

October 6, 2015

APPLICANT'S STATEMENT

APPLICANT/OWNER: Joe Broadhurst
28440 SW Ladd Hill Road
Sherwood, OR 97140

**APPLICANT'S
REPRESENTATIVE:** Danelle Isenhardt, AICP
Isenhardt Consulting, LLC
P.O. Box 2364
Beaverton, Oregon 97075

REQUEST: Zone Change from GC to MDRL

**SITE LEGAL
DESCRIPTION:** Tax Lots 8000, 8100, and 8200; Tax Map 2S1 31AB
Tax Lot 8200; Tax Map 2S1 31BA
Sherwood, Oregon

ADDRESS: Vacant property at corner of SW Parkway Court and SW
Meinecke Parkway

SIZE: +/- 1.0 acre

LAND- USE DISTRICT: GC

I. APPLICABLE REGULATIONS

- A. City of Sherwood Comprehensive Plan II
 - Chapter 2 Planning Process
 - Chapter 3 Growth Management
 - Chapter 4 Land Use
 - Chapter 5 Environmental Resources
 - Chapter 7 Community Facilities and Services

- B. City of Sherwood Municipal Code Title 16: Zoning and Community Development Code
 - Chapter 16.70 General Provisions
 - Chapter 16.80 Plan Amendments
 - Chapter 16.106 Transportation Facilities

- C. Metro Urban Growth Management Functional Plan
 - Title 1 Housing Capacity
 - Title 2 Water Quality and Flood Management

- D. Statewide Planning Goals
 - Goal 1 Citizen Involvement
 - Goal 2 Land Use Planning
 - Goal 3 Agricultural Lands
 - Goal 4 Forest Lands
 - Goal 5 Open Space, Scenic and Historic Ares, and Natural Resources
 - Goal 6 Air, Water and Land Resources Quality
 - Goal 7 Areas Subject to Natural Disasters and Hazards
 - Goal 8 Recreational Needs
 - Goal 9 Economic Development
 - Goal 10 Housing
 - Goal 11 Public Facilities and Services
 - Goal 12 Transportation
 - Goal 13 Energy Conservation
 - Goal 14 Urbanization

II. BACKGROUND:

The applicant is requesting a comprehensive plan map amendment and zone change for the subject site located at 2S1 31AB, Tax Lots 8000, 8100 and 8200 and 2S1 31BA, Tax Lot 8200 from General Commercial to Medium Density Residential Low (MDRL). This application is for the comprehensive plan amendment and zone change. A separate application will be submitted for a single-family subdivision and associated improvements. Sherwood zoning and community development code, Comprehensive Plan, Metro plans, transportation planning rule and the Oregon Statewide Planning Goals are addressed within this narrative. As a Type V process, this application will include a public hearing before the Planning Commission. As required by Sherwood code, this review includes a public notice and neighborhood meeting, which was held on June 4, 2105. A copy of the noticing and meeting materials are included with this narrative under Exhibit 8.

Comprehensive Plan and Zoning Map Amendment

The site is currently designated Commercial on the City's Comprehensive Plan and is zone for commercial development. The applicant is proposing to redesignate and rezone the site for residential development. The applicant has examined the needs of the community and has determined the need for additional residential zoning to meet the community's needs. A detailed analysis has been prepared in support of this application request and is attached as Exhibit 3.

Surrounding Uses

To the north of the site is Highway 99W and across from the highway properties are zoned commercial. To the east the properties are commercial and residential. To the south and west the properties are residential.

III. FINDINGS

A. CITY OF SHERWOOD COMPREHENSIVE PLAN II

The applicable Sherwood Comprehensive Plan Policies and Goals are set forth below along with findings in support of the Comprehensive Plan Map Amendment – Zone Change.

CHAPTER 2 – PLANNING PROCESS

COMMENT:

Chapter 2 of the Sherwood Comprehensive Plan highlights citizen involvement, agency involvement, the plan development process, plan interpretation and plan amendments. As previously stated, a neighborhood meeting was completed for this application on June 4, 2015. Service providers from agencies outside of Sherwood have been contacted regarding this proposal. The Sherwood City Council will have final decision-making authority in this Comprehensive Plan Map Amendment and Zone Change.

CHAPTER 3 – GROWTH MANAGEMENT

Policy 1 – The City will periodically review and propose to Metro appropriate revisions to the Urban Growth Boundary (UGB) in conformance with the Metro 2040 Growth Concept Plan and the need to accommodate urban growth to the year 2017.

COMMENT:

This application does not propose any changes to the UGB. The proposed Comprehensive Plan Map Amendment and Zone Change from commercial to residential are in conformance with the Metro 2040 Growth Concept Plan.

CHAPTER 4 – LAND USE

E. Residential Land Use

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

COMMENT:

The proposed Comprehensive Plan Map Amendment and Zone Change would enable the site to be developed at a density that will take advantage of existing infrastructure and other amenities, addressing one of the strategies related to this policy and addressing the City's need to provide residential development as detailed in Exhibit 3.

The immediate community adjacent to this proposed rezone is single-family detached homes priced in the \$300,000s. This property shares a cul-de-sac, SW Parkway Court, with those homes. The broader community in this corridor of Sherwood is residential with a high volume of pedestrian, bike, skateboard, stroller and runner traffic. The improvements to 99W that this property will provide would enhance this pedestrian connectivity with public safety. With the new housing development in this cul-de-sac, street parking was allowed on that side. This results in narrowing the access to SW Parkway Court. This area would benefit from no commercial traffic impact from this property. There is Class A office space across 99W that has been vacant for years. This property was marketed for professional medical and dental buildings, but due to poor access, limited shared parking and high cost of 99W improvements, these uses as well as other small business or office use was deemed infeasible. Across SW Meinecke, there is commercial land available and also developed commercial. Lately, the main interest in this property has been for a bar (like across the street) or marijuana dispensary. This property's use was recently switched to light industrial zone from general commercial. These uses are not compatible with the residential nature of the cul-de-sac. The best use of this land would be to redevelop this site and rezone it to residential. The street and sidewalk improvements on SW Meinecke have already been built by this property and oversized utilities installed. The additional 600 feet of highway frontage can be feasible with a residential development due to the higher residential land value presenting a viable path for this one acre property to absorb the disproportionate costs of development compared to other properties.

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

COMMENT:

To the south and east of the site includes single-family homes on lots 5,000 to 7,000 square feet. The Comprehensive Plan Map Amendment and Zone Change would provide another housing option for existing and future residents of Sherwood while increasing density in meeting the stated goal of maintaining a minimum overall density of six dwelling units per acre. As noted above, this request will provide the City the opportunity to provide additional housing land. The proposed development will allow for single-family detached dwellings.

This proposed rezone to MDRL while maintaining large lot sizes promotes the availability of a variety of housing styles unavailable elsewhere in Sherwood. The three 10,000 square foot existing lots already have oversized utilities which can accommodate duplexes with two car garages or single family homes with accessory dwellings and building packages to accommodate single story ranch style homes. Due to driveway access restrictions of three off of a street, the irregular shape and easements, the three 10,000 square foot lots will remain. The other 21,000 square foot lot could be partitioned into either 2 duplex lots, a duplex and single family detached lot, or three single family lots. Recent new homes are being built on this cul-de-sac and sold promptly, evidencing this location as desirable residential land of comparable property values to the neighborhood. At least one new home

has become a rental, and tenure availability would be encouraged with duplexes or accessory dwelling units which could be rented.

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

COMMENT:

Taking into account the characteristics of Sherwood, with higher income levels and demand for Sherwood's amenities, these large lots in a desirable close-in location would be able to serve a broad scope of demographic trends. Adding infill lots like these to the residential inventory that are available for immediate development keeps supply and demand more steady and affordable.

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

COMMENT:

This proposed rezone provides housing opportunities for the elderly with either Accessory Dwelling Units for caretakers, extended families or additional rental income. Single story ranch style building styles could be built. If duplexes, there would be more affordable rental opportunities to downsize. The close-in location would benefit any special needs and children who would be near schools.

Policy 5- The City shall encourage government assisted housing for low to moderate incomes.

COMMENT:

Government assisted housing can occur in any residential zoning.

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

COMMENT:

This rezone to MDRL makes the best use of the purpose and standards of that zoning by providing the greatest variety and unique diversity of housing unavailable elsewhere in Sherwood.

I. Commercial Land Use

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

COMMENT:

There is no direct access to the subject site off Highway 99 or left turn in from SW Meinecke; therefore, service is not convenient to customers from this location. Having to cross over Highway 99 and back again to reach this property from Sherwood is highly undesirable for any commercial activity or center even though it is near major roadways.

Commercial activity is not compatible with the close proximity and shared cul-de-sac of the existing residential neighborhood, and it would strain public safety and parking. This property is irregular in shape and has challenging commercial building issues with limiting easements and setbacks.

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

COMMENT:

The adjoining uses are single-family detached homes. The commercial zoning could negatively impact this residential use with increased traffic and safety risks while MDRL zoning would enhance the livability of the neighborhood.

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

COMMENT:

Since this property is no longer directly accessible from Highway 99W and there is no left turn from SW Meinecke the site is no longer an appropriate location for commercial development. The residential rezone to HDR from General Commercial of the property located diagonally across the highway from this proposed rezone has altered the demographics of this area. The 55-acre Langer PUD has shifted commercial development to Tualatin Sherwood Road. Urban Renewal land has become a more defining factor in identifying appropriate commercial locations with the Old Town overlay and the rezone of the Urban Renewal land of Driftwood Mobile Park from residential to commercial. The recently annexed light industrial zoned land on SW 124th will also provide a strong job base and retail opportunities within the industrial zoning.

Again, this intersection is not suitable for commercial due to irregular shape, bad access, parking limitations and cost of improvements. These factors would not inhibit residential development and would be a better use of the land. A goal of this policy is the creation or expansion of general commercial zone will not create undo congestion or produce substantial conflict with the established land use pattern. General commercial is for large commercial uses and wholesale which is not appropriate in residential neighborhoods.

CHAPTER 5 – ENVIRONMENTAL RESOURCES

A. ENVIRONMENTAL RESOURCES POLICY GOALS

Planning Goals: Energy Resources

Policy 4 – Encourage energy efficiency in the design and use of sites, structures, transportation systems and utilities.

COMMENT:

The Comprehensive Plan Map Amendment and Zone Change would allow the site to be designed and developed in way to maximize energy efficiency in the use of the site, structures, transportation systems and utilities.

B. NATURAL RESOURCES AND HAZARDS

Policy 1 – Flood plain shall be prohibited from development in order to reduce the risk of flooding, prevent or reduce risk of human life and property, and maintain functions and values of floodplains such as allowing for the storage and conveyance of stream flows through existing and natural flood conveyance systems.

COMMENT:

The site is not within a flood plain. There is no creek/stream running through or near the site.

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

COMMENT:

This application is for the Comprehensive Plan Map Amendment and Zone Change only. A subsequent application will be submitted for a partition or subdivision on this site. At partition/subdivision submittal time, the proposal will provide drainage facilities and regulate development in areas of runoff or erosion hazard to meet the standards of Sherwood, Clean Water Services and Metro. That being said, there is a storm water facility on the site and was developed and built with commercial development (greater impervious area) in mind. This facility has also been sized to take care of the storm water from the future improvements along the site frontage of Highway 99.

C. ENVIRONMENTAL QUALITY

Policy 1 – Water quality will be protected from erosion and other forms of degradation.

COMMENT:

The proposed Comprehensive Plan Amendment and Zone Change and subsequent partition/subdivision will protect the water quality facility already constructed through erosion control measures throughout construction of the site.

Policy 2 – Air quality will be protected from significant degradation.

COMMENT:

The proposed development will protect air quality by utilizing the site in an efficient manner.

Policy 3 – Noise sources will be shielded from residential neighborhoods.

COMMENT:

This application will not result in any additional noise sources that would necessitate shielding from residential neighborhoods. The proposal will be to develop the site with single-family owner-occupied residences consistent with the existing surrounding development.

D. RECREATIONAL RESOURCES

Policy 4 – The City will encourage and support the private sector in the provision of needed recreational opportunities.

COMMENT:

The subsequent partition/subdivision will provide sidewalks were still required which will provide access into the existing neighborhood to the existing recreational opportunities (i.e. schools and parks).

E. ENERGY RESOURCES

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

COMMENT:

The Comprehensive Plan Map Amendment and Zone Change would allow the site to be designed and developed in a way to maximize energy efficiency in the use of the site, structures, transportation systems and utilities. The subject property is currently surrounded by existing residential developments, is connected to existing roadways and has access to existing utility services. The availability of the existing infrastructure results in resource efficiency and encourages the use of existing systems.

CHAPTER 7 – COMMUNITY FACILITIES AND SERVICES

COMMENT:

The applicant will support and adhere to all City of Sherwood requirements relating to facilities and services.

B. CITY OF SHERWOOD MUNICIPAL CODE TITLE 16: ZONING AND COMMUNITY DEVELOPMENT CODE

CHAPTER 16.70: GENERAL PROVISIONS

SECTION 16.70.010 Pre-Application Conference.

Pre-application conferences are encouraged and shall be scheduled to provide applicants with the informational and procedural requirements of this Code; to exchange information regarding applicable policies, goals and standards of the Comprehensive Plan; to provide technical and design assistance; and to identify opportunities and constraints for a proposed land use action. An applicant may apply at one time for all permits or zone changes needed for a development project as determined in the pre-application conference.

COMMENT:

A pre-application conference was conducted on May 11, 2015 for this Comprehensive Plan Map Amendment – Zone Change. A copy of the pre-application notes is include with this submittal package as Exhibit 7.

SECTION 16.70.020 Neighborhood Meeting.

- A. The purpose of the neighborhood meeting is to solicit input and exchange information about the proposed development.**
- B. Applicants of Type III, IV and V applications are required to hold a meeting, at a public location for adjacent property owners and recognized neighborhood organizations that are within 1,000 feet of the subject application, prior to submitting their application to the City. Affidavits of mailing, sign-in sheets and a summary of the meeting notes must be included with the application when submitted. Applicants for Type II land use action are encouraged, but not required to hold a neighborhood meeting.**
 - 1. Projects requiring a neighborhood meeting in which the City or Urban Renewal District is the property owner or applicant shall also provide published and posted notice of the neighborhood meeting consistent with the notice requirements in 16.72.020.**

COMMENT:

A neighborhood meeting for this Comprehensive Plan Map Amendment and Zone Change was conducted on June 4, 2015 at the Sherwood Senior Center. Notice was sent via mail to property owners and recognized neighborhood organizations within 1,000 feet of the site. Copies of the affidavit of mailing, sign-in sheet and meeting summary are include with this application in Exhibit 8.

SECTION 16.70.030 Application Requirements.

- A. Form**

Any request for a land use action shall be made on forms prescribed and provided by the City and shall be prepared and submitted in compliance with this Code. A land use application shall be reviewed against the standards and criteria effective at the time of application submittal. Original signatures from all owners or their legal representative must be on the application form.
- B. Copies**

To assist in determining the compliance of proposed land use actions with the Comprehensive Plan and provisions of this Code, applicants shall submit one (1) complete electronic copy of the full application packet, one reduced (8½ × 11) copy of the full application packet and the required number of hard copies as outlined on the applicable forms prescribed and provided by the City.
- C. Content**
 - 1. In addition to the required application form, all applications for Type II-V land use approval must include the following:**
 - a. Appropriate fee(s) for the requested land use action required based on the City of Sherwood Fee Schedule.**
 - b. Documentation of neighborhood meeting per 16.70.020.**

- c. **Tax Map showing property within at least 300 feet with scale (1" = 100' or 1" = 200') north point, date and legend.**
- d. **Two (2) sets of mailing labels for property owners of record within 1,000 feet of the subject site, including a map of the area showing the properties to receive notice and a list of the property owners, addresses and tax lots. Ownership records shall be based on the most current available information from the Tax Assessor's office.**
- e. **Vicinity Map showing a minimum radius of 500 feet around the property and the closest intersection of two Principal Arterial, Arterial, Collector or Neighborhood roads.**
- f. **A narrative explaining the proposal in detail and a response to the Required Findings for Land Use Review for the land use approval(s) being sought.**
- g. **Two (2) copies of a current preliminary title report.**
- h. **Existing conditions plan drawn to scale showing: property lines and dimensions, existing structures and other improvements such as streets and utilities, existing vegetation, any floodplains or wetlands and any easements on the property.**
- i. **Proposed development plans sufficient for the Hearing Authority to determine compliance with the applicable standards. Checklists shall be provided by the City detailing information typically needed to adequately review specific land use actions.**
- j. **A trip analysis verifying compliance with the Capacity Allocation Program, if required per 16.108.070.**
- k. **A traffic study, if required by other sections of this code,**
- l. **Other special studies or reports that may be identified by the City Manager or his or her designee to address unique issues identified in the pre-application meeting or during project review including but not limited to:**
 - 1) **Wetland assessment and delineation**
 - 2) **Geotechnical report**
 - 3) **Traffic study**
 - 4) **Verification of compliance with other agency standards such as CWS, DSL, Army Corps of Engineers, ODOT, PGE, BPA, Washington County.**
- m. **Plan sets must have:**
 - 1) **The proposed name of the development. If a proposed project name is the same as or similar to other existing projects in the City of Sherwood, the applicant may be required to modify the project name.**
 - 2) **The name, address and phone of the owner, developer, applicant and plan producer.**
 - 3) **North arrow,**
 - 4) **Legend,**
 - 5) **Date plans were prepared and date of any revisions**
 - 6) **Scale clearly shown. Other than architectural elevations, all plans must be drawn to an engineer scale.**
 - 7) **All dimensions clearly shown.**

- 2. Exemptions can be made when items in 16.70.030.C.1 are not necessary in order to make a land use decision, such as for text amendments to the development code. Additional written documentation may be necessary to adequately demonstrate compliance with the criteria.**

COMMENT:

All applicable materials have been submitted with this application for a Comprehensive Plan Map Amendment and Zone Change.

CHAPTER 16.80: PLAN AMENDMENTS

SECTION 16.80.010 Initiation of Amendments.

An amendment to the City Zoning Map, the text of the Comprehensive Plan, or the text of the Zoning and Community Development Code may be initiated by the Council, Commission, or an owner of property within the City.

COMMENT:

The Comprehensive Plan Map Amendment and Zone Change is being initiated by the property owner within the City of Sherwood.

SECTION 16.80.030 Review Criteria.

C. Map Amendment

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

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

COMMENT:

The Comprehensive Map Amendment application proposes to change the zoning of the subject property from General Commercial (GC) to Medium Density Residential Low (MDRL). This narrative will address the requirements of the Sherwood Comprehensive Plan, the Transportation System Plan and the zoning and development code. This proposal complies with Goal 10 policies governing planning for housing and residential land, Metropolitan Housing Rule OAR660-007, and Metro's 2040 Functional Growth Management Plan. This rezone meets the requirement and primary obligation of Goal 10 by providing a land designation to this property which allows for single family attached housing.

- 2. There is an existing and demonstrable need for the particular uses and zoning proposed, taking into account the importance of such uses to the economy of the City, the existing market demand for any goods or services which such uses will provide, the presence or absence and**

location of other such uses or similar uses in the area, and the general public good.

COMMENT:

There is an existing and demonstrable need for MDRL zoning. At best, "compared to demand, Sherwood has a small surplus of residential land." This includes the Brookman annexation and Sherwood West, which is not for certain and years away, and redevelopable land. The 20-year projected need for housing supply in Sherwood is 1,156 homes, with a projected supply of 1,281 counting land within the City (606) and the Brookman annexation area (550). This forecast of growth is below historical rates for Sherwood which had a growth of 3.4% for 2000 – 2013 and 8% from 1990 – 2013. If Sherwood grows faster than the 1% per year forecast of Metro for 2015 – 2035, which has been the trend, Sherwood won't have sufficient land to accommodate growth. If the 80% ownership/20% tenure historical pattern in Sherwood continues, there will be a faster depletion of supply and home prices will escalate due to scarcity. At this rate, Sherwood will need 79 acres of MDRL instead of 60 acres, and 4 acres developed annually instead of 3 acres.

The known 14 acres of MDRL currently in the City represents 8% and 88 units and can last until 2018-19. Sherwood will face a deficit of MDRL within 4 years and again during planning period of Brookman. However, there is an immediate need for MDRL zoned land with services available now. The existing 14 acres of MDRL zoned land is in small pieces throughout Sherwood. A majority of these properties have a single-family dwelling and outbuildings with access to roads and services (utilities). None of these properties are currently in process for development. Many of these property owners have been approached by developers and the owners have no desire to sell. It is unknown when or if these properties will ever develop to their full MDRL potential.

Sherwood population is rapidly growing and slowly aging. Sherwood annual growth rate is 8% while Washington County is 2.5% and Portland 1.6%. The fastest growing age group in Sherwood from 2000-2010 was 45 +. By 2035, 60+ will account for 24% of Washington County. Aging population results in increased demand for seniors and their particular needs. Whether downsizing or remaining in their homes as long as possible, seniors prefer to remain in the same town. The proposed rezone could address that demand through single family homes with accessory dwelling units for caretakers, extended family or additional rental income. These lots could accommodate single story ranch style homes or duplexes with lower rent than home ownership.

In 2010, the median age in Sherwood was 34 years. Sherwood has a larger share of households with children at 47%, compared to Washington County at 33% and Portland at 29%. For a younger more diversified household, there will be a need for a moderate price for home ownership and rental opportunities. The proposed rezone would provide a variety of choices for a wide range of millennial households including traditional families, never marrieds, dinks or double incomes, and empty nesters that include affordable ownership and rental scenarios.

"Income is the key to determinant of housing choice" and Sherwood households have a relatively high income. At \$78,400 Sherwood is 20% higher than Washington County at \$64,200. 75% of housing stock is single family detached with 75% ownership. 8% is single family attached townhouses or duplexes. Housing affordability will depend on the relationship between income and housing prices. 2004 – 2014, house sales prices were up 30% from \$245,000 - \$316,500. This is higher than Washington County at \$281,700, Portland at \$269,000 or Oregon at \$237,000. Sherwood prices were also higher than

Tualatin, Tigard and Beaverton but lower than West Linn and Wilsonville. Rents were also higher in Sherwood at an average of \$1064 compared to \$850 in Washington County.

To ensure the existing supply of a diverse range of housing types, maintain the existing supply of affordable housing and increase opportunities for new affordable housing and households of all incomes, a steady supply of residential land needs to be available. Scarcity will increase prices due to market demand. These proposed rezoned MDRL lots are ready for development and can fill the immediate need for housing now while keeping a balance to supply and demand to maintain affordability without compromising property values.

Also included in housing needs besides shelter, is its proximity to other attractions, amenities, access to public services and quality schools. The close in location of these infill lots and proximity to public services and schools would be highly desirable to residential lots. There is extensive shopping choices and professional services nearby as well as the YMCA. Even though the second largest job growth sector is in the professional/office sector, this land has not been desirable for this use, which is most successful in a business park or larger commercial center with large anchor tenants. Most of the people who live in Sherwood work outside the City and most of those who work in Sherwood do not live here. There is little job potential on this small commercial piece while residential development of this proposed rezone will bring needed improvements to the highway with landscaped corridors, bike lane, and extra pedestrian safety and connectivity adding to the amenities of the area making better and more efficient use of the land resources.

The key findings of the Housing Needs Analysis (See Exhibit 3) were to designate land for single family housing and that Sherwood was meeting its obligation to plan for needed housing types for all incomes. To provide an adequate supply of land, voters will need to take in Brookman and will still need Sherwood West. The proposed rezone would designate this land MDRL allowing for duplexes and other unique housing types for all incomes. Since the annexation of either the Brookman land or Sherwood West is unsure and years away, this proposed annexation is very timely to meet current demands.

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

COMMENT:

This Comprehensive Plan Map Amendment is timely as there is a potential shortage of housing in Sherwood. There is a very limited supply of vacant MDRL properties available within the City's existing boundary. Most undeveloped or vacant commercially zoned property in the City is located primarily along SW Tualatin Sherwood Road, SW Roy Rogers or along Highway 99W. Although the site has frontage along Highway 99W it does not have the benefit of good circulation and connection as other commercial properties in the area. SW Parkway Court is a right-in and right-out movement due to the traffic circle on SW Meinecke Parkway. Originally this property was marketed for commercial development and the storm water facility was constructed to handle the impervious surfaces from commercial development. Due to timing with the construction of the Walmart and other businesses near Walmart this property has become undesirable for commercial development due to location and access.

Public infrastructure is available and utilities are able to be constructed to serve the site as they are already in SW Parkway Court. Traffic impacts from single-family residential development will be less impactful than commercial development on the site.

The proposed rezone of the three 10,000 sq ft lots and one 21,000 sq ft lot (which could be partitioned into three 7,000 sq ft lots), would add a total of 6 buildable lots. The irregular shape and traffic movement restrictions significantly limit the development choices available to this site. Granting this request would promote the connectivity and enhance the living environment of the neighborhood, protecting property values and providing an aesthetically pleasing, functioning environment that preserves the character of the neighborhood.

The MDRL zone includes a variety of housing types currently unavailable in Sherwood and satisfies the need for multi-generational and affordable housing. This could include a duplex or single story with three car garage. These large lots could also accommodate ADU – accessory dwelling units – for caretakers, family members or additional rental income.

This property is located on half of a single-family dwelling residential cul-de-sac. The existing property owners in the neighborhood support this rezone. This property installed the trees and sidewalk improvement on SW Meinecke Parkway for greater neighborhood connectivity and pedestrian and bicycle linkage. When this property is developed, an additional 600 feet of 99W highway improvements are conditioned, including widening, sidewalks, bike path and landscaped visual corridor. This integration of land use and transportation greatly benefits local pedestrian traffic safety while generating less commercial traffic and parking congestion, improving the capacity of the surrounding streets. The existing traffic pattern of no left turn off SW Meinecke Parkway and crossing back over 99W is not practical or functional for this commercial property and isolates it from its neighborhood demographic. It is the main deterrent of commercial development, especially coffee shops and mini markets. The limited shared parking and cost of improvements for such a small site also hinder commercial development.

This property has been professionally marketed by multiple brokerages for over 10 years. Allowing the Langer PUD of 55 acres of Light Industrial Land a General Commercial use directed commercial development and small business/retail to Tualatin Sherwood Road. That property is in the Urban Renewal District which benefits the City. The 10 acre Driftwood mobile home park, also in the Urban Renewal District, was rezoned from residential to General Commercial. The remainder of commercial attraction is the Old Town Urban Renewal District. This property is not in the Urban Renewal District. The Cedar Brook PUD rezoned the property across 99W from General Commercial to HDR. This trend has remade and identified this 99W corridor as residential and more valuable to the community as such.

This use is more compatible with the surrounding houses. New homes are being built within and near this cul-de-sac, demonstrating the desirability of inner community lots close to schools, parks and public transportation, even if near 99W, and consistent with the nature of the given setting.

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

COMMENT:

There is a very limited supply of vacant MDRL properties available within the City’s existing boundary (14 acres). The existing 14 acres of MDRL zoned land is in small pieces throughout Sherwood. A majority of these properties have a single-family dwelling and outbuildings with access to roads and services (utilities). None of these properties are currently in process for development. Many of these property owners have been approached by developers and the owners have no desire to sell. It is unknown when or if these properties will ever develop to their full MDRL potential.

Looking at land currently within the City Limits, the following is the amount of acres available for development in each residential zone.

Table 5. Inventory of suitable buildable residential land, net acres, Sherwood city limits and areas within the UGB, 2014

Zone	Gross Acres	Percent of Total
Land within City Limits		
Very Low Density Residential (VLDR)	24	14%
Very Low Density Residential Planned Unit Development (VLDR-PUD)	1	1%
Low Density Residential (LDR)	22	13%
Medium Density Residential – Low (MDRL)	14	8%
Medium Density Residential – High (HDRL)	21	12%
High Density Residential (HDR)	14	8%

Within the city limits there is more land available in the VLDR, LDR and HDRL zones than in the MDRL zone. The site is not sufficient in size or have adequate access for HDR or for VLDR-PUD zoning. Therefore, the MDRL zone has the greatest need. The subject site is 1 acre and would add to the existing 14 acre inventory and is ready to build on portion of the site and the rest of the site will go through a partition application prior to development. The MDRL zone makes the most sense for this site off the existing cul-de-sac and other properties zoned MDRL.

MDRL is the preferred new zoning designation due to the irregular shape and size of the parcels. Building envelopes are limited by easements and setbacks and driveway access restrictions of 3 off a street. These limitations really limit the development potential to MDRL. The MDRL zoning also allows for duplexes which are one of the residential housing styles possible in this proposal.

C. Transportation Planning Rule Consistency

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

COMMENT:

A transportation impact analysis (TIA) revision letter addressing the change in proposed use is included with this application as Exhibit 10.

CHAPTER 16.106: TRANSPORTATION FACILITIES

SECTION 16.106.080 Traffic Impact Analysis (TIA).

A. Purpose

The purpose of this section is to implement Sections 660-012-0045(2)(b) and -0045(2)(e) of the State Transportation Planning Rule (TPR), which require the City to adopt performance standards and a process to apply conditions to land use proposals in order to minimize impacts on and protect transportation facilities. This section establishes requirements for when a traffic impact analysis (TIA) must be prepared and submitted; the analysis methods and content involved in a TIA; criteria used to review the TIA; and authority to attach conditions of approval to minimize the impacts of the proposal on transportation facilities.

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

B. Applicability

A traffic impact analysis (TIA) shall be required to be submitted to the City with a land use application at the request of the City Engineer or if the proposal is expected to involve one (1) or more of the following:

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

COMMENT:

A TIA was done for the site when it was proposed to be developed as commercial. A transportation impact analysis (TIA) revision letter addressing the change in proposed use is included with this application as Exhibit 10.

C. Requirements

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

1. **Pre-application Conference.** The applicant shall meet with the City Engineer prior to submitting an application that requires a TIA. This meeting will be coordinated with Washington County and ODOT when an approach road to a County road or Highway 99W serves the property, so that the TIA will meet the requirements of all relevant agencies.
2. **Preparation.** The TIA shall be prepared by an Oregon Registered Professional Engineer qualified to perform traffic Engineering analysis and will be paid for by the applicant.
3. **Typical Average Daily Trips and Peak Hour Trips.** The latest edition of the Trip Generation Manual, published by the Institute of Transportation Engineers (ITE), shall be used to gauge PM peak hour vehicle trips, unless a specific trip generation study that is approved by the City Engineer indicates an alternative trip generation rate is appropriate.
4. **Intersection-level Analysis.** Intersection-level analysis shall occur at every intersection where the analysis shows that fifty (50) or more peak hour vehicle trips can be expected to result from the development.
5. **Transportation Planning Rule Compliance.** The requirements of OAR 660-012-0060 shall apply to those land use actions that significantly affect the transportation system, as defined by the Transportation Planning Rule.

COMMENT:

The Applicant attended a pre-application meeting on May 11, 2015. At this meeting it was determined by staff that only a revision letter from the traffic consultant was needed to show the change in use for the site. A TIA was completed on this site for commercial development. A transportation impact analysis (TIA) revision letter addressing the change in proposed use is included with this application as Exhibit 10.

D. Study Area

The following facilities shall be included in the study area for all TIAs:

1. **All site-access points and intersections (signalized and unsignalized) adjacent to the proposed development site. If the site fronts an arterial or collector street, the analysis shall address all intersections and driveways along the site frontage and within the access spacing distances extending out from the boundary of the site frontage.**
2. **Roads and streets through and adjacent to the site.**
3. **All intersections needed for signal progression analysis.**
4. **In addition to these requirements, the City Engineer may require analysis of any additional intersections or roadway links that may be adversely affected as a result of the proposed development.**

COMMENT:

A transportation impact analysis (TIA) revision letter addressing the change in proposed use is included with this application as Exhibit 10.

E. Analysis Periods

To adequately assess the impacts of a proposed land use action, the following study periods, or horizon years, should be addressed in the transportation impact analysis where applicable:

- 1. Existing Year.**
- 2. Background Conditions in Project Completion Year.** The conditions in the year in which the proposed land use action will be completed and occupied, but without the expected traffic from the proposed land use action. This analysis should account for all City-approved developments that are expected to be fully built out in the proposed land use action horizon year, as well as all planned transportation system improvements.
- 3. Full Buildout Conditions in Project Completion Year.** The background condition plus traffic from the proposed land use action assuming full build-out and occupancy.
- 4. Phased Years of Completion.** If the project involves construction or occupancy in phases, the applicant shall assess the expected roadway and intersection conditions resulting from major development phases. Phased years of analysis will be determined in coordination with City staff.
- 5. Twenty-Year or TSP Horizon Year.** For planned unit developments, comprehensive plan amendments or zoning map amendments, the applicant shall assess the expected future roadway, intersection, and land use conditions as compared to approved comprehensive planning documents.

COMMENT:

A transportation impact analysis (TIA) revision letter addressing the change in proposed use is included with this application as Exhibit 10.

F. Approval Criteria

When a TIA is required, a proposal is subject to the following criteria, in addition to all criteria otherwise applicable to the underlying land use proposal:

- 1. The analysis complies with the requirements of 16.106.080.C;**
- 2. The analysis demonstrates that adequate transportation facilities exist to serve the proposed development or identifies mitigation measures that resolve identified traffic safety problems in a manner that is satisfactory to the City Engineer and, when County or State highway facilities are affected, to Washington County and ODOT;**

3. For affected non-highway facilities, the TIA demonstrates that mobility and other applicable performance standards established in the adopted City TSP have been met; and
4. Proposed public improvements are designed and will be constructed to the street standards specified in Section 16.106.010 and the Engineering Design Manual, and to the access standards in Section 16.106.040.
5. Proposed public improvements and mitigation measures will provide safe connections across adjacent right-of-way (e.g., protected crossings) when pedestrian or bicycle facilities are present or planned on the far side of the right-of-way.

COMMENT:

A transportation impact analysis (TIA) revision letter addressing the change in proposed use is included with this application as Exhibit 10.

C. METRO URBAN GROWTH MANAGEMENT FUNCTIONAL PLAN

TITLE 1 – HOUSING CAPACITY

The Regional Framework Plan calls for a compact urban form and a “fair-share” approach to meeting regional housing needs. It is the purpose of Title 1 to accomplish these policies by requiring each city and county to maintain or increase its housing capacity as provided in section 2.07.120.

COMMENT:

This Comprehensive Plan Map Amendment and Zone Change would increase Sherwood’s housing capacity and meet the Title 1 purpose by providing the opportunity for development of residentially zoned property with a compact form.

TITLE 3 – WATER QUALITY AND FLOOD MANAGEMENT

To protect the beneficial water uses and functions and values of resources with the Water Quality and Flood Management Areas by limiting or mitigating the impact on these areas from development activities and protecting life and property from dangers associated with flooding.

COMMENT:

According to Metro’s RLIS Database, there are no Title 3 lands on the site. Therefore, there is no area on site that needs to be protected from flooding.

D. STATEWIDE PLANNING GOALS

Since the Sherwood Comprehensive Plan was acknowledged by LCDC to carry out the Statewide Planning Goals, the subsequent analysis shows how the proposed actions affect the Sherwood Comprehensive Plan’s compliance with the Statewide Planning Goals.

GOAL 1 – CITIZEN INVOLVEMENT

To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.

COMMENT:

The City's public hearing process meets the requirements of this Goal for citizen involvement in the land use process. Notice of the proposal will be provided to all property owners within the notice area, published in the newspaper, and will also be posted on the subject property giving interested citizens an opportunity to be involved in the process. A public hearing to consider the request will be held by the Planning Commission and then City Council. Through the notice and public hearing process all interest parties are afforded the opportunity to review the application, comment on the proposal, and participate in the decision. This process meets the requirements of this Goal for citizen involvement in the land use planning process. In accordance with the findings presented above, the proposed Comprehensive Plan and Zoning Map Amendment are consistent with Goal 1.

GOAL 2 – LAND USE PLANNING

To establish a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual base for such decisions and actions.

COMMENT:

The Sherwood Comprehensive Plan is acknowledged to be in compliance with the Statewide Planning Goals and provides goals, policies and procedures for reviewing and evaluating land use requests. The City's adopted Type V land use planning process provides for Plan Map Amendments and is consistent with Goal 2.

GOAL 3 – AGRICULTURAL LANDS

To preserve and maintain agricultural lands.

COMMENT:

The subject property is comprised of land that is currently located within the Urban Growth Boundary (UGB) and fully within the City of Sherwood's Incorporated City limits. The Comprehensive Plan Map Amendment and Zone Change will only affect the subject site. Therefore, it will not have a direct impact on any Goal 3 Agriculture Lands. Therefore, this Goal is not applicable.

GOAL 4 – FOREST LANDS

To conserve forest lands by maintaining the forest land base and to protect the state's forest economy by making possible economically efficient forest practices that assure the continuous growing and harvesting of forest tree species as the leading use on forest land consistent with sound management of soil, air, water, and fish and wildlife resources and to provide for recreational opportunities and agriculture.

COMMENT:

The subject property is comprised of land that is currently located within the UGB and fully within the City of Sherwood's Incorporated City limits. The Comprehensive Plan Map Amendment and Zone Change will only affect the subject site. Therefore, it will not have a direct impact on any Goal 4 Forest Lands, and as such this Goal is not applicable.

GOAL 5 – OPEN SPACE, SCENIC AND HISTORIC AREAS, AND NATURAL RESOURCES

To protect natural resources and conserve scenic and historic areas and open space.

COMMENT:

The proposed Comprehensive Map Amendment and Zone Change will not affect or alter the natural resources in the area. According to CWS there are no known Sensitive Areas on-site or within 200 feet of the subject site.

GOAL 6 – AIR, WATER AND LAND RESOURCES QUALITY

To maintain and improve the quality of the air, water and land resources of the state.

COMMENT:

The subject property is located within the UGB and City limits, where development at an urban scale and density is anticipated to occur. While the organization of uses and those uses specifically allowed within the property will change, no significant negative change in the quality of air is expected to occur. The proposed uses do not involve any additional noise or smoke that would affect the surrounding air, water, or land resource quality.

City sewer and water are readily available to the subject property as well as storm drainage facilities. The stormwater facility is already constructed and was sized for commercial development (roof and parking lot) and for the future (approved) improvements of Highway 99W along the site. Therefore, the water quality facility will have adequate capacity for the proposed residential use as it will have less storm water runoff than a commercial development. The proposal does not threaten the availability of local or regional air, water, and land resources. In accordance with the findings presented above the proposed Comprehensive Plan Map Amendment and Zone Change is consistent with Goal 6.

GOAL 7 – AREAS SUBJECT TO NATURAL DISASTERS AND HAZARDS

To protect people and property from natural hazards.

COMMENT:

The subject property is located outside the 100-year floodplain. The site is flat with no areas identified as landslide hazards or steep slopes. Detailed review of the site will be completed during the subsequent partition/subdivision process to assure natural hazards are mitigated to the greatest extent practical.

GOAL 8 – RECREATIONAL NEEDS

To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.

COMMENT:

The proposed Comprehensive Plan Map Amendment and Zone Change will allow for the development of the subject site. The proposed future lots will provide individual open space on each lot.

Upon approval of this application, a partition or subdivision application will be submitted to Sherwood. The proposed plan will include the construction of sidewalk along Highway 99W (already approved by ODOT). Sidewalk already exists along the site's frontages of SW Parkway Court and SW Meinecke Parkway. These sidewalks will provide access to recreational areas in the neighborhood (parks and schools). Therefore, the proposed Comprehensive Plan Map Amendment and Zone Change are in compliance with Goal 8 by providing opportunities consistent with guidelines identified in the Comprehensive Plan.

GOAL 9 – ECONOMIC DEVELOPMENT

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

COMMENT:

The proposed change will redesignate approximately 1.0 acre from General Commercial to Medium Density Residential Low. The intent is to provide single-family residential housing to the area. Data necessary to address this Goal in relation to the proposed change, as required by OAR 660-009-0015, is available in the Economic Opportunity Analysis (EOA) that is included in this application (See Exhibit 3). This report provides the most recent and comprehensive data available for economic development trends and for the inventory of commercial and industrial land within the urban area for the 20-year planning period.

In summary, the proposal conforms to the City's EOA by providing a location for housing. The proposal serves to provide an opportunity for the residential activities that are vital to the citizens of Sherwood, which is consistent with the requirements of this Goal.

GOAL 10 – HOUSING

To provide for the housing needs of the citizens of the state.

COMMENT:

The proposed change will redesignate approximately 1.0 acre from General Commercial to Medium Density Residential Low. The intent is to provide opportunities for the development of additional housing in Sherwood.

The proposed Comprehensive Plan Map Amendment and Zone Change is consistent with Goal 10, based on available data, the reduction of vacant commercial land inventory represented by this proposal will not cause a significant impact on the ability to provide commercial/retail within the urban area. For these reasons approval of the proposed Plan

change will not have a significant impact on the ability to provide commercial/retail within the UGB or in the local area, and the proposal does not adversely impact the requirements of this Goal.

GOAL 11 – PUBLIC FACILITIES AND SERVICES

To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.

COMMENT:

The City maintains an infrastructure of public facilities and services to support urban development. The City has adopted a Transportation, Stormwater, Wastewater and Water master facility plans. These plans outline the public facilities and services needed to serve land within the UGB. The existing public services and facilities in the area (SW Parkway Ct and SW Meinecke Parkway) are adequate to serve the site. Private laterals/water meters will be added during the partition/subdivision. In accordance with the findings presented above the plan proposed is consistent with Goal 11.

GOAL 12 – TRANSPORTATION

To provide and encourage a safe, convenient and economic transportation system.

COMMENT:

The City of Sherwood’s Transportation System Plan (TSP) is in compliance with the requirements of this Goal. The relationship of the proposal to the transportation system, and its impacts, have been set forth in detail in the Traffic Impact Analysis letter/memo revision included as Exhibit 10. The original TIA for this site was done for commercial development. The proposed residential development will have less impact on the transportation system. The Applicant has demonstrated that the identified amendments do not require mitigation to ensure that adopted operating standards will be met. The analysis has found that the traffic impacts of the project will not cause a change in the functional classification of any street or transportation facility, will not require or result in changes to the standards that implement the functional classifications system, will result in traffic volumes that are consistent with the functional classifications of the affected streets, and no mitigation will be required to assure that adequate level of service and the functionality of the transportation system is maintained. The proposed amendments are therefore in compliance with the Oregon Transportation Planning Rule, the Sherwood Transportation System Plan and the goals and policies contained within the Sherwood Comprehensive Plan. In accordance with findings presented above the proposed plan is consistent with Goal 12.

GOAL 13 – ENERGY CONSERVATION

To conserve energy.

COMMENT:

The design of the proposed development strives to provide an integration residential land uses resulting in a livable, connected community within the City of Sherwood. Inherent in the design is the ability to live in close proximity to other land uses allowing for less vehicle trips and miles traveled resulting in a reduction in the consumption of gasoline and associated emissions. The proposed future partition or subdivision of the site encourages

the use of alternative modes of transportation (bicycles, walking) adjacent to the proposed development through the provision of sidewalks (mostly tree-lined).

The existing transportation system adjacent to the site will serve the site and no additional streets will be required. Therefore, the existing system will provide direct, efficient and convenient access to the future lots. The proximity of the development to adjacent developed residential neighborhoods and employment area will reduce the vehicle miles traveled to and from the subject property. The location and nature of the proposed development promotes the conservation of energy needed for transportation. For these reasons the proposal will help conserve energy and be energy efficient, in keeping with the intent of this Goal.

GOAL 14 – URBANIZATION

To provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.

COMMENT:

The entire subject property is located within the Sherwood City limits. All required public facilities and services are available to the property. The site consists of vacant urban land. The use of the site as proposed will contribute to an efficient arrangement of land uses within the UGB, and to the efficient use of urban services, consistent with the directives of this Goal. The proposal does not affect the size or location of the UGB. In accordance with the findings presented above the Comprehensive Plan Map Amendment and Zone Change is consistent with Goal 14.

IV. SUMMARY AND CONCLUSIONS

Based upon the findings of this report and the submitted supplemental graphics material, the applicant has demonstrated compliance with the requirements of the relevant sections of the City of Sherwood Municipal Code, Comprehensive Plan, Metro Urban Growth Management Functional Plan, and Statewide Planning Goals for the requested Comprehensive Plan Map Amendment and Zone Change from General Commercial to Medium Density Residential Low for the subject site. Therefore, the request should be approved.