



Home of the Tualatin River National Wildlife Refuge

Planning Commission Packet

FOR

April 22, 2025

at 7:00 PM

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



Home of the Tualatin River National Wildlife Refuge

Planning Commission Regular Meeting Agenda

April 22, 2025, at 7 PM Regular Meeting

**This meeting will be held at City Hall, 22560 SW Pine St,
Sherwood, OR 97140.**

It will also be live streamed at

<https://www.youtube.com/user/CityofSherwood>

Citizen comments and public testimony may be provided in person, in writing, or by telephone. Written comments must be submitted at least 24 hours in advance of the scheduled meeting start time by email to planning@sherwoodoregon.gov and must clearly state that it is intended as a general Citizen Comment for this meeting. To provide comment by phone during the live meeting, email or call (planning@sherwoodoregon.gov / 503-925-2308) at least 24 hours in advance of the meeting start time in order to receive dial-in instructions. Per Council Rules Ch. 2 Section (V)(D)(5), Citizen Comments, "Speakers shall identify themselves by their name and by their city of residence." Anonymous comments will not be accepted into the meeting record. **If you require ADA accommodations, please contact the Planning Department at 503-925-2308 or email planning@sherwoodoregon.gov at least 48 hours in advance of the scheduled meeting time. Assisted Listening Devices available on site.**

How to Find out What's on the Planning Commission Schedule: Planning Commission meeting materials and agenda are posted to the City web page at www.sherwoodoregon.gov, generally one week prior to a Commission meeting. Planning Commission agendas are also posted at the Sherwood Library/City Hall/Senior Center, YMCA, and the Sherwood Post Office.

Regular Meeting

1. CALL TO ORDER

2. CONSENT AGENDA

October 22, 2024, Planning Commission Meeting Minutes

February 25, 2025, Planning Commission Work Session Minutes

3. COUNCIL LIAISON ANNOUNCEMENTS

4. STAFF ANNOUNCEMENTS

5. COMMUNITY COMMENTS

6. NEW BUSINESS

I. Election of Chair and Vice Chair

II. Select Commissioner to serve on the citizen advisory committee for the transportation system plan update

7. PUBLIC HEARINGS

I. LU 2024-018 PA ANNEXATION POLICIES

Proposal: The City is proposing to amend the Sherwood Zoning and Community Development Code by codifying Annexation Policies and requiring Annexation Agreements.

7. COMMISSIONER COMMENTS

8. ADJOURN

Meeting documents are found on the City of Sherwood website at www.sherwoodoregon.gov/meetings or by contacting the Planning Staff at 503-925-2308. Information about the land use applications can be found at www.sherwoodoregon.gov/projects.

**City of Sherwood, Oregon
Planning Commission Meeting
October 22, 2024**

Planning Commissioners Present:

Chair Jean Simson
Vice Chair Rick Woidyla
Commissioner Daniel Bantz
Commissioner Jay Walmsley
Commissioner Tyler Barns
Commissioner Justin Kai
Commissioner Joe Tillotson

Staff Present:

Sean Conrad, Planning Manager
Colleen Resch, Planning Coordinator
Eric Rutledge, Community Development Director
Hugo Hamblin-Agosto, Associate Planner
Bruce Coleman, Economic Development Director
Craig Christensen, Senior Civil Engineer

City Council Liaison:

Councilor Dan Standke

REGULAR SESSION:

1. CALL TO ORDER

Chair Simson called the meeting to order at 7:01 pm

2. CONSENT AGENDA

- a. September 10, 2024, Planning Commission Meeting Minutes
- b. September 24, 2024, Planning Commission Meeting Minutes

Motion: from Vice Chair Woidyla to approve the consent agenda, seconded by Commissioner Bantz. Motion passed 7:0.

3. COUNCIL LIAISON ANNOUNCEMENTS

Councilor Standke said the City Council approved the food cart pod code. He said the City is starting an adopt a trail program.

4. STAFF ANNOUNCEMENTS

Planning Manager Sean Conrad said the Planning Commission will not meet again until 2025. He said the Sherwood Old Town Strategic Plan is moving forward.

5. COMMUNITY COMMENTS

None.

6. PUBLIC HEARING

Planning Commission Minutes
October 22, 2024
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I. LU 2024-011 SP SHERWOOD COMMERCE CENTER – PHASE III

Chair Simson opened the public hearing. Associate Planner Hugo Agosto read the public hearing statement and said the Planning Commission is the final hearing authority. He asked members of the Commission to expose any ex parte contact, biased or conflict of interest. Chair Simson said she had ex parte contact with Commissioner Bantz and said she provide clarity on the requested Conditional Use Permit and explained the extent of the conversation. Commissioner Bantz concurred. Commissioners Barns, Walmsley, Kai, Tillotson and Woidyla all stated they had no ex parte contact, biased or conflict of interest and plan on participating. Mr. Agosto asked if there were any challenges from the audience and there were none.

Mr. Agosto recapped the staff report and provided a presentation (see record, Exhibit A). He said the application is for a Type IV Site Plan Review to develop a standalone warehousing and industrial structure, with accessory office uses, equating to approximately 85,800 square feet. The site is zoned Employment Industrial (EI) and is located at 21720 SW Oregon Street. He discussed the applicable criteria, site location, land use history, zoning and proposed uses. He provided the elevations and architectural renderings and access plans.

Mr. Agosto discussed the infrastructure and transportation impact and said the applicant provided a Traffic Impact Analysis, dated July 27, 2024, indicating the proposed development would generate approximately 289 net new weekday daily trips, 29 net new trips during the weekday AM peak house, and 29 net new trips during weekday PM peak house. The subject development is proposing three driveway access points onto SW Commerce Court. He said the development will not trigger a temporary signal at the SW Oregon Street/SW Commerce Court intersection.

Mr. Agosto provided updates and revisions since the release of the staff report dated October 15, 2024.

- Revision to the findings under 16.90.020.D.5 to The applicant provided a Traffic Impact Analysis (Attachment A, Appendix L), dated July 24, 2024, indicating the proposed development would generate approximately 1,563 **289** net new weekday daily trips, 158 **29** net new trips (128 **24** inbound, 30 **5** outbound) during the weekday AM peak hour and 158 **29** net new trips (35 **6** inbound, 123 **23** outbound) during the weekday PM peak hour. **A Traffic Impact Analysis (TIA) was required as the phased development as a whole exceeded the minimum** exceeding the above threshold.
- Revision to the findings under 16.98.030 to “The applicant submitted materials showing a trash/recycling enclosure will be located near the loading area. The proposed enclosure will consist of a metal wall **tilt-up concrete construction with metal gates**, approximately 6-feet in height.”
- Addition to Division V – Attachments to include “**Attachment H. Revised Washington County Memorandum dated October 15, 2024.**”
- Other non-substantive edits

Mr. Agosto said the application was routed to affected agencies, public notice was mailed to property owners within 1000 feet, noticed in the Tigard Times, posted in town and at the site. No public comments were received prior to the public hearing. He said staff finds the application meets the requirements of the City Code as described in the finding and conditions of approval in the staff report dated October 15,

2024. Therefore, staff recommends the Planning Commission approve the application subject to the findings and conditions of approval described in the staff report.

Commissioner Tillotson asked if the completion of Sherwood Commerce Center Phase III is tied to the completion of the proposed roundabout on Oregon and Tonquin.

Chair Simson asked whether the developer would need an access easement and said there is not a condition that defines that. Civil Engineer Craig Christensen said he agrees with Chair Simson that there should be a condition for the easement.

Chair Simson asked the applicant to come forward.

Jason Rush, with VLMK, 17700 SW Mill Plain Blvd, Suite 100, Vancouver, Washington 98680 approached the Commission and provided a presentation (see record, Exhibit B). He provided brief highlights of the proposed development. He said he accepts Condition B-1 as revised.

Commissioner Barns commented on the tree coverage and asked if the plan is consistent with Phase I. Mr. Rush said yes, it is consistent, and the goal is to have all three phases look the same. Commissioner Barns asked if there is room for larger trees. Mr. Rush said we were targeting the Code, and these are trees will provide the canopy required by the Code. Commissioner Barns commented on the lighting plan and asked if the plans are dark skies compliance. Mr. Rush said yes.

Chair Simson commented on the number of parking spaces versus the trip count.

Mike Lundervold with VLMK, 3933 S. Kelly Avenue, Portland, Oregon 97239 came forward and said the parking count is based on Code compliance, and a percentage of the occupancy and square footage.

Chair Simson said the Metro Ice Age Trail is acknowledged but not part of this project.

Commissioner Bantz commented on the requested Conditional Use Permit (CUP) and asked how requesting additional warehouse space meets the City's goals. Mr. Rush said the CUP is to provide a space greater than 150,000 square feet in case a potential tenant requests that much space. Community Development Director Eric Rutledge said that City has seen a lot of speculative development which has resulted in more manufacturing businesses as opposed to warehouses.

Commissioner Bantz asked for clarification on the traffic analysis and said is the analysis considering Ice Age Drive. Mr. Agosto said Ice Age Drive is anticipating a completion date of 2026, along with Sherwood Commerce Center Phase II, and it is a City driven project.

Chair Simson opened the public testimony portion of the hearing. There was no public testimony.

With no rebuttal from the applicant, Chair Simson closed the public testimony portion of the hearing.

With no comments from the Planning Commissioner, Chair Simson called for a motion.

Motion: from Vice Chair Woidyla to approve the application for Sherwood Commerce Center Phase II Case File Number LU 2024-009 SP/CUP based on the applicant testimony, public testimony received, and the analysis, findings, and conditions in the staff report including the modifications presented tonight in the staff report, seconded by Commissioner Kai. Motion passed 7:0.

7. COMMISSIONER COMMENTS

Chair Simson adjourned the meeting at 9:10 pm.

Submitted by:

Colleen Resch, Planning Coordinator

Approval Date: _____

City of Sherwood, Oregon
Planning Commission Work Session
February 25, 2025

Planning Commissioners Present:

Chair Jean Simson
Commissioner Joe Tillotson
Commissioner Daniel Bantz

Staff Present:

Sean Conrad, Planning Manager
Sebastian Tapia, Interim City Attorney
Colleen Resch, Planning Technician
Eric Rutledge, Community Development Director

Planning Commissioners Absent:

Commissioner Rick Woodyla
Commissioner Tyler Barns
Commissioner Jay Walmsley
Commissioner Justin Kai

City Council Liaison:

Councilor Dan Standke (former)
Councilor Taylor Giles

WORK SESSION:

Chair Simson called the meeting to order at 7 pm.

1. PLANNING COMMISSION TRAINING

Community Development Director Eric Rutledge introduced the Carrie Richter with Bateman Seidel Miner Blomgren Chellis & Gram, P.C. Ms. Richter provided a presentation on Planning Commission Training (see record, Exhibit A). Discussion followed.

Chair Simson adjourned the meeting at 7:50 pm.

Submitted by:

Colleen Resch, Planning Coordinator

Approval Date: _____

TO: Planning Commission

Hearing Date: April 22, 2025

FROM:



Hugo Agosto, Associate Planner

Proposal: The City is proposing to amend the Sherwood Zoning and Community Development Code by codifying Annexation Policies and requiring Annexation Agreements.

The proposed Annexation Policies amendments will facilitate efficient and orderly development opportunities when transferring jurisdiction of property within the Urban Growth Boundary from Washington County and Clackamas County to the City of Sherwood. They will also ensure that public facilities are or will be available to serve land annexed to the city.

Annexation Agreements are intended to ensure awareness of the annexation process as well as reasonable certainty to the property owner, the City, and the public that the scope and timing of subsequent development of the property will occur in a manner that facilitates the timely and orderly construction of necessary infrastructure improvements.

A. **Applicant:** This is a city-initiated text amendment

B. **Location:** City Wide

C. **Review Type:** The proposed text amendment requires a Type V review, which involves public hearings before the Planning Commission and City Council. The Planning Commission is scheduled to consider the matter on April 22, 2025. At the close of this hearing, the Planning Commission will forward a recommendation to the City Council, who will consider the proposal and make the final recommendation whether to approve, modify, or deny the proposed language. The City Council public hearings are tentatively scheduled for May 6, 2025 & May 20, 2025. Any appeal of the City Council's final decision relating to this matter will be considered by the Oregon Land Use Board of Appeals (LUBA).

D. **Public Notice and Hearing:** Notice of the April 22, 2025, Planning Commission hearing and tentative May 6, 2025, City Council hearing on the proposed amendment were published in *The Times* on April 3 and April 17, 2025. Notice was also posted in five public locations around town and on the website on March 26, 2025. Notice to the Oregon Department of Land Conservation and Development (DLCD) was submitted on March 17, 2025, and notice to agencies was sent via email on March 27, 2025.

E. **Review Criteria:** Sherwood Zoning and Community Development Code Chapter 16.80, Plan Amendments. Comprehensive Plan Theme: Strategic and Collaborative Governance and Coordinated and Connected Infrastructure. Statewide Planning Goals: Goal 1- Citizen

Involvement, Goal 2- Land Use Planning, Goal 11- Public Facilities and Services, Goal 12- Transportation, and Goal 14- Urbanization.

- F. Background:** As new development pressures arise, it becomes important to align future annexations with the City's planning efforts, regional growth management goals, and planned infrastructure capacity. By adopting codified language around annexation, at the direction of City Council, the proposed amendment is designed to ensure future expansion is managed in an orderly, sustainable, and fiscally responsible manner while protecting the quality of public services and community character. This approach is also intended to facilitate interagency coordination, ensure compliance with state and regional policies, including those governing transportation and environmental protection, and provide predictability for both property owners and municipal decision-makers.

The proposed policy text is a proactive measure to manage Sherwood's expansion, ensuring that any new areas added to the City are integrated effectively into the broader urban framework and contribute to the long-term well-being and strategic vision of the community.

II. PUBLIC COMMENTS

No public comments were received as of the date of this report. Testimony will be accepted through the City Council hearings on the matter.

III. AGENCY COMMENTS

Notice was provided to affected agencies on March 27, 2025. Plan Amendment (PAPA) notice was provided to the Department of Land Conservation and Development (DLCD) on March 17, 2025. A full list of the agencies / staff receiving the routing email is included as **Attachment B**. The following responses were received:

No public comments were received as of the date of this report. Testimony will be accepted through the City Council hearings on the matter.

IV. REQUIRED FINDINGS FOR PLAN TEXT AMENDMENT

*Note – three asterisks (***) Indicates code has been omitted because it is not applicable.*

Chapter 16.80 - PLAN AMENDMENTS

16.80.030 - Review Criteria

A. Text Amendment

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

Community Need

The proposed text amendment (annexation policy) is designed to ensure orderly and sustainable growth by integrating future development into Sherwood's existing urban framework in a manner

that protects public services and preserves community character, while aligning with regional and state planning goals. This proposal addresses the community's need for a structured and codified approach to expansion by formalizing a comprehensive framework that addresses infrastructure readiness and requires any annexation to be consistent with long-range planning efforts, environmental protection, and overall fiscal responsibility. By fostering transparency in municipal decision-making and ensuring that the impacts of new developments are clearly understood by both elected officials and the public, the policy enhances public trust and enables proactive, coordinated growth that supports the well-being and strategic vision of Sherwood.

Consistency with Comprehensive Plan

Annexation proposals are required to comply with the Sherwood Comprehensive Plan. This means that the intended uses of annexed areas must be consistent with long-term planning goals, ensuring that new development fits the city's vision and contributes positively to the overall community experience. By requiring annexation applications to demonstrate compatibility with the Comprehensive Plan and regional growth policies, the City ensures that new urban development is well integrated with the surrounding rural or suburban fabric.

The adopted 2040 Comprehensive Plan, Strategic and Collaborative Governance and Coordinated and Connected Infrastructure, have specific objectives and policies that are applicable to the proposed standards as discussed below:

Strategic and Collaborative Governance:

Goal 1: Coordinate with adjacent jurisdictions, local service providers and regional and state governmental agencies to manage growth and development in Sherwood.

Policy 1.1: Maintain a Comprehensive Plan and associated implementation tools consistent with the Metro Urban Growth Management Functional Plan, Regional Framework Plan, and Regional Transportation Plan; the Oregon Statewide Planning Goals; and all other applicable state and federal regulations.

Policy 1.2: Ensure that land use and plan administration procedures are compatible with the goals and policies in the comprehensive Plan, consider relevant agreements with and plans by other local jurisdictions, and comply with regional, state, and federal plans and regulations.

Policy 1.4: Establish and periodically update urban service, urban planning, and other formal intergovernmental agreements as needed to support urbanization, annexation, and urban service provision.

Staff Response: The proposed text amendment facilitates the transfer of property within the Urban Growth Boundary (UGB) from neighboring counties (Washington and Clackamas) into Sherwood city limits. This process inherently requires coordination with adjacent jurisdictions to ensure a seamless transition of service provision and planning oversight.

If approved, annexations would be subject to a Type IV procedure for quasi-judicial applications or a Type V procedure for legislative applications, including public notice, public hearing, and final decision through the City Council, which requires formal intergovernmental coordination within the framework of existing jurisdictional agreements.

Proposals are required to be consistent with the Sherwood Comprehensive Plan and adhere to Metro Urban Growth Management Functional Plan, the Regional Framework Plan, and the Regional Transportation Plan. This alignment ensures development is managed in accordance with established regional strategies and state regulations, including applicable Oregon Statewide Planning Goals.

Additionally, annexation agreements must be carried out (unless waived by the City), with detailed commitments, including the intended use of the annexed property, infrastructure improvements, and other service provisions. By establishing these agreements, the proposal further supports ongoing intergovernmental coordination. This ensures that as conditions change, whether in terms of urban service capacity or regional planning priorities, future development remains current and effective in managing growth as mandated by the city, partner agencies, and the state. In the event an agreement is waived, continued intergovernmental coordination is infused into Title 16 – Sherwood Zoning and Community Development Code, as to ensure services remain timely, orderly, and efficient and that all connected agencies and partners are still actively involved in the planning and decision-making process.

Goal 2: Provide timely, efficient and fiscally responsible delivery of public facilities and services to balance the development of complete neighborhoods, employment areas, schools and public spaces.

Policy 2.1: Coordinate the extension of public facilities, utilities, and services and prioritization of capital expenditures with Washington county, other public agencies, and special districts.

Staff Response: The proposed Sherwood Annexation Policy ensures public facilities and services are delivered in a timely, efficient, and fiscally responsible manner, through several key mechanisms:

Proposed annexations must include detailed information demonstrating whether the annexed property is or will be served by essential public facilities and utilities, including water, sewer, stormwater, transportation, and other critical services. This includes mitigating additional impacts on existing public facilities, and may include proposals for on-site or off-site improvements. This information will assist in the planning of capital expenditures, so new developments do not overburden existing infrastructure. The amendment mandates that annexation agreements outline the timing and sequence for infrastructure improvements, ensuring that public facility extensions are synchronized with actual development needs; property owner(s) must provide the necessary improvements or limit development, so as to not exceed the capacity of existing public facilities. This upfront evaluation ensures that growth is balanced with available services.

Proposals will require transportation and infrastructure assessments to be coordinated with key stakeholders and public partner agencies. This ensures that any extension of public facilities is not made in isolation, but as part of a broader regional strategy, aligning local development with county and state priorities. The city can coordinate with public agencies to ensure a fiscally responsible extensions of facilities occur in a logical sequence.

By integrating thorough service assessments and phased implementation into the annexation process, the City can better manage its resources and avoid unnecessary or premature investments. This ensures that public funds are used efficiently to support sustainable development.

Goal 3: Ensure that the rate, amount, type, location and cost of new development will preserve and enhance Sherwood's quality of life so that it is accessible to all community members.

Policy 3.3: Provide for compatible, phased and orderly transition from rural to suburban or urban uses, reflecting Sherwood's landform on adjacent land outside Sherwood city limits or the Metro urban Growth Boundary.

Policy 3.4: Ensure annexation to the City occurs in an orderly and coordinated manner, and services are provided to support urban growth consistent with the 2040 Vision. Consider annexation proposals which meet the following criteria:

- a) The subject property must be located within the Metro Urban Growth Boundary.
- b) The subject property must be contiguous to the existing City limits or separated from it only by a public right of way.
- c) Right-of-way that is not within City limits may be annexed for road reconstruction or modification or for the placement of utilities.
- d) The proposed use for the site complies with the Sherwood Comprehensive Plan and with the designation(s) thereon. If a re-designation of the plan map is requested after an annexation is finalized, the uses allowed under the proposed designation must comply with the Comprehensive Plan.
- e) An adequate level of urban services and infrastructure are available or can be extended in a cost-effective and efficient manner to the area.
- f) The proposed annexation represents a logical direction for City expansion, promotes an orderly, reasonable and economically feasible expansion of the City boundaries and, in the judgment of the City, serves the present and future interests of the City.
- g) Improvements for needed infrastructure may be secured by a funding mechanism that will place the primary economic burden on the territory proposed for annexation and not on the City of Sherwood generally.

Staff Response: The proposed Sherwood Annexation Policy Amendments ensures new development enhances the community's quality of life through orderly, compatible, and cost-effective growth.

The proposed amendment requires annexed lands meet defined criteria (i.e. within the Metro Urban Growth Boundary and contiguous to existing City limits) resulting in a logical and compatible expansion of the city limits reflective of Sherwood's established urban character. This careful siting standard avoids scattered, inefficient growth that could disrupt community cohesion or create gaps in infrastructure availability.

The proposed policy requires the annexation to be designed to provide a compatible and phased transition, ensuring the transformation from rural to urban uses is gradual and coordinated. This phased approach allows for the extension of public facilities, utilities, and services in a manner that is both efficient and responsive to growth, key elements for maintaining and enhancing quality of life.

Applications must show that an adequate level of urban services and infrastructure is either available or can be extended. This provision helps maintain quality of life by preventing situations where new development outpaces the provision of essential services like water, sewer, and

transportation. This collaboration minimizes the risk of service gaps and ensures that new neighborhoods are supported by robust, well-planned infrastructure and public services.

Goal 7: Encourage land use patterns that locate land use activities in close proximity, reduce or shorten vehicle trips and encourage energy conservation through sustainable site planning, landscaping and construction practices.

Policy 7.2: Build capacity for greater urban resilience and redundancy in infrastructure and essential public facilities.

Staff Response: The proposed Sherwood Annexation Policy Amendments promote sustainable, compact growth patterns and ensure that infrastructure is designed for resilience and redundancy.

Upon annexation, the annexed property automatically adopts the predetermined zoning designation as directed by the Urban Growth Boundary (UGB). This consistency helps ensure that new development conforms to established land use patterns. By aligning new areas with existing, well-planned development, the proposal supports a compact urban form that encourages land use to be located in close proximity.

Annexation agreements ensure new areas must be planned with clear intent. By synchronizing infrastructure improvements with future and phased development, the city can promote sustainable construction practices and site planning that reduce or shorten vehicle trips and encourage energy conservation.

Applications must include assessing current infrastructure and service capacity, while preparing for future public facilities and services. This includes a detailed Transportation Study and evaluations of other utilities such as water, sewer, and broadband. These studies ensure that new developments are not only adequately served by current infrastructure but also that planned improvements include built-in redundancy and resilience. This includes plans for infrastructure upgrades and improvements that can absorb the effects of new development. By planning for enhanced capacity and redundant systems, the City builds in a buffer against unexpected stresses on public facilities, thereby supporting the community's ability to withstand and recover from disruptions.

Coordinated and Connected Infrastructure:

Goal 1: Plan and implement a transportation system that is forward-looking, responsive and innovative to maximize capacity and ensure safety, efficiency and retention of Sherwood's livability and small-town character.

Policy 1.5: Manage the transportation network in a manner that ensures the plan is implemented in a timely fashion and is kept up to date with respect to local and regional priorities.

Goal 2: Create and enhance safe and viable transportation options for travel between destinations locally and regionally with particular attention to connecting the areas of

Sherwood east and west of Highway 99W, Old Town, and the Tualatin National Wildlife Refuge.

Policy 2.1: Develop a transportation system that is consistent with the City's adopted comprehensive land use plan and with the adopted plans of state, local, and regional jurisdictions.

Policy 2.5: Ensure that efficient and effective freight transportation infrastructure is developed and maintained to support local and regional economic expansion and diversification consistent with city economic plans and policies.

Staff Response: The proposed annexation policy requires that each application includes a comprehensive Transportation Study developed in coordination with the City and its partner agencies. This study evaluates existing and planned transportation facilities, analyzes trip generation at various stages of development, and outlines necessary improvements, whether phased or for full build-out. As a result, Sherwood's transportation system is designed to remain safe, efficient, and forward-looking while preserving the city's livability and small-town character.

The Transportation Study also supports multi-modal travel options by identifying and planning improvements that enhance connectivity across key local landmarks and destinations, such as Old Town, areas across Highway 99W, and the Tualatin National Wildlife Refuge. By integrating these assessments, the policy promotes long-term connectivity and ensures that travel options are safe and inclusive for both local and regional needs.

In addition, the annexation process incorporates rigorous infrastructure analysis and mitigation planning to preserve and expand the city's freight corridors. By evaluating transportation capacity and impact, Sherwood is better able to maintain efficient and effective freight routes, which are essential for local and regional economic development. This proactive approach ensures that transportation improvements are implemented in a timely manner, with the network continuously updated in alignment with local and regional priorities, while also meeting Metro and state planning expectations.

Overall, the comprehensive requirements embedded in the proposed annexation policy not only safeguard the current functionality of Sherwood's transportation system, but also lay the groundwork for sustainable growth. By integrating detailed transportation studies, multi-modal planning, and infrastructure mitigation into the annexation process, the city ensures a balanced, forward-thinking network that supports both economic expansion and the unique character of Sherwood.

Goal 4: Ensure reliable, safe, affordable and adequate public facilities to meet Sherwood's existing and future needs.

Policy 4.1: Ensure reliable, safe, affordable and adequate public facilities to meet Sherwood's existing and future needs.

Policy 4.5: Develop a growth plan for Sherwood Broadband to expand fiber services for all users and support smart city applications.

Staff Response: The proposed annexation policy strongly supports Policy 4.1 by requiring those public facilities be planned in a way that ensures long-term reliability, safety, affordability, and

adequacy. Applications must demonstrate how infrastructure will serve future land uses and mitigate any impact on existing systems, protecting Sherwood's service, quality, and fiscal sustainability; infrastructure improvements, such as internet fiber (broadband), are a critical public service to be planned with each annexation.

Goal 5: Work with partner agencies to coordinate service delivery including but not limited to stormwater, water, electric, natural gas, broadband, and waste management.

Policy 5.1: Coordinate public facility planning and service provisioning with established urbanization policies as a means to achieve orderly growth and an appropriate mix of land uses.

Policy 5.4: Collaborate with governmental and private agencies engaged in climate change and energy conservation efforts and seek ways to expand its role and influence in achieving more efficient use of energy resources by:

- **Developing and implementing an Energy Conservation Plan.**
- **Ensuring responsive development code and standards that reflect emerging trends for addressing energy and climate change challenges and opportunities.**

Staff Response: The proposed annexation policy requires applicants to demonstrate how key public services will be extended to newly annexed land. Infrastructure planning must be comprehensive, funded, and timed appropriately through formal Annexation Agreements. This coordination facilitates logical growth and supports a balanced mix of land uses. The proposal creates a flexible structure that can incorporate future energy efficiency and climate action standards.

Applicable Statewide Planning Goals:

Goal 1 (Citizen Involvement)

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

Staff response: Staff utilize the public notice requirements of Chapter 16.72 embedded within Title 16 –Zoning and Community Development Code to notify the public of the proposed text amendments legislative adoption process. The City's public notice requirements comply with Goal 1.

The Planning Commission and City Council will hold public hearings on this request prior to adoption. Public comments received will be addressed and included as part of the hearing records.

Goal 2 (Land Use Planning)

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

Staff response: The development of the proposed amendments has followed the City's established land use planning process and framework, which has included public meetings, public outreach through information on the city's website, and opportunities for public comment.

The proposed annexation policies support state and regional goals, as defined but not limited to Metro code 3.09 – Local Government Boundary Changes, an extension of ORS 268.347 to 268.354 and ORS 222 – Boundary Changes, Annexations, Withdrawals (including Senate Bill 1573, which was added to ORS 222.111 to 222.180).

The proposed policy explicitly seeks to prevent the formation of “island(s),” “cherry stem,” or “shoestring” annexations, and discourages piecemeal or fragmented additions to the city’s jurisdiction. Additionally, the proposal helps maintain a contiguous, efficient urban form, and promotes a more coherent and cost-effective public infrastructure network, minimizing the creation of disjointed service areas.

Compliance with all applicable regional and state requirements will be reviewed in tandem with the proposed annexation policy, including applicable criterion under Title 16 –Zoning and Community Development Code, Transportation Systems Plan (TSP), and other adopted regional and state regulatory requirements.

As presented, the proposed text amendment meets the objectives of Goal 2, through the creation of regulatory and processes related to efficient land use policies and procedures.

Goal 3 (Agricultural Lands)

Goal 4 (Forest Lands)

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

Goal 6 (Air, Water and Land Resources Quality)

Goal 7 (Areas Subject to Natural Hazards)

Goal 8 (Recreational Needs)

Goal 9 (Economic Development)

Goal 10 (Housing)

Staff response: Statewide Planning Goals 3-10 do not specifically apply to the proposed annexation policies. There is no evidence to suggest that the adoption of the text amendment language will conflict with the above statewide planning goals. The proposal does not make any substantive changes to the Sherwood Comprehensive Plan or its’ implementing ordinances that affect compliance with Goals 3-10.

Goal 11 (Public Facilities and Services)

Objective: 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.

Staff response: The proposed annexation policies are designed to ensure that any land transferred into the City’s jurisdiction is adequately served by public facilities and services.

The proposed amendment requires applicants to clearly demonstrate how the annexed property is or will be served by essential public facilities and services. This includes sanitary sewer, stormwater, transportation, broadband, and other public facilities and services. The materials submitted must certify that services are available (or can be provided) within 18 months of approval, so as to ensure new development will not overburden existing infrastructure. Additionally, applicants must demonstrate how any additional impact on existing public facilities and services will be mitigated or managed.

Transportation studies and infrastructure impact assessments are required to ensure any anticipated increase in demand is systematically evaluated. These studies provide the data needed to plan public facility improvements proactively, ensuring that new annexations do not disrupt the existing service network; the proposal requires annexation agreements to ensure property owner(s) either provide necessary improvements or limit development, so not to exceed the capacity of existing public facilities.

The proposed annexation policies not only meet Metro Code requirements (which themselves are influenced by statewide planning goals) but also align with the Sherwood Comprehensive Plan. By integrating these multiple layers of planning, the policy ensures that decisions on individual annexation applications are made with full awareness of the public facility implications, reinforcing the statewide priority of delivering quality public services.

Through addressing potential service impacts before annexation is approved, the proposal supports the intent of Goal 11 to prevent service shortfalls and ensure sustainable development.

Goal 12 (Transportation)

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

Staff response: The proposed annexation policies are designed to ensure that any newly incorporated areas are integrated with the region's transportation network, thereby supporting Oregon Statewide Planning Goal 12 – Transportation.

Annexation applications that include future development must include a Transportation Study that is coordinated with the city, County (Washington & Clackamas), and the Oregon Department of Transportation (ODOT). This study will evaluate existing transportation facilities and the proposed development's future transportation needs to support the development. This ensures that any additional transportation demand from annexed land is identified early and addressed appropriately.

Applications are required to show that the annexation and the proposed zoning are consistent with the Transportation Planning Rule (TPR), which outlines the requirements for transportation planning in Oregon, or provide a clear analysis if the TPR analysis is not needed; this is a state administrative regulation (codified as OAR 660-012-0060) that guides how land use decisions should be reviewed for their potential impact on the transportation system. Its primary purpose is to ensure that any changes in land use or zone that might significantly affect existing, or planned transportation facilities are accompanied by an analysis of those impacts and, if necessary, by appropriate mitigation measures. This alignment ensures that transportation considerations are fully integrated into the annexation process.

If the proposed annexation is likely to affect existing transportation infrastructure, the policy requires that the applicant demonstrate how these impacts will be mitigated. Mitigation could include planned improvements or upgrades to transportation facilities that meet City, metro, and state standards.

By synchronizing annexation with transportation planning, the policy amendments help to prevent growth patterns that could lead to traffic congestion or inefficient use of transportation resources. This coordination is critical for maintaining safe and efficient travel within the community.

The policy amendments are structured to work within the framework of regional transportation planning. By incorporating a Transportation Study and ensuring consistency with the TPR, the annexation process reinforces the broader goals of establishing a safe, efficient, and integrated transportation system.

The requirement for a Transportation Study that involves multiple agencies (City, County, and state-level transportation authorities) ensures that all relevant stakeholders are involved. This collaborative approach helps to align local annexation decisions with regional transportation priorities.

These provisions help ensure any new development resulting from annexations is well-supported by a robust and sustainable transportation system, aligning with the objectives of Oregon Statewide Planning Goal 12.

Goal 13 (Energy Conservation)

Staff response: Statewide Planning Goal 13 does not specifically apply to the proposed annexation policies. There is no evidence to suggest that the adoption of the text amendment language will conflict with the above statewide planning goals. The proposal does not make any substantive changes to the Sherwood Comprehensive Plan or its' implementing ordinances that affect compliance with Goal 13.

Goal 14 (Urbanization)

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

Staff response: The proposed text amendments would affect all future annexations, and would support the orderly and efficient use and transition of land within the designated Urban Growth Boundary (UGB). The proposed text amendments are consistent with the City's Comprehensive Plan, which has been formally recognized by the state, and is further addressed in other sections within this report.

Goal 15 (Willamette River Greenway)

Goal 16 (Estuarine Resources)

Goal 17 (Coastal Shorelands)

Goal 18 (Beaches and Dunes)

Goal 19 (Ocean Resources)

Staff response: Statewide Planning Goals 15-19 do not specifically apply to the proposed annexation policies. There is no evidence to suggest that the adoption of the text amendment language will conflict with the above statewide planning goals. The proposal does not make any substantive changes to the Sherwood Comprehensive Plan or its' implementing ordinances that affect compliance with Goals 15-19 (if applicable).

Metro Regional Framework Requirements and Urban Growth Management Functional Plan

Under the Metro Charter and state law, cities and counties within Metro's boundaries are required to comply and be consistent with Metro's adopted Urban Growth Management Functional Plans and the Regional Framework Plan.

The Functional Framework Plan – Six Outcomes – are statements adopted by the Metro Council that synthesize the 2040 Growth Concept and regional policies.

- 1. People live, work and play in vibrant communities where their everyday needs are easily accessible.**
- 2. Current and future residents benefit from the region's sustained economic competitiveness and prosperity.**
- 3. People have safe and reliable transportation choices that enhance their quality of life.**
- 4. The region is a leader on climate change, on minimizing contributions to global warming.**
- 5. Current and future generations enjoy clean air, clean water and healthy ecosystems.**
- 6. Equity exists relative to the benefits and burdens of growth and change to the region's communities.**

Staff Response: The proposed annexation policy is consistent with the goals and requirements of both the Metro Regional Framework Plan (RFP) and the Urban Growth Management Functional Plan (UGMFP), which collectively guides land use and growth management throughout the metropolitan region. The policy supports regional objectives by enabling the annexation of properties located within the Urban Growth Boundary (UGB) into Sherwood city limits, thereby promoting urban development in areas already designated for such use(s). This approach aligns with the RFP's emphasis on compact, efficient urban form, reduced urban reliance on rural lands, and the creation of well-connected, complete communities.

The proposed amendment requires annexed land be within the Urban Growth Boundary, which is separately envaulted and approved by state, regional, and local government entities. Annexation proposals must include comprehensive infrastructure analyses and transportation studies that evaluate existing and future facilities, analyze trip generation, and outline any phased improvements. The proposed amendment not only aligns with both Metro Code Chapter 3.09 and ORS 222, but also ensures that transportation networks, public facilities, and environmental impacts are rigorously assessed and integrated into local planning efforts resulting in compact and efficient development.

Annexation proposals are required to be consistent with the Sherwood Comprehensive Plan, which reflects Metro's 2040 Growth Concept. This ensures that newly incorporated areas contribute to regionally coordinated land use and transportation patterns. The policy further requires consistency with applicable Metro functional plans, including Title 1 (Housing Capacity), which supports regional housing targets; Title 3 (Water Quality and Floodplain Management), which safeguards environmental resources; and Title 11 (Planning for New Urban Areas), which mandates the provision of urban-level infrastructure and services before or concurrent with development.

A key implementation tool within the proposed amendment is the creation of an annexation agreement. This agreement establishes specific commitments regarding infrastructure improvements and service provisions based on the intended land use. These agreements help ensure that annexed areas are fully integrated into the urban service and development framework. In instances where an agreement is waived, intergovernmental coordination remains

a requirement under Title 16 - Zoning and Community Development Code, preserving consistency with Metro's standards for timely and efficient service delivery.

In summary, the annexation policy supports Sherwood's growth management objectives while ensuring compliance with regional planning mandates. It reinforces coordinated development practices, infrastructure readiness, and environmental stewardship in accordance with Metro's long-range vision for the region.

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.**

FINDING: The proposed annexation policy text amendment is consistent with the City's Transportation System Plan (TSP). The proposed amendment would not create impacts to the existing City transportation system, or how the city analyzes future transportation impacts. At the time of land use submittal and review, transportation impacts are analyzed and addressed.

V. RECOMMENDATION

Based upon review of the submittal information, review of the code, and public / agency comments, staff find the proposed Annexation Text Amendment' complies with the applicable criterion and policies of the Comprehensive Plan, as well as Metro and State policies.

Therefore, staff recommends approval of the application LU 2024-018 PA "Annexation Policies"

VI. ATTACHMENTS

- A. Proposed Code Text Amendments – Annexation Policies
- B. Public Notice & Agency Routing Correspondence, dated March 27, 2025

Proposed Amendments to Title 16, ZONING AND COMMUNITY DEVELOPMENT CODE that includes a new chapter in Division IV Planning Procedures, Chapter 16.81 ANNEXATIONS and amendments to Division III Administrative Procedures, Chapter 16.72 PROCEDURES FOR PROCESSING DEVELOPMENT PERMITS.

Chapter 16.81 Annexations

16.81.010

A. Purpose: The procedures and standards in this chapter are established in order to:

1. Facilitate efficient and orderly development opportunities when transferring jurisdiction of property within the Urban Growth Boundary from Washington County and Clackamas County to the City of Sherwood;
2. Comply with the requirements of Oregon Revised Statutes (ORS) 222, and Metro Code Chapter 3.09;
3. Ensure that public facilities are or will be available to serve land annexed to the City;
4. Establish a system for measuring and evaluating the physical, environmental, fiscal, and related social effects of proposed annexation; and
5. Avoid the creation of irregular boundaries or annexations that create "island," "cherry stem" or "shoestring" annexations, where possible.

B. Application Type and Review Procedure: An annexation application is subject to a Type IV procedure for quasi-judicial applications or a Type V procedure for legislative applications, including public notice, public hearing, and final decision through the City Council. The applicable review procedure shall be determined by the City based on the size and scope of the request.

The following is the review procedure for all annexation applications.

1. Pre-Application conference;
2. Submission of completed application;
3. Staff recommendation of approval or denial;
4. Review by City Council; and
5. Approval or denial by City Council

C. Submittal Requirements.

UNDERLINED = NEW TEXT

~~STRIKETHROUGH~~ = TEXT TO BE DELETED

1. An annexation application must include the information set forth in Metro Code 3.09 and the applicable application deposits and fees based on the current City of Sherwood fee schedule.

2. Request for annexation shall be made on forms provided by the city for such purposes and shall be accompanied by all requirements in the City's annexation checklist.

3. An owner-initiated annexation application shall include a preliminary annexation agreement consistent with Section 16.81.020, Annexation Agreements.

D. Zone Change Process Concurrent with Annexation Application

1. A property owner who seeks a zone other than the zoning district shown on the Official Plan and Zoning Map may apply for a Zone Change to an alternative zone. An owner-initiated change may be processed concurrently with the annexation application. The Zone Change application shall be processed under Chapter 16.72, Procedures for Processing Development Permits, and Chapter 16.80, Plan Amendments. Zone Map Amendments must meet the requirements of Section 16.80.030 Review Criteria.

E. Zoning of Annexed Areas

1. All lands within the Urban Growth Boundary of Sherwood have been classified with a zoning district as shown on the Official Plan and Zoning Map. Once annexation of the territory is approved, the zoning identified on the Zoning Map is directly applied to the territory without application of Chapter 16.80, Plan Amendments. Zone Map Amendments must meet the requirements of Section 16.80.030 Review Criteria.

2. As of the effective date of annexation, no use or structure shall be considered legal non-conforming if the use or structure: (1) violates or conflicts with county zoning regulations and (2) has not been verified as a lawful non-conforming use or structure under county zoning regulations. Any such use or activity shall constitute a violation of this ordinance.

3. Any lot or parcel of land duly recorded in the Washington County Recorder's Office prior to the effective date of this Ordinance and having an area, width, depth, or street frontage less than that required in the Zoning District regulations in which such lot or parcel is situated, shall be deemed to be a lot and may be used as a building site, provided that all other regulations of the zone and development code are met.

F. Approval Criteria. The City may approve an annexation application if the City determines that the following criteria are met:

1. Criteria set forth in Oregon Revised Statutes (ORS) 222 and Metro Code Chapter 3.09.

2. Applicable policies of the Sherwood Comprehensive Plan.

3. The application demonstrates how the property is served or will be served by adequate public facilities and services, including sanitary sewer, storm water, domestic water, transportation, internet fiber, parks and trails, police, fire, and waste service assuming densities and uses that may be authorized by the zoning district as set forth in the City's Official Plan and Zoning Map. Public facilities and services must be provided in a manner consistent with the City's adopted public facility plans, comprehensive plan, transportation system plan, parks and trails master plan, and any applicable area plan or master plan. The application must demonstrate how the public facilities and services will be provided to the property in an orderly, efficient, and timely manner.

4. The application demonstrates how impacts to existing City public facilities and services (sewer, water, stormwater, and transportation) from the development of the property will be mitigated, if necessary. Mitigation may include construction of on-site or off-site improvements or improvements to existing infrastructure to City standards and specifications. The application must demonstrate adequate funding for the mitigation. If the financing requires City funds, the funding must be approved by the City Council prior to annexation. The City may rely on the standards and criteria of Title 16, Sherwood Zoning and Community Development Code, and other relevant standards and criteria in the comprehensive plan, engineering design standards, or approved master plans to analyze an applicant's proposed mitigation of impacts. In order to ensure adequate public facilities and services will exist to serve property annexed to the City, an applicant may be required to enter into an agreement with the City that governs the extent and timing of infrastructure improvements pursuant to Chapter 16. 81.020 Annexation Agreements.

5. The application demonstrates that the annexation and proposed zoning is consistent with the Transportation Planning Rule (TPR) or demonstrates that the TPR analysis is not required.

6. The annexation is in the City's best interest.

G. Conditions of Approval. Approval of annexation may be conditioned by the City, including conditions to meet service boundary requirements of Metro and Clean Water Services.

H. Appeal of Decision. A final decision on an annexation application may be appealed to the Land Use Board of Appeals.

I. Expiration of a Decision. A final decision on an annexation does not expire.

J. Extension of Decision. Because a final decision on an annexation does not expire, the decision is not subject to extension requests.

16.81.020 Annexation Agreements

A. Purpose. The annexation agreement is intended to ensure awareness of the annexation process as well as reasonable certainty to the property owner, the City, and the public that the scope and timing of subsequent development of the property will occur in a manner that facilitates the timely and orderly construction of necessary infrastructure improvements. The agreement is intended to describe the intended use of the property following annexation, the process for development review, the parties' commitments regarding the subsequent development, and the infrastructure anticipated to be necessary to support development.

B. Applicability. Unless waived by the City under subsection D, an annexation agreement consistent with this section shall be executed prior to and included with all annexation applications.

C. Contents. Unless otherwise agreed by the City, an annexation agreement shall include the following information and, at a minimum, address the following elements to the City's satisfaction:

1. A legal description of the property;
2. The current zoning within the County and future urban zoning as depicted on the Sherwood Zone Map;
3. The proposed zoning, if different than depicted on the Zone Map;
4. The owner's intended urban use of the property in sufficient detail to allow the City to determine the public facility impacts and required infrastructure improvements necessary to support the intended use. The description should include the anticipated type, size, and density of the use, the timing of any anticipated phases, and an engineering assessment of the impact on urban services at full build-out and for each phase of a phased project. Urban services mean sanitary sewer, water, fire protection, parks, open space, recreation and streets, roads and mass transit;
5. Certification of service availability. It is necessary to obtain certification that water, sanitary sewer, storm sewer and transportation services are available or can be available within 18 months to the proposed site;
6. A Transportation Study that is coordinated with the City and other impacted agencies including Washington County and Oregon Department of Transportation. Unless waived by the City, the Transportation Study shall include:

a. The existing transportation facilities that serve the property, including the existing and planned capacity of the facilities, including trip analysis to determine the scope and timing of planned improvements to evaluate the cumulative effect of annexations and development on the transportation system.

b. The location, size, type, and timing of any phased occupancy, if proposed.

c. Any transportation improvements that may be necessary to accommodate the development at initial occupancy, at each phase of a phased project, and at full buildout of the property.

d. The committed and funded multi-modal transportation facilities expected to be available at initial occupancy, at each phase of a phased project, and at full buildout of the property.

D. Waiver.

1. The City Manager or designee may waive the requirement to execute and submit an annexation agreement if the City Manager or designee, in its sole discretion, determines the agreement is not necessary and would not achieve the purposes described in Section 16.81.020(A).

E. Owner Commitments. The annexation agreement shall provide for at least the following owner commitments:

1. To provide needed improvements or limit the development of the property such that it will not exceed the capacity of:

a. Affected transportation facilities, as determined by the Transportation Study, including any improvements proposed and constructed as part of the development; and

b. Other affected public facilities including facilities for sanitary sewer, storm water, domestic water, transportation, internet fiber, and parks, trails, and open space.

2. Authorize the City to limit or condition any land use decision or entitlements consistent with the Transportation Study and other available public infrastructure capacity analysis, as determined by the City, to ensure that adequate public infrastructure is available to serve the proposed development.

F. City Commitments.

1. To apply the urban designated zoning depicted on the Zone Map and any applicable Master Plan at the time of annexation or such other time as parties agree.

G. General Provisions.

1. An annexation agreement shall include the parties' intended schedule of significant development-related events, including annexation, zone change, land division, development review, building permits, and occupancy.
2. A preliminary annexation agreement expires one (1) year from the last date it is signed by the parties unless the City has received an annexation application for the property and deemed the application complete. An executed annexation agreement, signed by all parties and annexation to the City is finalized, is binding and shall never expire.
3. The provisions of an annexation agreement may be included in and made part of a subsequent land use decision, in which case the provisions of the land use decision supersede any conflicting provisions in the annexation agreement.
4. An annexation agreement is not effective and binding on the parties until the annexation application receives final approval by the City Council and any rights to appeal are exhausted.

16.72.010 Generally

A. Classifications

Except for Final Development Plans for Planned Unit Developments, which are reviewed per Section 16.40.030, all ministerial, administrative, and quasi-judicial development permit applications and legislative land use actions shall be classified as one of the following:

1. Residential Design Checklist Review

The Community Development Director, or designee, without public notice and without a public hearing, makes ministerial decisions through the Residential Design Checklist Review procedure. Ministerial decisions are those where City standards and criteria do not require the exercise of discretion (i.e., they are clear and objective standards).

The Community Development Director, or designee, reviews proposals for all residential housing types, except for multi-dwelling development that are subject to Section 16.90, requiring a clear and objective review using the Residential Design Checklist. The Residential Design Checklist is a preliminary review that is intended to ensure a project proposal meets the basic requirements of Chapter 16.14 before more detailed plans are prepared and before the City authorizes the Building Official to issue a building permit.

2. Type I

5. Type IV

The following quasi-judicial actions shall be subject to a Type IV review process:

- a. Site Plan review and/or "Fast Track" Site Plan review of new or existing structures in the Old Town Overlay District.
- b. All quasi-judicial actions not otherwise assigned to a Hearing Authority under this section.
- c. Site Plans — Greater than 40,000 square feet of floor area, parking or seating capacity.
- d. Site Plans subject to Section 16.90.020.D.6.f.
- e. Industrial Site Plans subject to Section 16.90.020.D.7.b.
- f. Subdivisions — over 50 lots.
- g. Class A Variance.
- h. Residential Design Review.
- i. Quasi-Judicial Annexations.

6. Type V

The following legislative actions shall be subject to a Type V review process:

- a. Plan Map Amendments.
- b. Plan Text Amendments.
- c. Planned Unit Development — Preliminary Development Plan and Overlay District.
- d. Legislative Annexations.

B. Hearing and Appeal Authority

1. The Hearing and Appeal Authorities shall be as follows:

- a. The Residential Design Checklist review authority is the Community Development Director or their designee. The decision is final on the date it is signed by the Community Development Director. It is not a land use decision as defined by ORS 197.015, and therefore is not subject to local appeal or appeal to the state Land Use Board of Appeals (LUBA).
- b. The Type I Hearing Authority is the Community Development Director and the Appeal Authority is the Planning Commission.
 - (1) The Community Development Director's decision shall be made without public notice or public hearing. Notice of the decision shall be provided to the applicant.
 - (2) The applicant may appeal the Community Development Director's decision.

- e. The Type IV Hearing Authority is the Planning Commission, and the Appeal Authority is the City Council with the exception of Quasi-Judicial Annexations. Quasi-Judicial Annexations Hearing Authority is City Council.
 - (1) The Planning Commission shall hold a public hearing following public notice in accordance with Sections 16.72.020 through 16.72.080.
 - (2) Any person who testified before the Planning Commission at the public hearing or submitted written comments prior to the close of the record may appeal the Planning Commission's decision.
- f. The Type V Hearing Authority is the City Council, upon recommendation from the Planning Commission and the Appeal Authority is the Land Use Board of Appeals

(LUBA). Legislative Annexations go directly to City Council and does not require a recommendation by the Planning Commission.

2. Except for annexation review, each quasi-judicial development permit application shall potentially be subject to two (2) levels of review, with the first review by a Hearing Authority and the second review, if an appeal is filed, by an Appeal Authority. The decision of the Hearing Authority shall be the City's final decision, unless an appeal is properly filed within fourteen (14) days after the date on which the Hearing Authority took final action. In the event of an appeal, the decision of the Appeal Authority shall be the City's final decision.
3. Except for annexation review, each Type V legislative land use action shall be reviewed at a public hearing by the Planning Commission with a recommendation made to the City Council. The City Council shall conduct a public hearing and make the City's final decision.

Hugo Hamblin-Agosto

From: Hugo Hamblin-Agosto
Sent: Thursday, March 27, 2025 2:21 PM
To: Ryan.Winfree@nwnatural.com; henry.english@pgn.com; Travis.Smallwood@pgn.com; Jose.Marquez@pgn.com; humphreysj@CleanWaterServices.org; Marvin Spiering; LUComments@cleanwaterservices.org; kmenroachmentspacific@kindermorgan.com; kTabscott@pridedisposal.com; raindrops2refuge@gmail.com; eva_kristofik@fws.gov; mwerner@pwrr.com; dxsmith@bpa.gov; jeroase@sherwood.k12.or.us; Gary Bennett; Jessica Tump; baldwinb@trimet.org; Trimet Review; landusenotifications@oregonmetro.gov; CCDRailCrossingLUR@odot.oregon.gov; Jill.M.HENDRICKSON@odot.state.or.us; ODOT_R1_DevRev@odot.state.or.us; anthony_mills@washingtoncountyor.gov; Naomi_Vogel@co.washington.or.us; lutdevtransportation@Washingtoncountyor.gov; Stephen Roberts; Theresa_Cherniak@co.washington.or.us; Bryan_Robb@co.washington.or.us; Arn, Jason S.; Brad Crawford; Richard Sattler; Jason Waters; Craig Christensen; Andrew Stirling; Colleen Resch; Katie Corgan; Ty Hanlon; Jon Carlson; hoon.choe@USPS.gov; mlrr.info@oregon.gov; Ian Crawford; Chris.Stevenson@dsl.oregon.gov; dkampfer@wm.com; developmentengineering@clackamas.us; zoninginfo@clackamas.us; Fritzie, Martha
Cc: Sean Conrad
Subject: [REQUEST FOR COMMENTS]_LU 2024-018 PA Annexation Policies
Attachments: Proposed Annexation Policy Amendments_3.17.25.pdf

Hello Staff & Agency Partners,

The City of Sherwood Planning Department is requesting agency comments for the following:

Proposal: *Proposed Amendments to Title 16 – Zoning and Community Development Code that includes a new chapter in Division IV Planning Procedures, Chapter 16.81-“Annexations” and amendments to Division III Administrative Procedures, Chapter 16.72 – “Procedures for Processing Development Permits.”*

See draft code language for more information. **Please provide final comments no later than 4/10/25.** If your agency will not be providing comments for the land use application, please indicate that ‘no comment’ will be provided. If you have any questions or concerns, please don’t hesitate to reach out for assistance.

Thanks in advance,



Hugo Agosto (He/Him/El)
 Associate Planner
 503-625-4271
Hamblin-Agostoh@SherwoodOregon.gov
www.sherwoodoregon.gov
 22560 SW Pine Street, Sherwood, OR 97140

Sherwood Community Development Department is open Monday-Friday 8 am – 5 pm. Located on the second floor of City Hall.

Hugo Hamblin-Agosto

From: DLCD Plan Amendments <plan.amendments@dlcd.oregon.gov>
Sent: Monday, March 17, 2025 4:19 PM
To: Hugo Hamblin-Agosto
Subject: Confirmation of PAPA Online submittal to DLCD

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you are expecting this email and/or know the content is safe.

Sherwood

Your notice of a proposed change to a comprehensive plan or land use regulation has been received by the Oregon Department of Land Conservation and Development.

Local File #: LU 2024-018 PA Annexation Policies (3.17.25)

DLCD File #: [001-25](#)

Proposal Received: 3/17/2025

First Evidentiary Hearing: 4/22/2025

Final Hearing Date: 5/6/2025

Submitted by: Huwego2340

If you have any questions about this notice, please reply or send an email to plan.amendments@dlcd.oregon.gov.