated these utility master plans in 2005 and 2007. The City works in conjunction with Clean Water Services (CWS) and Tualatin Valley Water District (TVWD) to provide these services through intergovernmental agreements. The master plan updates done after the area was added to the growth boundary in 2002 reviewed this area for utility service and did not identify deficiencies. The area will be able to be serviced by utilities provided with the Adams Avenue Street extension. These utilities are addressed as follows:

Water: The City’s primary water supply is from four groundwater wells owned by the City and operated by TVWD. The City also supplements supply from the groundwater wells through a 24-inch diameter connection to the City of Tualatin’s 36-inch diameter Tualatin- Portland supply main.



Background

For the project area, there is currently an 8-inch water line in Highway 99W and an 8-inch water line in Tualatin-Sherwood Road. The Master Plan recommends upsizing the 8-inch in Tualatin-Sherwood Road to a 12-inch and installing a 16-inch water line in Adams Avenue North for connectivity and service.

Sanitary: The City owns, operates and maintains the wastewater collection system within the City limits. Wastewater is collected from residential, commercial, and industrial services and is discharged into interceptor sewers owned and operated by CWS. Wastewater is then pumped by CWS for treatment at their Durham Advanced Wastewater Treatment Facility located in the City of Tigard. The City is responsible for all wastewater collection piping smaller than 24 inches in diameter located within the City limits, and CWS owns and maintains interceptor sewers 24 inches and larger, as well as all pump stations and force mains.

For the project area, sanitary sewer can be provided from existing lines north and south of the study area. These lines drain to the Rock Creek trunk line. Although the proposed development of the concept plan does not adversely impact capacity, future development of the industrial zones in Area 48, a large urban growth boundary expansion in northeastern Sherwood, will lead to capacity issues that will need to be addressed with the eventual planning and development of Area 48.

Stormwater: Stormwater treatment is typically done on a project-by-project basis with each developer creating their own facility. In some cases, the developer or the City builds regional treatment facilities that are maintained by the City and that cover larger areas.

The study area generally has one low point. A storm drainage system will be constructed with Adams Avenue to convey runoff to this location at the east end of the study area near the wetland. Use of the storm drainage system installed with construction of Adams Avenue as a regional facility for the entire study area is being reviewed.

B. Private/Semi-Public Utilities

These include power, natural gas, telephone, fiber optic and cable television. The design team is coordinating with these service providers. These services will be located in underground conduit within the Adams Avenue extension. No deficiencies have been identified.

C. Public Health and Safety

This includes police and fire services. The study area is within Tualatin Valley Fire & Rescue (TVF&R) District and fire and emergency services will be provided by TVF&R. The City of Sherwood has a police department that will provide police services. No deficiencies have been identified.

D. Schools

The Sherwood School District provides public K-12 education within the City limits. The proposed industrial and commercial use will have no impact on school capacity or school facilities.



7) **Transportation**

The Transportation System Plan (TSP), adopted in March 2005, is a master plan for all modes of transportation. The TSP identifies the need for local street connectivity in the industrial areas of Sherwood north of Tualatin-Sherwood Road, specifically connecting Highway 99W to Tualatin-Sherwood Road. The TSP analysis identified the Adams Avenue North Extension as a necessary improvement to mitigate forecasted circulation issues on Tualatin-Sherwood Road and Highway 99W by the year 2020.

Updated transportation studies based upon build-out scenarios for the comprehensive plan have been completed to a 20-year time horizon as required by the State's Transportation Planning Rule (TPR). No deficiencies have been identified.

Tualatin-Sherwood Road is a Washington County-maintained road and Highway 99W is an Oregon Department of Transportation (ODOT) facility. These agencies must approve connection of Adams Avenue to their roadways and therefore have interest in any rezoning of property that can have impacts to these facilities. The City of Sherwood has prepared transportation reports to Washington County and ODOT standards and is coordinating with these agencies.

A multi-use path is proposed on the eastside of the road. This path is planned to extend the length of Adams Avenue and will eventually connect Highway 99W to Oregon Street.

TriMet provides bus service from Sherwood to Downtown Portland and the movie theater parking lot east of the study area is park-and-ride lot for this bus line.

Opportunities and Constraints

Stakeholders identified opportunities and constraints at a November 19th, 2008 meeting as well as answered questions on a project web page. The project team, together with the stakeholder working group, identified the following key opportunities and constraints:

Opportunities:

1. Reduce traffic congestion between Highway 99W and Old Town Sherwood
2. Provide access to underdeveloped property
3. Provide alternative access to developed property
4. Provide a continuous pedestrian pathway between Old Town Sherwood and Highway 99W
5. Promote economic development by providing additional land to be developed within the City
6. Improve visibility of the Home Depot store
7. Provide for internal road opportunities
8. Allow for development of the property (after easements) along Tualatin-Sherwood Road
9. Provide for conduit in Tualatin-Sherwood Road that will improve signal timing
10. Allow for compatible development under power lines such as parks, fields, parking lots
11. Allow for access for property to redevelop
12. Potential for "new" zone that allows focus of type of use that is a lower trip generator



Constraints:

1. Limited development allowed near and under power lines
2. Large power substation that must remain
3. Need for road to curve around existing power lines structures
4. Additional traffic conflicting with trucks off-site
5. Change of access and circulation on the Home Depot site
6. Property owner existing agreements that may limit access options
7. Intersections that are already over capacity for traffic
8. Existing intersection configuration at Tualatin-Sherwood Road and Highway 99W that is near capacity
9. Finding compatible development with existing power infrastructure
10. Existing light industrial zoning near major roads
11. Traffic signal spacing and potential need to remove signals on Tualatin-Sherwood Road

Opportunities Development Mapping

From stakeholder input, including a meeting with PGE engineers and planners, a Development Opportunities map was produced. The map reveals that within the study area after the substation, transmission line easements and land needed for the road improvement, three development sites are available. The map marks these sites as Development Opportunity 1 (5.8 acres), Development Opportunity 2 (7.6 acres), Development Opportunity 3 (0.9 acres) and Development Opportunity 4 (1.4 acres).

See Development Opportunities map on the next page.





III. CONCEPT PLAN SELECTION PROCESS

Stakeholder Working Group

The project team, as part of the public involvement plan, established a stakeholder working group. This group consisted of surrounding business owners, developers and agency staff. The group met three times. Through this process, a preferred concept plan was created along with project goals and objectives for the concept plan. The Sherwood Planning Commission was selected to act as the project's steering committee to provide final direction on a preferred concept plan alternative after consideration of project team, stakeholder and public and agency comments.

Three alternatives were presented for stakeholder review. These alternatives included zoning and development options for vacant developable land, options for development of open spaces and options for access to surrounding properties. From these options, the stakeholders selected elements from each to create a refined alternative.

See alternative maps on following pages.

Adams Avenue North Concept Plan



Concept Plan Selection Process



Alternative A

NOTE: WE LAND INVESTIGATION COMPLETE FOR ROAD CORRIDOR ONLY.

ADAMS AVENUE NORTH EXTENSION - CONCEPT DRAWING

SHERWOOD, OREGON

FEB 04, 2009



Harper Houf Peterson Righellis Inc.
10000 SW 10th Street, Suite 400, Portland, OR 97224
Phone: 503.251.1111 Fax: 503.251.1112

Adams Avenue North Concept Plan



Concept Plan Selection Process



NOTE: WETLAND INVESTIGATION COMPLETED FOR ROAD CORRIDOR ONLY

ADAMS AVENUE NORTH EXTENSION - CONCEPT DRAWING

SHERWOOD, OREGON

FEB 04, 2009



Harper Houf Peterson Righellis Inc.
A BUSINESS OF HARPER
HOUF PETERSON RIGHELLIS INC.
200 W. Sherman Street, Suite 400, Portland, OR 97201
Phone: 503.251.1100 Fax: 503.251.1101

Adams Avenue North Concept Plan



Concept Plan Selection Process



NOTE: WETLAND INVESTIGATION COMPLETED FOR ROAD CORRIDOR ONLY

ADAMS AVENUE NORTH EXTENSION - CONCEPT DRAWING

SHERWOOD, OREGON

FEB 04, 2009





Project Goals and Objectives

The project team, with consultation from the stakeholder involvement group and the Sherwood Planning Commission, established the following goal and objectives for the project:

Project Goal

The Adams Avenue North extension is intended to give local traffic an alternative connection between 99W and Old Town Sherwood and reduce reliance on the 99W/Tualatin-Sherwood intersection. The road will provide secondary access to developed property between Tualatin-Sherwood Road and 99W and provide access for undeveloped land added to the Sherwood urban growth boundary in 2002.

Project Objectives

The concept plan should consider the following:

1. **Gateways**

The area will act as an entrance to Sherwood and eventually a major route to Old Town. The area has the potential to act as a gateway for the community.

2. **Access**

Access within the study area and to neighboring developments should be addressed.

3. **Zoning and Compatibility**

Development should be compatible with surrounding development.



IV. FINAL PLAN

The Adams Avenue North Concept Plan purpose is to provide a framework for future development of the area. The plan is comprised of generalized maps and policies that address land use, transportation and open space. The concept plan is intended to be implemented by adoption of comprehensive plan zoning designations and through existing City regulations.

The plan goals, objectives and map are intended to be used as a guide for development. Key features of the plan include the following:

Use of Roundabouts

Roundabouts have been proposed as an access alternative, particularly as a way to access Development Opportunity 1 on Highway 99W. Due to the existing substation, the parcel's access will be close to the highway and may be required to have limited access. A roundabout will provide an alternative way to turnaround or access the site where a full access point cannot be provided.

Eastern Connections

The concept plan shows a connection to the east via an existing street stub to Arrow Street. This will provide an eventual connection for all properties north of Tualatin-Sherwood Road and west of Rock Creek to access Adams Avenue North and the proposed traffic signal at Tualatin-Sherwood Road. Currently, these properties do not have access to a traffic light.

Use of Power line Easements

The plan indicates the potential to use the power line easements for parking, a dog park and open spaces where full development is restricted.

Use of Commercial Development

The plan suggests rezoning existing light industrial properties along Highway 99W and Tualatin-Sherwood Road to commercial. These parcels that have access and visibility from major roads are best served with commercial uses and have greater opportunity to provide a physical and aesthetic gateway into the City. Gateway treatments are proposed to mark a symbolic entrance to the city and draw attention to the business environment. Gateway elements can include physical gateways or arches; flowers, trees and other landscaping; benches or other public space; public art or natural sculptural features; unique fencing or walls; and signage. Gateways should reflect the history, culture and character of Sherwood and its residents.

For the parcel that fronts Highway 99W (Development Opportunity 1) and the vacant 1.4-acre parcel next to Home Depot (Development Opportunity #4), a General Commercial or Office Commercial is being considered. The project team believes that Office Commercial is the best use for these parcels. Sherwood's designated Town Center is at the intersection of Highway 99W and Tualatin-Sherwood Road and borders this parcel to the west. The City currently does not have any properties zoned Office Commercial within the Town Center. This would provide office and limited retail uses that are in support of the Town Center as well as offices and workers consistent with the Metro design type designation of employment. The Adams Avenue North project will provide a multi-use path that will connect the site to Sherwood's Old Town for those who bike and walk. The movie theater parking lot west of the site is the park-and-ride lot for TriMet Bus Line 94 that runs from Sherwood to Downtown Portland through Tigard.

Adams Avenue North Concept Plan



Final Plan

For the development area that fronts Tualatin-Sherwood Road (Development Opportunity 3) a 0.9 acre site, the project team believes that General Commercial is the best use for this site. The site is too small to support light industrial and is not adjacent to other offices areas. Therefore, a small retail user would likely be best for this site that is adjacent to existing and future commercial areas to the south and west.

Recent market studies including the "Downtown Sherwood Market Study" from June of 2008 shows a high demand for retail within the City. The Economic Opportunities Analysis completed in 2005 shows demand for land for industrial and commercial. As evidenced by the attached memorandum from Cogan Owens Cogan dated May 18th, 2009, there is adequate land supply for industrial if these parcels area rezoned (see attachment).

Use of Industrial Development

Industrial development is proposed within the interior of the project area where visibility from major road is limited. The internal area is also contiguous to industrial property to the east and is close to the power lines and substation that make an industrial use more compatible.

See preferred concept plan map on the next page.





V. IMPLEMENTATION

The construction of Adams Avenue will drive development of the project area. Adams Avenue will bring access and utilities to the area. Portland General Electric owns all the property within the study area and will need to sell property to private developers who will fully fund construction of developable areas. At this time, the construction of Adams Avenue is proposed to be funded by private development as mitigation for construction of the large undeveloped commercial property south of Tualatin-Sherwood Road.

Text Amendments for Adams Avenue Concept Plan

Chapter 8, Part 2 of the Comprehensive Plan “Urban Growth Boundary Additions”

B. URBAN GROWTH BOUNDARY DATA & ASSUMPTIONS

The Sherwood Urban Growth Boundary (UGB) is currently defined as the area west of Cipole Road, east of Elwert Road, north of Brookman Road, and south of the Tualatin River National Wildlife Refuge and is included within the regionally adopted Metro Urban Growth Boundary.

The growth assumptions developed and selected for Sherwood during the previous Plan preparation in 1991 were low. At that time, the Plan projected 5,355 people in the urban area by 1988 as opposed to an actual 10,600 people by 2000 projected in the 1980 Plan. This difference arose from a projected 7% to 12% annual increase anticipated by connection of the Sherwood sewer system to the Durham Sewage Treatment Plant owned and operated by Clean Water Services. Since then growth has overwhelmed Sherwood: the population according to the 2000 US Census was 11,791 and 14,410 in 2005 inside the City limits, according to an estimate by Portland State University’s Population Research Center.

Sherwood has become a bedroom community for families that work elsewhere in the Portland Metro area. According to the Washington County Tax Assessor’s Office, the residential to non-residential tax base ratio is 80 percent residential and 20 percent non-residential. This jobs housing imbalance does not provide a sustainable economy for providing urban services and has repercussions on providing cost-effective urban services.

The Metro Region 2040 Growth Concept Map designates land use for future urban growth areas. The following table summarizes the acreage, planned land use designation, applicable planned densities, and the year the land was brought into the UGB.

Table VIII -1 - Summary of UGB Additions 2002-2004

UGB Addition	Year	Acres	2040 Land Use Type	Planned Density*
Area 59	2002	85	Outer Neighborhood	7.3 to 10 units per acre
Area 54-55	2002	235	Inner Neighborhood	9.6 to 10 units per acre
99W Areas	2002	23	Employment/Industrial	N/A
Area 48	2004	354	Industrial	N/A

*Metro Code 3.07.170 describes the design type as persons per acre versus units per acre. This metric is converted to planned density for comparison purposes.

As the above table illustrates, the design types provide a range of net densities within developable areas. The Metro Housing Rule (OAR 600-007-035) requires Sherwood to plan for six (6) units per acre. The maximum density of ten (10) units per acre is a requirement under Title 11 of the Metro Functional Plan where the minimum density threshold is set by the design type in the 2040 Growth Concept Map. Concept plans for UGB additions will need to account for these minimum and maximum ranges. For the purposes of concept planning UGB additions, 25 percent of each subject area is netted from the gross density calculation to plan for public facilities, including streets, utilities, stormwater retention, and dedicated open space. Dedicated parks and civic uses are not counted towards a density calculation.

Table VIII – 2: Concept Plan Summary by Area

Land Use	Acres	Planned Density
AREA 59		
Single-family detached	19	5 – 8 units per acre
Single-family attached	5	8 – 10 units per acre
Live-Work / Neighborhood Commercial	3	8-10 units per acre
Civic/Institutional Public	29	
Open Space (Goal 5)	12.5	
Neighborhood Park	3.5	
Streets (right-of-way)	12	
Area 54-55 – Brookman		
Commercial –retail	2.07	
Employment – Office	13.32	
Employment – Industrial	13.32	
Medium Density Residential Low	85.53	5.6-8 units per acre
Medium Density Residential High	10.39	5.5-11 units per acre
High Density Residential	12.07	16.8-24 units per acre
Park (community and neighborhood)	8.25	
Area 48 – Tonquin Industrial	TBD	
<u>Adams Avenue North</u> <u>Concept Plan area</u>		
Light Industrial	34.2	
99W Area (west side of 99W)	TBD	

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D. 3. North Adams Avenue Expansion Area

Background

The Adams Avenue North planning area was brought into the Sherwood Urban Growth Boundary (UGB) in 2002 to allow construction of a collector street and alternative route between Highway 99W and Tualatin-Sherwood Road. Although not the primary purpose for expanding the UGB, approximately 33 acres of land owned by Portland General Electric (PGE) became available for urban development. However, much of this property is encumbered by a large electrical substation and high voltage transmission lines and tall transmission line towers. Much of the PGE infrastructure was constructed in the mid twentieth century prior to the development boom in Sherwood that took place in the 1990s and 2000s. After future study through the concept planning process it has been determined that only 6 of the 33 acres is available for urban development after Adams Avenue is constructed. However, there is approximately 20 acres of contiguous undeveloped land that is within the City limits zoned Light Industrial that will benefit from access to Adams Avenue. Of this 20 acres, approximately 9 acres is unencumbered by transmission lines and towers. These undeveloped areas already inside the city limits were included within the Concept Plan so the undeveloped area could be planned as a whole.

Public Involvement

The City established a stakeholder involvement group and held three meetings with this group to solicit input. The City also completed a public open house to receive input from the general public. From the stakeholder involvement group and input from the planning commission, the following project goals and objectives were identified:

Project Goal

The Adams Avenue extension is intended to give local traffic an alternative connection between 99W and downtown Sherwood and reduce reliance on the 99W/Tualatin-Sherwood intersection. The road will provide secondary access to developed property between Tualatin-Sherwood Road and 99W and provide access for undeveloped land added to the Sherwood urban growth boundary in 2002.

Project Objectives

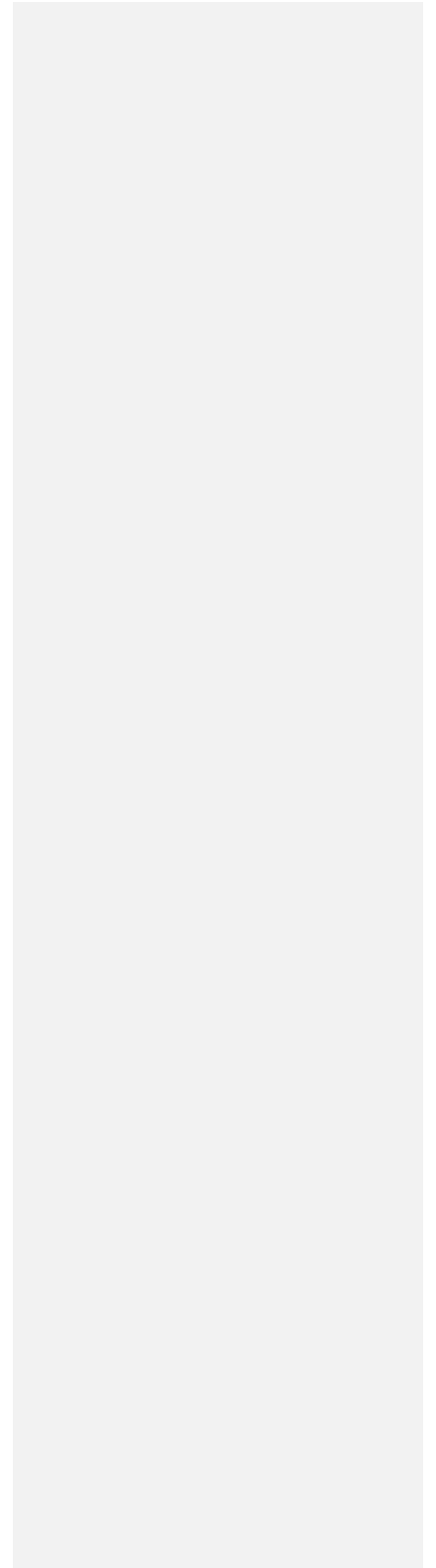
The concept plan should consider the following:

- 1) Gateways
The area will act as an entrance to Sherwood and eventually a major route to downtown. The area has the potential to act as a gateway for the community.
- 2) Access
Access within the study area and to neighboring developments should be addressed.
- 3) Zoning and Compatibility
Development should be compatible with surrounding development.

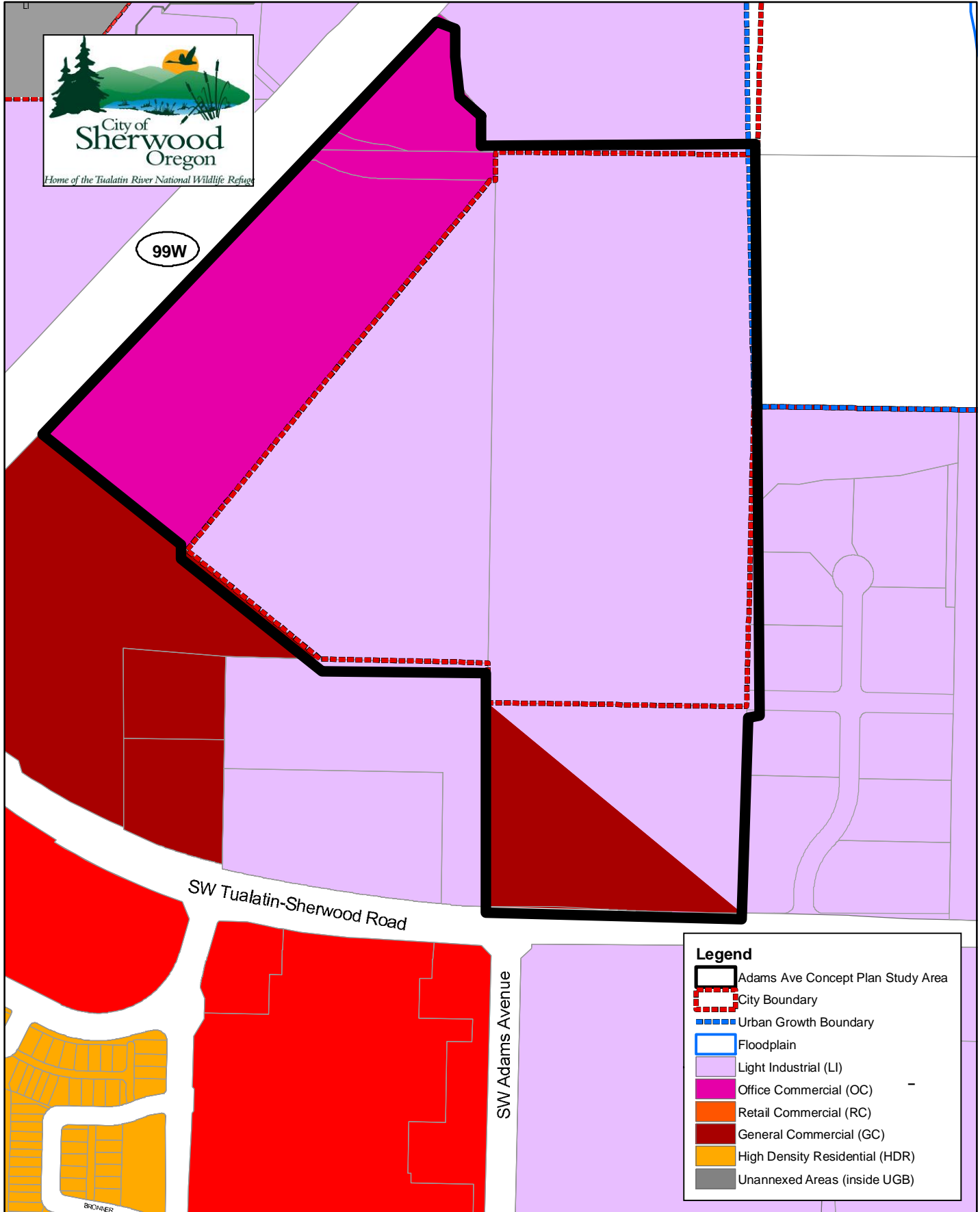
Land Use

Through the opportunities and constraints process four development sites were identified. The stakeholder involvement group reviewed three alternatives for development of these sites. The group consensus was a combination of elements from these alternatives. This included zoning the central parcel Lighting Industrial, the northern parcel General Commercial or Office Commercial and the southern parcel as General Commercial. The power line easements were proposed to be used for parking and a dog park as uses that are potentially allowed by both Portland General Electric (PGE) and Bonneville Power Administration (BPA).

The following map illustrates the adopted concept plan for the North Adams Avenue Area.



Adams Ave Concept Plan Zoning



16.22 - OFFICE COMMERCIAL

16.22.010 Purpose

The OC zoning district provides areas for business and professional offices and related uses in locations where they can be closely associated with residential areas and adequate major streets. (Ord. 90-921 § 1)

16.22.020 Permitted Uses

The following uses are permitted outright, provided such uses meet the applicable environmental performance standards contained in Division VIII:

- A. Offices, studios or clinics of architects, artists, attorneys, dentists, engineers, physicians, or other similar professional services, excepting veterinarians.
 - B. Offices of educational, financial, governmental, non-profit, real estate, research, or other similar service organizations whose activities are such that few visitors, other than employees, have reason to come to the premises.
 - C. Restaurants, taverns and lounges ([except as limited in 16.22.060](#)).
 - D. Other similar office uses, subject to Chapter 16.88.
 - E. PUDs, subject to Chapter 16.40.
 - F. Temporary uses, including but not limited to portable construction and real estate sales offices, subject to Chapter 16.86.
 - G. Multi-family housing within a Planned Unit Development (PUD) subject to the provisions of Section 16.20.040 High Density Residential (HDR) Dimensional Standards. ([except as limited in 16.22.060](#))
- (Ord. 90-921 § 1)

16.22.030 Conditional Uses

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

- A. Hotels and motels.
 - B. Apartments when located on the upper floors, in the rear of, or otherwise clearly secondary to a commercial building.
 - C. Uses permitted outright in the RC zone, pursuant to Chapter 16.28 [and as limited in 16.22.060](#).
 - D. [Public recreational facilities including parks, trails, playfields and sports and racquet courts on publicly owned property or under power line easements.](#)
- (Ord. 90-921 § 1)

16.22.040 Prohibited Uses

The following uses are expressly prohibited:

- A. Adult entertainment businesses.
- (Ord. 90-921 § 1)

16.22.050 Dimensional Standards

No lot area, setback, yard, landscaped area, open space, off-street parking or loading area, or other site dimension or requirement, existing on, or after, the effective date of this Code shall be

reduced below the minimum required by this Code. Nor shall the conveyance of any portion of a lot, for other than a public use or right-of-way, leave a lot or structure on the remainder of said lot with less than minimum Code dimensions, area, setbacks or other requirements, except as permitted by Chapter 16.84.

A. Lot Dimensions

Except as otherwise provided, required minimum lot areas and dimensions shall be:

1.	Lot area:	10,000 square feet
2.	Lot width at property line:	60 feet
3.	Lot width at building line:	60 feet

B. Setbacks

Except as otherwise provided, required minimum setbacks shall be:

1.	Front yard:	None
2.	Side yards:	None, except ten (10) feet when abutting a residential zone or public park.
3.	Rear yard:	one, except twenty (20) feet when abutting a residential zone or public park.

4. Existing residential uses shall maintain minimum setbacks specified in Section 16.20.040. (Ord. 90-921 § 1)

C. Height

Except as otherwise provided the maximum height of structures shall be two (2) stories or thirty (30) feet, whichever is less. Chimneys, solar and wind energy devices, radio and TV aerials, and similar structures attached to residential dwellings and accessory buildings, may exceed this height limitation by up to twenty (20) feet. (Ord. 91-922 § 3; 90-921)

[16.22.060 Special Criteria](#)

[Within the Adams Avenue Concept Plan study area as identified in Ordinance 2009-00X the following additional standards apply:](#)

[A. Retail uses and restaurants, taverns and lounges are limited to no more than 10% of the square footage of each development proposed. Drive-through restaurants are prohibited.](#)

[B. Only non-residential uses are permitted on the ground floor.](#)

[16.22.070 Community Design](#)

For standards relating to off-street parking and loading, energy conservation, historic resources, environmental resources, landscaping, access and egress, signs, parks and open space, on-site storage, and design, see Divisions V, VIII and IX. (Ord. 91-922 § 3; 90-921)

Deleted: 6

16.22.080 Flood Plain

Except as otherwise provided, Section 16.134.020 shall apply.
(Ord. 2000-1092 § 3; 90-921)

16.32 - LIGHT INDUSTRIAL

16.32.010 Purpose

The LI zoning district provides for the manufacturing, processing, assembling, packaging and treatment of products which have been previously prepared from raw materials. Industrial establishments shall not have objectionable external features and shall feature well-landscaped sites and attractive architectural design, as determined by the Commission.
(Ord. 93-964 § 3; 86-851)

16.32.020 Permitted Uses

The following uses are permitted outright, provided such uses meet the applicable environmental performance standards contained in Division VIII. Incidental retail sales, limited to 10% of the total floor area of a business, may be permitted as a secondary function of a permitted or conditional use, subject to the review and approval of the Hearing Authority.
(Ord. 2001-1119 § 1; 93-964)

- A. Contractor's offices and other offices associated with a use permitted in the LI zone.
- B. Public and private utilities, including but not limited to telephone exchanges, electric substations, data centers, gas regulator stations, sewage treatment plants, water wells and public work yards.
- C. Glass installation and sales.
- D. Laboratories for testing and medical, dental, photographic, or motion picture processing, except as prohibited by Section 16.32.040(E).
- E. Industrial hand tool and supply sales primarily wholesaled to other industrial firms or industrial workers.
- F. Other similar light industrial uses subject to Chapter 16.88.
- G. Dwelling unit for one (1) security person employed on the premises, and their immediate family.
- H. PUDs, new and existing, subject to the provisions of Chapter 16.40. New PUDs may mix uses which are permitted within the boundaries of the PUD. Approved PUDs may elect to establish uses which are permitted or conditionally permitted under the base zone text applicable at the time of final approval of the PUD.
(Ord. 98-1051 § 1; 86-851)
- I. Temporary uses, including but not limited to construction and real estate sales offices, subject to Chapter 16.86.
- J. Wireless communication antennas co-located on an existing tower or on an existing building or structure not exceeding the roof of the structure provided the applicant can demonstrate to the satisfaction of the City that the location of the antenna on City-owned property would be unfeasible.
(Ord. 97-1019 § 1)
- K. Business and professional office.
- L. Tool and equipment rental.

Deleted: 7

- M. Blueprinting, printing, publishing, or other reproduction services.
 - N. Farm and garden supply stores and retail plant nurseries, but excluding wholesale plant nurseries, and commercial farm equipment and vehicle sales which are prohibited.
 - O. Medical, dental and similar laboratories.
 - P. Manufacture, compounding, processing, assembling, packaging, treatment, fabrication, wholesaling, warehousing or storage of the following articles or products:
 - 1. Food products, including but not limited to candy, dairy products, beverages, coffee, canned goods and baked goods, and meat and poultry, except as prohibited by Section 16.32.040.
 - 2. Appliances, including but not limited to refrigerators, freezers, washing machines, dryers, small electronic motors and generators, heating and cooling equipment, lawn mowers, rototillers, and chain saws, vending machines, and similar products and associated small parts.
 - 3. Cosmetics, drugs, pharmaceuticals, toiletries, chemicals and similar products, except as prohibited by Section 16.32.040.
 - 4. Electrical, radio, television, optical, scientific, hearing aids, electronic, computer, communications and similar instruments, components, appliances and systems, and similar products and associated small parts.
 - 5. Building components and household fixtures, including but not limited to furniture, cabinets, and upholstery, ladders, mattresses, doors and windows, signs and display structures, and similar products and associated small parts.
 - 6. Recreational vehicles and equipment, including but not limited to bicycles, recreational watercraft, exercise equipment, and similar products and associated small parts, but excluding motorized equipment unless otherwise permitted by Section 16.32.020 or 16.32.030.
 - 7. Musical instruments, toys and novelties.
 - 8. Pottery and ceramics, limited to products using previously pulverized clay.
 - 9. Textiles and fiber products.
 - 10. Other small products and tools manufactured from previously prepared or semi-finished materials, including but not limited to bone, fur, leather, feathers, textiles, plastics, glass, wood products, metals, tobacco, rubber, and precious or semi-precious stones.
- (Ord. 2002-1136 § 3; 2001-1119; 98-1051; 93-964; 91-922; 86-851)

16.32.030 Conditional Uses

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

- A. Laundry, dry cleaning, dyeing or rug cleaning plants.
- B. Light metal fabrication, machining, welding and electroplating and casting or molding of semi-finished or finished metals.
- C. Offices associated with a use conditionally permitted in the LI zone.
- D. Sawmills.
- E. Radio, television and similar communication stations, including transmitters and wireless communication towers, except for towers located within 1,000 feet of the Old Town District which are prohibited.
- F. Restaurants without drive-thru.
- G. Hospitals and emergency care facilities.
- H. Automotive, recreational vehicle, motorcycle, truck, manufactured home, boat, farm and other equipment repair or service.

- I. Commercial trade schools.
- J. Wholesale building material sales, lumberyards, contractors storage and equipment yards, building maintenance services, and similar uses.
- K. Retail uses for warehousing or manufacturing operations, limited to 10% of the total floor area and not to exceed 60,000 square feet of gross leaseable area per building or business. The retail area shall be physically separated by a wall or other barrier from the manufacturing or warehousing operation. Warehousing and storage areas shall not be used as showrooms.
(Ord. 2000-1092 § 3)
- L. Power generation plants and associated facilities.
- M. Veterinarians offices and animal hospitals.
- N. Automobile, boat, trailer and recreational vehicle storage.
(Ord. 93-964 § 3)
- O. Daycares and pre-schools, if fully integrated with and secondary to a use elsewhere permitted in Section 16.32.020 or 16.32.030.
- P. Government facilities, including police, fire and vehicle testing stations.
- Q. [Public recreational facilities including parks, playfields and sports and racquet courts on publicly owned property or under power line easements.](#)
(Ord. 2002-1136 § 3; 2001-1119; 98-1051; 93-964)

16.32.040 Prohibited Uses

The following uses are expressly prohibited:

- A. Adult entertainment businesses.
(Ord. 86-851 § 3)
- B. Any use permitted or conditionally permitted under this Chapter that is not specifically listed in this Section, and any use listed in this Section.
- C. Auto wrecking and junk or salvage yards.
- D. Distillation of oil, coal, wood or tar compounds and the creosote treatment of any products.
- E. Manufacture, compounding, processing, assembling, packaging, treatment, fabrication, wholesale, warehousing, or storage of the following products or substances, except for any incidental business, service, process, storage, or display that is essential to and customarily associated, in the City's determination, with any otherwise permitted or conditionally permitted use:
 - 1. Abrasives, acids, disinfectants, dyes and paints, bleaching powder and soaps and similar products.
 - 2. Ammonia, chlorine, sodium compounds, toxins, and similar chemicals.
 - 3. Celluloid or pyroxylin.
 - 4. Cement, lime, gypsum, plaster of Paris, clay, creosote, coal and coke, tar and tar-based roofing and waterproofing materials and similar substances.
 - 5. Explosives and radioactive materials.
 - 6. Fertilizer, herbicides and insect poison.
 - 7. Other similar products or compounds which are determined to be detrimental to the health, safety and welfare of the community.
- F. Metal rolling and extraction mills, forge plants, smelters and blast furnaces.
- G. Pulp mills and paper mills.
- H. Slaughter of livestock or poultry, the manufacture of animal by-products or fat rendering.
- I. Leather tanneries.

- J. General purpose solid waste landfills, incinerators, and other solid waste facilities.
(Ord. 93-964 § 3)
- K. Restaurants with drive-thru facilities.
- L. Retail trade, except as permitted by Section 16.32.020 above.
(Ord. 2001-1119 § 1)

