

# MACKENZIE.

## **PLAN TEXT AMENDMENT**

**To**  
City of Sherwood

**For**  
ORWA Sherwood LLC

**Dated**  
December 19, 2025  
*(Revised January 21, 2026)*

**Project Number**  
2250232.00



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**EXHIBITS**

1. Application form
2. Map of Affected Area
3. Historic Sites Map
4. Transportation Planning Rule Analysis
5. Neighborhood Meeting Documentation
6. Conceptual Diagrams for Food Cart Pod

## I. PROJECT SUMMARY

<b>Applicant:</b>	ORWA Sherwood LLC Att: Brenda Christina bchristina@mobinv.net 8320 NE Highway 99 Vancouver, WA, 98665-8819
<b>Tax Lot Information:</b>	
	<b>Tax Lot: 2S129A000400</b> Owner: Sherwood Pacific LLC Et Al Mailing Address: PO Box 230968, Tigard, OR 97281 Site Address: 14841 SW Tualatin-Sherwood Road, Sherwood, OR 97140
	<b>Tax Lot: 2S129A000500</b> Owner: Ralston & Ralston LLC Mailing Address: 2959 SW Bennington Drive, Portland, OR 97205 Site Address: 15025 SW Tualatin-Sherwood Road, Sherwood, OR 97140
	<b>Tax Lot: 2S129A001100</b> Owner: Portland General Electric Co Mailing Address: 121 SW Salmon Street, Portland, OR 97204 <i>No address assigned</i>
	<b>Tax Lot: 2S129A001652</b> Owner: Portland General Electric Co Mailing Address: 121 SW Salmon Street, Portland, OR 97204 Site Address: 20520 SW Langer Farms Parkway, Sherwood, OR 97140
	<b>Tax Lot: 2S129A001800</b> Owner: J&J Legacy LLC Mailing Address: 14130 SW Hargis Road, Beaverton, OR 97008 Site Address: 20833 SW Olds Place, Sherwood, OR 97140
	<b>Tax Lot: 2S129A002400</b> Owner: Arrow Street LLC Mailing Address: 20746 SW Olds Place, #301, Sherwood, OR 97140 Site Address: 15114 SW Arrow Street, Sherwood, OR 97140
	<b>Tax Lot: 2S129A002500</b> Owner: Daisy & Peach LLC Mailing Address: 8420 SW Power Court, Portland, OR 97225 Site Address: 20900 SW Olds Place, Sherwood, OR 97140
	<b>Tax Lot: 2S129A002600</b> Owner: Aviatrix Ventures LLC Mailing Address: 20952 SW Olds Place, Sherwood, OR 97140 Site Address: 20952 SW Olds Place, Sherwood, OR 97140

**Tax Lot: 2S129A003300**

Owner: G&T Sherwood LLC

Mailing Address: PO Box 23051, Tigard, OR 97281

Site Address: 20941 SW Olds Place, Sherwood, OR 97140

**Tax Lot: 2S129A003400**

Owner: Nelmun Management LLC

Mailing Address: 21370 SW Langer Farms Parkway #142-171, Sherwood, OR 97140

Site Address: 20861 SW Olds Place, Sherwood, OR 97140

**Tax Lot: 2S129B000900**

Owner: Sentinel Self Storage LLC

Mailing Address: 28185 SW Heater Road, Sherwood, OR 97140

Site Address: 15555 SW Tualatin-Sherwood Road, Sherwood, OR 97140

**Tax Lot: 2S129B000901**

Owner: Langer Clarence D Jr Irrev Trust & Langer Pamela A Irrev Trust  
Mailing Address: 15585 SW Tualatin-Sherwood Road, Sherwood, OR 97140

Site Address: 15705 SW Tualatin-Sherwood Road, Sherwood, OR 97140

**Tax Lot: 2S129D000150**

Owner Name: ORWA Sherwood LLC

Mailing Address: 8320 NE Highway 99, Vancouver, WA 98665

Site Address: 14872 SW Century Drive, Sherwood, OR 97140

**Tax Lot: 2S129D000151**

Owner: ORWA Sherwood LLC

Mailing Address: 8320 NE Highway 99, Vancouver, WA 98665

*No address assigned*

**Tax Lot: 2S129DB00100**

Owner: Langer Gramor LLC

Mailing Address: 19767 SW 72nd Avenue, #100, Tualatin, OR 97062

Site Address: 21174 SW Langer Farms Parkway, Sherwood, OR 97140

**Tax Lot: 2S129DB00200**

Owner: Wal-Mart Real Estate Business Trust

Mailing Address: PO Box 8050 MS 0555, Bentonville, AR 72716

Site Address: 21320 SW Langer Farms Parkway, Sherwood, OR 97140

**Tax Lot: 2S129DB00300**

Owner: Langer Gramor LLC

Mailing Address: 19767 SW 72nd Avenue, #100, Tualatin, OR 97062

Site Address: 21370 SW Langer Farms Parkway, Sherwood, OR 97140



**Tax Lot: 2S129DB00400**

Owner: FLRF LLC

Mailing Address: 204 N Robinson Avenue, #709, Oklahoma City, OK  
73102

Site Address: 14962 SW Tualatin-Sherwood Road, Sherwood, OR  
97140

**Tax Lot: 2S129DB00500**

Owner: Glen Wetzel

Mailing Address: PO Box 3451, Tualatin, OR 97062

Site Address: 14960 SW Tualatin-Sherwood Road, Sherwood, OR  
97140

**Affected Acreage:**

Approximately 50.4 acres would be affected by the proposed amendment

**Zoning:**

Light Industrial

**Comprehensive Plan:**

Light Industrial

**Request:**

Plan Text Amendment to authorize food cart pods as conditional uses in the Light Industrial zone within 500 feet of Tualatin-Sherwood Road

**Project Contact:**

Mackenzie

Att: Brian Varricchione, Land Use Planner

bvarricchione@mcknze.com

1515 SE Water Avenue, Suite 100

Portland, OR 97214

971.346.3742

## II. INTRODUCTION

### Background Information

In 2024, the City of Sherwood adopted rules regulating the design and operation of food cart pods, codified in Chapter 16.39 of the Sherwood Zoning and Community Development Code (SZCDC). This chapter specifies that food cart pods must have at least five food carts, together with a permanent covered dining pavilion and restroom facilities.

As part of the 2024 process, the City specified that food cart pods could only be allowed in the General Commercial (GC) and Retail Commercial (RC) zones, and then only following Planning Commission approval of a Conditional Use Permit. The GC and RC zones are primarily located along Oregon Highway 99W, with small areas at the western end of Tualatin-Sherwood Road and in Old Town. The total size of the GC zone is approximately 71 acres, while the total size of the RC zone<sup>1</sup> is approximately 117 acres. Mackenzie analyzed the parcels within these two zones and estimates that approximately 30 acres within these two zones are undeveloped and potentially available for development with a food cart pod under current regulations. The available sites include portions of properties without buildings or paved parking, not under high-voltage power lines, and not within the wetlands or floodplains.

### Proposed Plan Text Amendment

The available sites in the GC and RC zones that could accommodate food cart pods are primarily in the western portion of the City. As the City's industrial land base (653 acres, according to the 2023 Economic Opportunities Analysis) is primarily in the eastern portion of the City, the applicant is requesting a Plan Text Amendment to permit food cart pods in a limited area within the eastern portion of the City. The proposed amendment would allow food cart pods as conditional uses in the Light Industrial zone for only those sites within 500 feet of Tualatin-Sherwood Road (the "Affected Area", denoted in Exhibit 2).<sup>2</sup> The 500-foot offset from Tualatin-Sherwood Road is proposed for several reasons:

- Tualatin-Sherwood Road is a commercial corridor so it is reasonable to site food cart pod(s) along the corridor, and this would allow dining opportunities for nearby employment centers.
- A conceptual test fit of a potential food cart pod on the applicant's property (Washington County tax lot 2S129D000150, see Exhibit 6) indicates that a food cart pod and associated parking and circulation would fit comfortably within the 500-foot limitation.
- Imposing a geographic boundary on the Affected Area ensures that other property within the LI zone would continue with the current list of allowable uses and would not be eligible for food cart pods (see "Preservation of Light Industrial Areas" discussion below).

This amendment would not change allowable uses for other LI-zoned properties farther than 500 feet from Tualatin-Sherwood Road and would not change allowable uses for industrial land in other zones.

The full text of the applicant's proposed Plan Text Amendment is included in Section III of this report.

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<sup>1</sup> RC acreage includes sites in Planned Unit Development (PUD) overlays.

<sup>2</sup> The affected area includes some LI-zoned sites within PUD overlays, which may or may not allow food cart pods depending on the specific rules associated with each PUD.

### ***Benefits of Approving Text Amendment***

Allowing food cart pods within a portion of the LI zone would have a number of positive benefits for the City and community, including:

- Encouraging business growth by providing a venue for small business food cart operators.
- Increasing the range of services available to industrial-zoned land and serving as a valuable, convenient amenity to local employers and employees within short travel distances from places of employment during the workday for breaks.
- Providing active gathering spaces and offering an expanded variety of food options within short travel distances from places of employment and from the nearby residential developments west of Langer Farms Parkway. If any future food cart pods operate on nights and weekends, then these gathering spaces could serve as an additional community amenity for residents.
- Making employment areas more desirable and marketable for current and prospective employees, helping employers attract and retain workers.
- Increasing activity and foot traffic in areas that may otherwise be underutilized, in turn improving neighborhood safety and vitality.
- Increasing the visibility of other businesses nearby.
- Providing opportunities for local entrepreneurs to establish new food and beverage-related businesses.
- Potentially leading to trip sharing, carpooling, and/or combined deliveries based on proximity to complementary industrial and commercial uses.

### ***Preservation of Light Industrial Areas***

The Plan Text Amendment narrowly expands the list of uses that could be allowed on LI properties while ensuring that the text change does not use up all industrial land by leading to construction of new food cart pods throughout the entirety of the Light Industrial zone. The City currently has approximately 257 acres in the LI zone (including sites in PUD overlays). As depicted in Exhibit 2, approximately 50 acres within the LI zone (including portions within PUDs) fall within the Affected Area within 500 feet of Tualatin-Sherwood Road. Mackenzie performed a site-by-site analysis of each of the parcels within the Affected Area to identify sites that could potentially accommodate food cart pods—namely, those portions of properties without buildings or paved parking, not under high-voltage power lines, not within the natural areas along Rock Creek, and excluding sites with approved land use applications for new development. The resulting analysis indicates that approximately 8.4 acres within the Affected Area are undeveloped and potentially available for development with a food cart pod. This constitutes approximately 17% of the Affected Area, approximately 3% of the City's Light Industrial land supply, and approximately 1% of the City's overall industrial land supply.

It is unlikely that the economy would support numerous food cart pods in the Affected Area, given that there is a finite demand so it would not be financially viable for all available sites to construct food cart pods. Therefore, it is not anticipated that all 8.4 acres identified as potentially available would be occupied by food cart pods, and it seems more likely that the market could support perhaps one or two food cart pods in the Affected Area. Furthermore, conditional use review for any food cart pod proposal gives the Planning Commission the opportunity to ensure that an adequate supply of land is available for the full range of uses allowed in the Light Industrial zone.

Consistent with Metro rules that require cities to limit the size of retail uses and services in areas designated by Metro as a Title 4 Industrial Area, the proposed amendment would stipulate that food cart pods are subject to footnote 3 of the Use table in SZCDC 16.31.020, which indicates that the use is "Limited

in size to five thousand (5,000) square feet in a single outlet and no more than twenty thousand (20,000) square feet in multiple outlets in the same development project.” Based on discussions with City staff and with staff from other cities subject to this same Metro provision, the applicant understands that each “outlet” refers to an individual business (e.g., a food cart or a vendor within the dining pavilion) and that the 20,000 square foot limit would apply to the combined area of food carts, customer queuing/waiting areas, dining pavilion, and any covered outdoor seating areas.

#### ***No Changes to Existing Food Cart Pod Development Standards***

The applicant is not proposing any text amendments to SZCDC Chapter 16.39 (Food Cart Pods), which codify the City’s development standards for food cart pods.

#### **Public Services Impact Analysis**

The proposed Plan Text Amendment by itself does not cause impacts on public services (utilities, parks, police, fire and rescue, and transportation) as it does not authorize a specific development. Following passage of the Plan Text Amendment, if a property owner within the Affected Area were to propose a food cart pod, the proposal would be governed by SZCDC Chapter 16.82 (Conditional Uses) and subject to Planning Commission review for compliance with the entire Development Code including Chapter 16.39 (Food Cart Pods). In such a situation, the burden of proof would be on the applicant to demonstrate that the affected public facilities are adequate.

#### **Oregon Transportation Planning Rule**

The Oregon Transportation Planning Rule (TPR) requires local governments to analyze whether a proposed amendment to a land use regulation would have a significant effect on the transportation system. If the analysis demonstrates that a significant effect would occur, then the City must either deny the application or require mitigation to offset the traffic impact. Determinations of significance are made by the City in consultation with the roadway authority (which in some instances may be the City, Washington County, or Oregon Department of Transportation).

The applicant engaged a transportation engineer to analyze compliance with the TPR. As documented in Exhibit 4, approval of the Plan Text Amendment application would not have a significant effect on the transportation system. Full discussion of the TPR is provided in Section IV of this report.

### III. PROPOSED PLAN TEXT AMENDMENT

The applicant proposes the following text amendment to certain portions of Chapter 16.31 (Industrial Land Use Districts) of the Sherwood Zoning and Community Development Code (SZCDC). In the text below, only those sections of the SZCDC with proposed text amendments are listed. Proposed language additions are double underlined in red text.

#### ***Chapter 16.31 – Industrial Land Use Districts***

##### ***16.31.010 – Purpose***

- A. *Employment Industrial (EI) - The EI zoning district provides employment areas that are suitable for, and attractive to, key industries and industry clusters that have been identified by the State of Oregon and the City's economic development strategy as important to the state and local economy. The following are preferred industry sectors for areas zoned EI: Clean Technology; Technology and Advanced Manufacturing; and Outdoor Gear and Active Wear.*  
*Land zoned EI shall provide for large and medium-sized parcels for industrial campuses and other industrial sites that can accommodate a variety of industrial companies and related businesses. Areas zoned EI are also intended to provide the opportunity for flex building space within small- and medium-sized industrial campuses and business parks to accommodate research and development companies, incubator/emerging technology businesses, related materials and equipment suppliers, and/or spin-off companies and other businesses that derive from, or are extensions of, larger campus users and developments. Retail and commercial uses are allowed only when directly supporting area employers and employees.*  
*Industrial establishments and support services shall not have objectionable external features and shall feature well-landscaped sites and attractive architectural design, as determined by the Hearing Authority.*
- B. *Light Industrial (LI) - The LI zoning district provides for the manufacturing, processing, assembling, packaging and treatment of products which have been previously prepared from raw materials. Industrial establishments shall not have objectionable external features and shall feature well-landscaped sites and attractive architectural design, as determined by the Commission.*
- C. *General Industrial (GI) - The GI zoning district provides for the manufacturing, processing, assembling, packaging and treatment of products from previously prepared or raw materials, providing such activities can meet and maintain minimum environmental quality standards and are situated so as not to create significant adverse effects to residential and commercial areas of the City. The minimum contiguous area of any GI zoning district shall be fifty (50) acres.*

##### ***16.31.020 – Uses***

- A. *The table below identifies the land uses that are permitted outright (P), permitted conditionally (C) and not permitted (N) in the industrial zoning districts. The specific land use categories are described and defined in Chapter 16.88.*
- B. *Uses listed in other sections of this Code, but not within this specific table are prohibited.*
- C. *Any use not otherwise listed that can be shown to be consistent or associated with the uses permitted outright or conditionally in the industrial zones or contribute to the achievement of the objectives of the industrial zones may be permitted outright or conditionally, utilizing the provisions of Chapter 16.88.*
- D. *Additional limitations for specific uses are identified in the footnotes of this table.*

Uses			
Uses	LI	GI	EI <sup>1</sup>
<b>RESIDENTIAL</b>			
▪ Single dwelling unit, including a manufactured home, for one (1) security person employed on the premises and their immediate family	P	P	P
<b>CIVIC</b>			
▪ Hospitals	C	N	N
▪ Police and fire stations and other emergency services	C	C	C
▪ Vehicle testing stations	C	C	C
▪ Postal services – Public	C	C	C
▪ Postal substations when located entirely within and incidental to a use permitted outright	C	C	C
▪ Public and private utility structures, including but not limited to telephone exchanges, electric substations, gas regulator stations, treatment plants, water wells, and public work yards	P	P	C
▪ Small-scale power generation facilities	P	P	P
▪ Large-scale power generation facilities	C	P	C
▪ Public recreational facilities including parks, trails, playfields and sports and racquet courts on publicly owned property or under power line easements	C	C	C
<b>COMMERCIAL</b>			
▪ Commercial Trade Schools, commercial educational services and training facilities	P	P	C
<b>Entertainment/recreation</b>			
▪ Country clubs, sports and racquet clubs and other similar clubs	C	C	C
▪ Indoor recreation facilities such as arcades, mini-golf, or bounce house facilities <sup>2,3</sup>	C	C	C
<b>Hospitality and lodging</b>			
▪ Hotel/Motel	CU <sup>12</sup>	N	N
<b>Motor vehicle related</b>			
▪ Motorized vehicle and sport craft repairs and service	C	C	N
▪ Motorized vehicle and sport craft repair and service clearly incidental and secondary to and customarily associated with a use permitted outright or conditionally	P	P	P
▪ Automotive, boat, trailer and recreational vehicle storage	C	C	C <sup>4</sup>
▪ Vehicle fueling stations or car wash facilities <sup>5</sup>	C	C	C
▪ Junkyards and salvage yards	N	N	N
▪ Manufactured home sales and display area	N	N	N
<b>Office and professional support services</b>			
▪ Business and professional offices <sup>3</sup>	P	P	P
▪ Business support services such as duplicating, photocopying, mailing services, fax and computer facilities <sup>3</sup>	P	P	P
▪ Any incidental business, service, processing, storage or display, not otherwise permitted, that is essential to and customarily associated	P	P	P

with a use permitted outright, provided said incidental use is conducted entirely within an enclosed building			
<b>Childcare</b>			
▪ Day cares, preschools, and kindergartens, when clearly secondary to a permitted use	P	P	P
▪ Day cares, preschools, and kindergartens as a stand-alone use <sup>3</sup>	C	C	C
<b>General retail – sales oriented</b>			
▪ Incidental retail sales or display/showroom directly associated with a permitted use and limited to a maximum of 10% of the total floor area of the business <sup>3</sup>	P	P	P
▪ Medical and recreational marijuana facilities	P <sup>6</sup>	P <sup>6</sup>	N
▪ Tool and equipment repair, rental and sales, including truck rental <sup>7</sup>	P	P	P
▪ Retail plant nurseries and garden supply stores (excluding wholesale plant nurseries)	P	P	N
▪ Wholesale building material sales and service	C	P	N
▪ Retail building material sales and lumber yards <sup>3</sup>	C	P	N
<b>Personal services</b>			
▪ Health clubs and studios less than 5,000 square feet in size	P	P	P
▪ Psilocybin Service Centers	N	P <sup>13</sup>	N
▪ Personal services catering to daily customers where patrons pay for or receive a service rather than goods or materials, including but not limited to financial, beauty, pet grooming, and similar services <sup>8</sup>	C	C	C
▪ Public or commercial parking (non-accessory)	N	N	N
▪ Veterinarian offices and animal hospitals	C	C	C
▪ Animal boarding/kennels and pet daycare facilities with outdoor recreation areas <sup>8</sup>	C	C	C
<b>Eating and drinking establishments:</b>			
▪ Restaurants, taverns, and lounges without drive-thru <sup>3</sup>	C	C	C
▪ Restaurants with drive-thru services	N	N	N
▪ On-site cafeteria that is secondary to, and serving employees of, a permitted use	P	P	P
▪ <u>Food Cart Pods</u> <sup>3, 14</sup>	C	N	N
<b>INDUSTRIAL</b>			
▪ Manufacture, compounding, processing, assembling, packaging, treatment, fabrication of products contained wholly within an enclosed building provided exterior odor and noise is consistent with municipal code standards and there is no unscreened storage and not otherwise regulated elsewhere in the code	P	P	P
▪ Manufacture, compounding, processing, assembling, packaging, treatment, fabrication of products not otherwise prohibited elsewhere in the code provided other off-site impacts are compliant with local, state and federal regulations	C	P	C
▪ Manufacture, compounding, processing, assembling, packaging, treatment, or fabrication of acids, paints, dyes, soaps, ammonia, chlorine, sodium compounds, fertilizer, herbicides, insecticides and similar chemicals	N	C	N

▪ <i>Psilocybin Manufacturing Facilities</i>	<i>N</i>	<i>P<sup>13</sup></i>	<i>N</i>
▪ <i>Distribution, warehousing and storage associated with a permitted use operating on the same site</i>	<i>P</i>	<i>P</i>	<i>P</i>
▪ <i>Distribution and warehousing up to 150,000 square feet, provided product(s) are stored within an enclosed building<sup>9</sup></i>	<i>P</i>	<i>P</i>	<i>P</i>
▪ <i>Distribution and warehousing greater than 150,000 square feet provided product(s) are stored within an enclosed building<sup>9</sup></i>	<i>N</i>	<i>P</i>	<i>C</i>
▪ <i>Mini-warehousing or self-storage</i>	<i>N</i>	<i>P</i>	<i>N</i>
▪ <i>Medical or dental laboratories, including biomedical compounding</i>	<i>P</i>	<i>P</i>	<i>P</i>
▪ <i>Laboratories (not medical or dental)</i>	<i>P</i>	<i>P</i>	<i>P</i>
▪ <i>Research and development and associated manufacturing</i>	<i>P</i>	<i>P</i>	<i>P</i>
▪ <i>Contractors' storage and equipment yards</i>	<i>C</i>	<i>P</i>	<i>C<sup>4</sup></i>
▪ <i>Building, heating, plumbing or electrical contractors and suppliers, building maintenance services, and similar uses<sup>10</sup></i>	<i>P</i>	<i>P</i>	<i>P</i>
▪ <i>Industrial laundry, dry cleaning, dyeing, or rug cleaning plants</i>	<i>C</i>	<i>P</i>	<i>N</i>
▪ <i>Sawmills</i>	<i>C</i>	<i>C</i>	<i>N</i>
▪ <i>Sand and gravel pits, rock crushing facilities, aggregate storage and distribution facilities or concrete or asphalt batch plants</i>	<i>N</i>	<i>C</i>	<i>N</i>
▪ <i>Solid waste transfer stations</i>	<i>N</i>	<i>C</i>	<i>N</i>
<i>The following uses are specifically prohibited in all industrial zones because they have been determined to have adverse environmental, public and aesthetic impacts and are not suitable for location in any of the industrial zones in the City</i>			
▪ <i>Manufacture, compounding, processing, assembling, packaging, treatment, or fabrication of toxins or explosive materials, or any product or compound determined by a public health official to be detrimental to the health, safety and welfare of the community</i>	<i>N</i>	<i>N</i>	<i>N</i>
▪ <i>Pulp and paper mills</i>	<i>N</i>	<i>N</i>	<i>N</i>
▪ <i>Distillation of oil, coal, wood or tar compounds and the creosote treatment of any products</i>	<i>N</i>	<i>N</i>	<i>N</i>
▪ <i>Metal rolling and extraction mills, forge plants, smelters and blast furnaces</i>	<i>N</i>	<i>N</i>	<i>N</i>
▪ <i>Meat, fish, poultry and tannery processing</i>	<i>N</i>	<i>N</i>	<i>N</i>
▪ <i>General purpose solid waste landfills, incinerators, and other solid waste facilities not otherwise permitted in this Code</i>	<i>N</i>	<i>N</i>	<i>N</i>
<b>WIRELESS COMMUNICATION FACILITIES</b>			
▪ <i>Radio, television, and similar communication stations, including associated transmitters</i>	<i>C</i>	<i>C</i>	<i>C</i>
▪ <i>Wireless communication towers<sup>11</sup> and transmitters</i>	<i>C</i>	<i>C</i>	<i>C</i>
▪ <i>Wireless communication facilities on City-owned property</i>	<i>C</i>	<i>C</i>	<i>C</i>
▪ <i>Wireless communication antennas co-located on an existing tower or on an existing building or structure not exceeding the roof of the structure</i>	<i>P</i>	<i>P</i>	<i>P</i>
<b>OTHER</b>			
<i>Agricultural uses including but not limited to:</i>			
▪ <i>Farm equipment sales and rentals</i>	<i>N</i>	<i>N</i>	<i>N</i>

▪ Farming and horticulture	P	P	P
▪ Raising of animals other than household pets	N	N	N
▪ Truck and bus yards	N	P	N

<sup>1</sup> See special criteria for the EI zone, 16.31.050 and the Tonquin Employment Area (TEA), 16.31.060.

<sup>2</sup> If use is mixed with another, such as a restaurant, it is considered secondary to that use and permitted, provided it occupies less than fifty (50) percent of the total area.

<sup>3</sup> Limited in size to five thousand (5,000) square feet in a single outlet and no more than twenty thousand (20,000) square feet in multiple outlets in the same development project.

<sup>4</sup> On constrained land where structures would not otherwise be permitted, provided that no natural resources such as wetland or floodplains are impacted.

<sup>5</sup> Limited to Cardlock, wholesale or facilities incidental to and solely serving an associated permitted or conditional use - no public retail fuel sales.

<sup>6</sup> See Special Criteria for Medical and Recreational Marijuana Facilities in Chapter 16.38, Special Uses.

<sup>7</sup> Sales and rental area Limited in size to five thousand (5,000) square feet in a single outlet and no more than twenty thousand (20,000) square feet in multiple outlets in the same development project.

<sup>8</sup> Animal boarding/kennels and pet daycare facilities entirely within an enclosed building are considered "other personal service."

<sup>9</sup> For standalone warehousing and distribution only. Warehousing and distribution associated with another approved use is ancillary and permitted without size limitations.

<sup>10</sup> These businesses are involved in the servicing and supplying of materials and equipment primarily intended for industrial, institutional, or commercial businesses. On-site sales are limited as most activity occurs electronically or off-site. Businesses may or may not be open to the general public, but sales to the general public are limited as a result of the way in which the firm operates. Products are generally delivered to the customer. Few customers, especially the general public, come to the site.

<sup>11</sup> Except for towers located within one thousand (1,000) feet of the Old Town District which are prohibited.

<sup>12</sup> See special standard criteria for hospitality and lodging uses within the Light Industrial Land Use District SZCDC 16.31.040.

<sup>13</sup> See Special Criteria for Psilocybin Service Centers and manufacturing facilities under Section 16.38.040.

<sup>14</sup> See special standard criteria for Food Cart Pod uses within the Light Industrial Land Use District SZCDC 16.31.041.

## 16.31.040 – Special Standards Hospitality and Lodging Uses Within the Light Industrial Zones

### A. Siting

- Hotels/motels within the Light Industrial zone must be sited within 1/4 mile from the General Commercial and/or Retail Commercial zone.

### B. Development and Design

- The development of hotels/motels in the Light Industrial zone shall use the urban design standards in SZCDC Section 16.90.20.D.6.a–c. As an alternative to the standards in Section 16.90.20.D.6.a–c the commercial design review matrix may be applied (Section 16.90.020.D.6.d). A development must propose a minimum of sixty (60) percent of the total possible points to be eligible for exemption from the standards in Section 16.90.020.D.6.a–c.
- A hotel/motel shall provide a minimum of 200 square feet of interior floor area for conference and/or meeting rooms, exclusive of dining, breakfast and lobby areas.

16.31.041 – Special Standards Food Cart Pods Within the Light Industrial Zones

A. Siting

1. Food Cart Pod developments (including food carts, structures, seating, parking, driveways, vehicle maneuvering areas, and trash receptacles and enclosures) within the Light Industrial zone must be entirely sited within 500 feet of Tualatin-Sherwood Road.

B. Development and Design

1. The development of Food Cart Pods in the Light Industrial zone shall conform to the standards and criteria for Food Cart Pods in Chapter 16.39.
2. Per footnote 3 of the table in Section 16.31.020, use is limited in size to five thousand (5,000) square feet in a single outlet and no more than twenty thousand (20,000) square feet in multiple outlets in the same development project.

## IV. NARRATIVE AND COMPLIANCE

This action proposes a Plan Text Amendment as detailed in Section III. Text amendments are required to meet standards set forth in Chapter 16.80 of the SZCDC. Therefore, the following addresses the applicable SZCDC criteria, together with Statewide Planning Goals, Oregon Administrative Rules, Metro Urban Growth Management Functional Plan, and the Sherwood Comprehensive Plan. Pertinent goals and standards are cited either in their entirety or in a summation and are followed by a response.

### Statewide Planning Goals

#### ***Goal 1, Citizen Involvement***

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

**Response:** Goal 1 broadly requires that local governments have mechanisms in place which solicit public participation in both legislative and quasi-judicial land use decisions. The City's acknowledged Comprehensive Plan contains public involvement policies and the SZCDC includes citizen involvement procedures with which the review of this application complies. This process allows for interested parties to communicate their input into the Plan Text Amendment review conducted by the City at public hearings or by submitting written comments. Prior to submitting the application, the applicant held a neighborhood meeting on October 30, 2025, as documented in Exhibit 5. The Planning Commission will review the proposed amendment in a public hearing and make a recommendation to the City Council regarding the application. The City Council will then hold a public hearing to evaluate the request. In summary, within the Plan Text Amendment process, a neighborhood meeting is held, public notice is published in the newspaper, posted in additional locations, and distributed by mail, and public hearings are held. This process complies with the Goal.

#### ***Goal 2, Land Use Planning***

*Goal: 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.*

**Response:** Goal 2 requires that each jurisdiction have a comprehensive plan and implementation measures such as a zoning ordinance. As a legislative land use action, the proposed Plan Text Amendment is based on its conformance with relevant elements of Sherwood's Comprehensive Plan and considerations related to that plan's established zoning districts.

The procedural requirements for the proposed Plan Text Amendment involve assessment of the application's merits, public notice, and public hearings. The proposal is to amend the text of the SZCDC in limited circumstances affecting urban land within City Limits, in compliance with Goal 2. Notice of the proposed amendment is provided by the City to the Oregon Department of Land Conservation and Development (DLCD) as required. Other agencies such as the Oregon Department of Transportation (ODOT), Metro, and Washington County may also be provided the opportunity to comment. The City's decision is based on findings of fact. The review process for the proposed Plan Text Amendment is consistent with this Goal.

#### ***Goal 3, Agricultural Lands***

*Goal: To preserve and maintain agricultural lands.*

**Response:** This Goal is not applicable because the Comprehensive Plan does not designate any Agricultural Lands within the Urban Growth Boundary or City Limits. Furthermore, the scope of the proposed

amendment is focused on the LI zone, an urban industrial land designation. The proposed Plan Text Amendment does not conflict with this Goal.

#### ***Goal 4, Forest Lands***

*Goal: 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.*

**Response:** This Goal is not applicable because the Comprehensive Plan does not designate any Forest Lands within the Urban Growth Boundary or City Limits. Furthermore, the scope of the proposed amendment is focused on the LI zone, an urban industrial land designation. The proposed Plan Text Amendment does not conflict with this Goal.

#### ***Goal 5, Open Spaces, Scenic and Historic Areas and Natural Resources***

*Goal: To protect natural resources and conserve scenic and historic areas and open spaces.*

**Response:** Goal 5 is a wide-ranging policy initiative intended to protect natural and historic resources and is typically implemented through sensitive lands/critical areas ordinances that protect streams, riparian corridors, trees, wildlife habitat, and open space. The proposed Plan Text Amendment does not affect the City's existing regulations pertaining to protection of these areas, as the LI zone is not designated scenic or open space. Goal 5 considerations could apply to a specific development proposal, but that is not proposed as part of this amendment.

Examination of the area affected by the proposed Plan Text Amendment reveals that the National Wetlands inventory map<sup>3</sup> and Statewide Wetlands inventory map<sup>4</sup> identify Rock Creek and nearby wetlands. Likewise, the Local Wetlands Inventory identifies wetlands in the vicinity of the creek. Any impacts to wetlands or waterways would require approval by applicable jurisdictions including the City, Clean Water Services, Oregon Department of State Lands, and/or the U.S. Army Corps of Engineers, as applicable. Goal 5 considerations could apply to a specific development proposal, but that is not proposed as part of this amendment.

The State of Oregon's Historic Sites Map (Exhibit 3) depicts properties eligible for listing in the National Register of Historic Places in the general area, but none of them falls within the Affected Area (Exhibit 2) and none of them is listed within the Register.

The proposed Plan Text Amendment does not conflict with this Goal.

#### ***Goal 6, Air, Water and Land Resources Quality***

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

**Response:** Goal 6 requires local governments to establish plans which:

- Designate suitable sites for development which is likely to cause pollution discharge;
- Designate urban and rural residential areas only where appropriate sewer services are available;
- Buffer incompatible uses; and

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<sup>3</sup> National Wetlands Inventory Map <https://fwsprimary.wim.usgs.gov/wetlands/apps/wetlands-mapper/>

<sup>4</sup> Statewide Wetlands Inventory Map <https://maps.dsl.state.or.us/swi/>

- Consider the carrying capacity of affected airsheds and watersheds.

Furthermore, development must be consistent with Federal and State standards related to air and water pollution and with City regulations regarding off-site impacts to minimize potential harmful effects on air, water, and land resource quality.

The proposed Plan Text Amendment does not affect any of the City's existing regulations pertaining to preservation of air, water, and land resources. Goal 6 considerations could apply to a specific development proposal, but that is not proposed as part of this amendment. The proposed Plan Text Amendment does not conflict with this Goal.

#### ***Goal 7, Areas Subject to Natural Disasters and Hazards***

*Goal: To protect people and property from natural hazards.*

**Response:** Pursuant to Goal 7, comprehensive plans include measures to reduce risk to people and property from natural hazards such as floods. The proposed Plan Text Amendment does not affect any of the City's existing regulations pertaining to natural disasters and hazards. Goal 7 considerations could apply to a specific development proposal, but that is not proposed as part of this amendment.

According to Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map 41067C0602F, dated October 19, 2018, some of the Affected Area near Rock Creek is within a Special Flood Hazard Area. Floodplain considerations could apply to a specific development proposal, but that is not proposed as part of this amendment.

The proposed Plan Text Amendment does not conflict with or affect compliance with this Goal.

#### ***Goal 8, Recreational Needs***

*Goal: 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.*

**Response:** The City of Sherwood Plan and Zone Map designates specific sites as Open Space and others as the Institutional Public (IP) zone. The proposed amendment affects property zoned LI and does not alter any standards related to the IP zone. The proposed Plan Text Amendment does not conflict with this Goal.

#### ***Goal 9, Economic Development***

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

**Response:** Goal 9 requires that land be designated for commercial and industrial uses according to the needs of the local and regional economy, current economic base, workforce, availability of land, and availability of key public facilities. Goal 9 encourages communities to preserve employment land. Decisions based on Goal 9 considerations consider more than the simple amount of buildable acreage, but also carefully evaluate the suitability of land to accommodate industrial development that would further economic opportunities. The proposed amendment affects property zoned LI by expanding the list of uses that could be allowed within a limited geographic area that includes approximately 8.4 developable acres, while continuing to provide for a variety of employment uses on the Affected Area. The developable areas are dispersed sites ranging from 0.5 acres to 2.8 acres which would accommodate the scale of a food cart pod, but not large employment uses. This change does not preclude the development of employment uses that are currently allowed in the Light Industrial zone and does not

have a direct impact on the City's supply of developable employment land. The proposed Plan Text Amendment does not conflict with this Goal and would have no significant impact on the City's planning for commercial or industrial economic activity.

#### ***Goal 10, Housing***

*Goal: To provide for the housing needs of citizens of the state.*

**Response:** Goal 10 requires that land be designated for residential use to accommodate a community's housing needs. The proposed Plan Text Amendment applies to land designated Light Industrial. Since the amendment does not affect land designated for housing, the proposed amendment would have no effect on compliance with this Goal.

#### ***Goal 11, Public Facilities and Services***

*Goal: 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.*

**Response:** Goal 11 is primarily implemented by the City, which has adopted public facilities plans and standards. It is therefore not directly applicable to Plan Text Amendments which do not entail significant changes in public facilities plans. The proposed Plan Text Amendment would allow food cart pods within a limited geographic area of the LI zone as conditional uses, thereby making food cart pods eligible for approval pursuant to City rules for conditional uses codified in SZCDC Chapter 16.82 and additional rules outlined in Chapter 16.39 (Food Cart Pods).

The limited supply of undeveloped land within the Affected Area moderates the potential scope and scale of any future food cart pods. Therefore, any approved food cart pods would result in only minor changes to public facilities service needs. As future food cart pods will be subject to conditional use review (which includes an evaluation of affected public facilities and services), the proposal is consistent with Goal 11.

#### ***Goal 12, Transportation***

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

**Response:** This Goal requires the City to prepare and implement a Transportation System Plan (TSP), which creates a functional classification system and establishes levels for acceptable transportation operations. The effect of the amendment on the transportation system is anticipated to be minimal and would not require amendments to the TSP as it would not require changing roadway functional classifications or standards (see Exhibit 4).

The Affected Area is located along an Arterial (Tualatin-Sherwood Road) and near Collectors (Century Drive, Langer Farms Parkway, and Baler Way) as designated in the Sherwood TSP. As detailed in Exhibit 4, allowing food cart pods to be authorized as conditional uses within the LI zone would not necessitate any change in functional classification. Any future development proposals would be subject to transportation review under applicable provisions of the SZCDC and the City's TSP.

Furthermore, as discussed below in the findings related to the Oregon TPR codified at OAR 660-012-0060, cities need to analyze whether a proposed amendment to a land use regulation would have a significant effect on the transportation system. In this instance, per Exhibit 4, approval of the application would not have a significant effect on the transportation system.

The proposed Plan Text Amendment does not conflict with this Goal.

### **Goal 13, Energy Conservation**

*Goal: To conserve energy.*

**Response:** The proposed Plan Text Amendment would authorize food cart pods as a Conditional Use within the LI zone, making it possible for them to be sited on a variety of sites, some of which may have shapes or sizes that would not be conducive to other industrial uses. In this manner, the amendment will allow efficient use of existing sites. The Affected Area is located near complementary industrial and commercial uses, potentially leading to trip sharing, carpooling, and/or combined deliveries, thereby increasing energy efficiency. The proposed Plan Text Amendment is consistent with this Goal.

### **Goal 14, Urbanization**

*Goal: 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.*

**Response:** The proposed Plan Text Amendment affects property within City Limits and within the Urban Growth Boundary (UGB) and does not amend the UGB. The Plan Text Amendment would continue to make efficient use of land that has already been planned for urban use, accommodating the needs of urban employers and nearby residents by modestly expanding the range of allowable uses for LI-zoned land within 500 feet of Tualatin-Sherwood Road. The Plan Text Amendment would promote the City's livability by supporting employment uses, businesses, and nearby residents, increasing the range of services available to owners of LI-zoned land within a limited geographic area. The proposed Plan Text Amendment would not negatively affect the City's Goal 14 compliance.

### **Goal 15, Willamette River Greenway**

*Goal: To protect, conserve, enhance and maintain the natural, scenic, historical, agricultural, economic and recreational qualities of lands along the Willamette River as the Willamette River Greenway.*

**Response:** The area affected by this Plan Text Amendment is not within the Willamette River Greenway, so Goal 15 is not applicable.

### **Goal 16, Estuarine Resources**

*Goal: To recognize and protect the unique environmental, economic and social values of each estuary and associated wetlands; and*

*To protect, maintain, where appropriate develop, and where appropriate restore the long-term environmental, economic, and social values, diversity and benefits of Oregon's estuaries.*

**Response:** The area affected by this Plan Text Amendment is not within an estuary, so Goal 16 is not applicable.

### **Goal 17, Coastal Shorelands**

*Goal: To conserve, protect, where appropriate, develop and where appropriate restore the resources and benefits of all coastal shorelands, recognizing their value for protection and maintenance of water quality, fish and wildlife habitat, water dependent uses, economic resources and recreation and aesthetics. The management of these shoreland areas shall be compatible with the characteristics of the adjacent coastal waters; and*

*To reduce the hazard to human life and property, and the adverse effects upon water quality and fish and*

*wildlife habitat, resulting from the use and enjoyment of Oregon's coastal shorelands.*

**Response:** The area affected by this Plan Text Amendment is not within coastal shorelands, so Goal 17 is not applicable.

#### **Goal 18, Beaches and Dunes**

*Goal: To conserve, protect, where appropriate develop, and where appropriate restore the resources and benefits of coastal beach and dune areas; and*

*To reduce the hazard to human life and property from natural or man-induced actions associated with these areas.*

**Response:** The area affected by this Plan Text Amendment does not contain beaches or dunes, so Goal 18 is not applicable.

#### **Goal 19, Ocean Resources**

*Goal: To conserve marine resources and ecological functions for the purpose of providing long-term ecological, economic, and social value and benefits to future generations.*

**Response:** The area affected by this Plan Text Amendment does not abut the ocean, so Goal 19 is not applicable.

### **Oregon Administrative Rules**

#### **Transportation Planning Rule**

*OAR 660 Division 12 – Transportation Planning*

*660-012-0060 Plan and Land Use Regulation Amendments*

(1) *If an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation (including a zoning map) would significantly affect an existing or planned transportation facility, then the local government must put in place measures as provided in section (2) of this rule, unless the amendment is allowed under section (3), (9) or (10) of this rule. A plan or land use regulation amendment significantly affects a transportation facility if it would:*

(a) *Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);*

**Response:** As noted in Exhibit 4, the proposed Plan Text Amendment would not change the functional classification of an existing or planned transportation facility.

(b) *Change standards implementing a functional classification system; or*

**Response:** As noted in Exhibit 4, the proposed Plan Text Amendment would not change any transportation standards that implement a functional classification system.

(c) *Result in any of the effects listed in paragraphs (A) through (C) of this subsection. If a local government is evaluating a performance standard based on projected levels of motor vehicle traffic, then the results must be based on projected conditions measured at the end of the planning period identified in the adopted TSP. As part of evaluating projected conditions, the amount of traffic projected to be generated within the area of the amendment may be reduced if the amendment includes an enforceable, ongoing requirement that would demonstrably limit traffic generation, including, but not limited*

to, transportation demand management. This reduction may diminish or completely eliminate the significant effect of the amendment.

- (A) Types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;
- (B) Degrade the performance of an existing or planned transportation facility such that it would not meet the performance standards identified in the TSP or comprehensive plan; or
- (C) Degrade the performance of an existing or planned transportation facility that is otherwise projected to not meet the performance standards identified in the TSP or comprehensive plan.

**Response:** Transportation Planning Rule analysis requires examination of a theoretical “reasonable worst case” scenario. The area affected by the proposed Plan Text Amendment would become eligible for food cart pods pursuant to City rules for conditional uses. The traffic levels associated with food cart pods are within the same order of magnitude as other uses already permitted within the LI zone. As explained in Exhibit 4, based on ODOT guidance, a threshold of up to 400 average daily trips is used to determine whether an amendment constitutes a small increase in traffic. The applicant’s transportation engineer analyzed trip generation potential for a worst-case scenario within the Affected Area, estimating a potential net increase of 40 PM peak hour trips and 380 daily trips compared to uses allowed under current regulations. Therefore, the reasonable worst-case scenario for the Affected Area would be classified as a small increase that does not significantly affect transportation facilities. The amendment would not result in any of the effects listed in paragraphs (A) through (C). This standard is met.

## Metro Urban Growth Management Functional Plan

### **Title 4: Industrial and Other Employment Areas**

#### **3.07.410 Purpose and Intent**

*The Regional Framework Plan calls for a strong regional economy. To improve the economy, Title 4 seeks to provide and protect a supply of sites for employment by limiting the types and scale of non-industrial uses in Regionally Significant Industrial Areas (RSIAs), Industrial and Employment Areas. Title 4 also seeks to provide the benefits of “clustering” to those industries that operate more productively and efficiently in proximity to one another than in dispersed locations. Title 4 further seeks to protect the capacity and efficiency of the region’s transportation system for the movement of goods and services and to encourage the location of other types of employment in Centers, Corridors, Main Streets and Station Communities. The Metro Council will evaluate the effectiveness of Title 4 in achieving these purposes as part of its periodic analysis of the capacity of the urban growth boundary.*

**Response:** According to Section 3.07.410, Title 4 seeks to provide and protect a supply of sites for employment by limiting the types and scale of non-industrial uses in Regionally Significant Industrial Areas (RSIAs), Industrial and Employment Areas. Metro’s Title 4 *Industrial and Other Employment Areas* map does not identify the Affected Area as a Regionally Significant Industrial Area (RSIA), so Section 3.07.420 does not apply. However, all of the parcels in the Affected Area are designated Industrial or Employment on Metro’s Title 4 map, so discussion of applicable Metro provisions is provided below.

### 3.07.430 Protection of Industrial Areas

- (a) *Cities and counties shall review their land use regulations and revise them, if necessary, to include measures to limit new buildings for retail commercial uses—such as stores and restaurants—and retail and professional services that cater to daily customers—such as financial, insurance, real estate, legal, medical and dental offices—in order to ensure that they serve primarily the needs of workers in the area. One such measure shall be that new buildings for stores, branches, agencies or other outlets for these retail uses and services shall not occupy more than 5,000 square feet of sales or service area in a single outlet, or multiple outlets that occupy more than 20,000 square feet of sales or service area in a single building or in multiple buildings that are part of the same development project, with the following exceptions:*
  - (1) *Within the boundaries of a public use airport subject to a facilities master plan, customary airport uses, uses that are accessory to the travel-related and freight movement activities of airports, hospitality uses, and retail uses appropriate to serve the needs of the traveling public; and*
  - (2) *Training facilities whose primary purpose is to provide training to meet industrial needs.*
- (b) *Cities and counties shall review their land use regulations and revise them, if necessary, to include measures to limit new buildings for the uses described in subsection (a) to ensure that they do not interfere with the efficient movement of freight along Main Roadway Routes and Roadway Connectors shown on the Regional Freight Network Map in the RTP. Such measures may include, but are not limited to, restrictions on access to freight routes and connectors, siting limitations and traffic thresholds. This subsection does not require cities and counties to include such measures to limit new other buildings or uses.*
- (c) *No city or county shall amend its land use regulations that apply to lands shown as Industrial Area on the Employment and Industrial Areas Map to authorize uses described in subsection (a) of this section that were not authorized prior to July 1, 2004.*

**Response:** The eastern portion of the Affected Area depicted in Exhibit 2 is designated by Metro as a Title 4 Industrial Area. The applicant is not proposing that the City amend its regulations in a manner inconsistent with Metro's provisions to protect Industrial Areas. In accordance with Section 3.07.430, SZCDC Section 16.31.020 already limits the size and scope of retail commercial and professional services buildings within the LI zone to 20,000 square feet (SF) in accordance with this provision. The proposed Plan Text Amendment would not lift or alter these existing limitations, and per the proposed text in Section 16.31.041, these existing limitations would apply to food cart pods in the LI zone. Based on discussions with City staff and with staff from other cities subject to this same Metro provision, the applicant understands that each "outlet" refers to an individual business (e.g., a food cart or a vendor within the dining pavilion) and that the 20,000 square foot limit would apply to the combined area of food carts, customer queuing/waiting areas, dining pavilion, and any covered outdoor seating areas.

Furthermore, placement of a food cart pod within the Light Industrial area would provide a valuable amenity to employees that is accessible within short travel distances from places of employment. This standard is met.

- (d) *Cities and counties may allow division of lots or parcels into smaller lots or parcels as follows:*
  - (1) *Lots or parcels smaller than 50 acres may be divided into any number of smaller lots or parcels.*
  - (2) *Lots or parcels 50 acres or larger may be divided into smaller lots and parcels pursuant to a master plan approved by the city or county so long as the resulting division yields at least one lot or parcel of at least 50 acres in size.*

- (3) *Lots or parcels 50 acres or larger, including those created pursuant to paragraph (2) of this subsection, may be divided into any number of smaller lots or parcels pursuant to a master plan approved by the city or county so long as at least 40 percent of the area of the lot or parcel has been developed with industrial uses or uses accessory to industrial use, and no portion has been developed, or is proposed to be developed with uses described in subsection (a) of this section.*
- (4) *Notwithstanding paragraphs (2) and (3) of this subsection, any lot or parcel may be divided into smaller lots or parcels or made subject to rights-of-way for the following purposes:*
  - (A) *To provide public facilities and services;*
  - (B) *To separate a portion of a lot or parcel in order to protect a natural resource, to provide a public amenity, or to implement a remediation plan for a site identified by the Oregon Department of Environmental Quality pursuant to ORS 465.225;*
  - (C) *To separate a portion of a lot or parcel containing a nonconforming use from the remainder of the lot or parcel in order to render the remainder more practical for a permitted use; or*
  - (D) *To allow the creation of a lot solely for financing purposes when the created lot is part of a master planned development.*
  - (E) *Notwithstanding subsection (b) of this section, a city or county may allow the lawful use of any building, structure or land at the time of enactment of an ordinance adopted pursuant to this section to continue and to expand to add up to 20 percent more floor space and 10 percent more land area.*

**Response:** The proposed Plan Text Amendment does not propose any alterations to land division policies. This standard does not apply.

### 3.07.440 Protection of Employment Areas

- (a) *Except as provided in subsections (c), (d), and (e), in Employment Areas mapped pursuant to Metro Code section 3.07.450, cities and counties shall limit new and expanded commercial retail uses to those appropriate in type and size to serve the needs of businesses, employees and residents of the Employment Areas.*
- (b) *Except as provided in subsections (c), (d) and (e), a city or county shall not approve a commercial retail use in an Employment Area with more than 60,000 square feet of gross leasable area in a single building, or commercial retail uses with a total of more than 60,000 square feet of retail sales area on a single lot or parcel, or on contiguous lots or parcels, including those separated only by transportation right-of-way.*
- (c) *A city or county whose zoning ordinance applies to an Employment Area and is listed on Table 3.07-4 may continue to authorize commercial retail uses with more than 60,000 square feet of gross leasable area in that zone if the ordinance authorized those uses on January 1, 2003.*

**Response:** The western portion of the Affected Area depicted in Exhibit 2 is designated by Metro as a Title 4 Employment Area. The applicant is not proposing that the City amend its regulations in a manner inconsistent with Metro's provisions to protect Employment Areas. In accordance with Section 3.07.440, SZCDC Section 16.31.020 already limits the size and scope of retail commercial and professional services buildings within the LI zone to 20,000 SF in accordance with the stricter limitations on Industrial areas per 3.07.430 above. The proposed Plan Text Amendment would not lift nor alter these existing limitations, and per the proposed text in Section 16.31.041, these existing limitations would apply to food cart pods in the LI zone. Furthermore, placement of a food cart pod within the Light Industrial area would provide a valuable amenity to employees that is accessible within short travel distances from places of

employment and similarly would benefit nearby residents by providing convenient access to food options. This standard is met.

- (d) *A city or county whose zoning ordinance applies to an Employment Area and is not listed on Table 3.07-4 may continue to authorize commercial retail uses with more than 60,000 square feet of gross leasable area in that zone if:*
  - (1) *The ordinance authorized those uses on January 1, 2003;*
  - (2) *Transportation facilities adequate to serve the commercial retail uses will be in place at the time the uses begin operation; and*
  - (3) *The comprehensive plan provides for transportation facilities adequate to serve other uses planned for the Employment Area over the planning period.*
- (e) *A city or county may authorize new commercial retail uses with more than 60,000 square feet of gross leasable area in Employment Areas if the uses:*
  - (1) *Generate no more than a 25 percent increase in site-generated vehicle trips above permitted non-industrial uses; and*
  - (2) *Meet the Maximum Permitted Parking – Zone A requirements set forth in Table 3.08-3 of Title 4 of the Regional Transportation Functional Plan.*

**Response:** The proposed Plan Text Amendment does not fall within these categories. This standard does not apply.

## **City of Sherwood Comprehensive Plan**

### **Comprehensive Plan Vision**

*In the year 2040, residents of Sherwood appreciate their safe, connected, family-oriented and friendly community. Those who grew up in Sherwood stay for family wage jobs and a high quality of life, and those who raised their families here can retire in the place they proudly call home. Sherwood is renowned for its excellent schools, parks, thriving local businesses, small town feel and access to metropolitan amenities, jobs and natural areas.*

**Response:** Allowing food cart pods in a portion of the Light Industrial zone is consistent with Sherwood's Comprehensive Plan Vision. Light Industrial areas provide the type of family wage jobs described in this vision, and the introduction of food cart pods will enhance these areas by:

- Serving as a valuable, convenient amenity to local employees.
- Providing active gathering spaces and offering an expanded variety of food options within short travel distances from places of employment.
- Making employment areas more desirable for current and prospective employees, helping employers attract and retain workers.
- Increasing activity and foot traffic in areas that may otherwise be underutilized, in turn improving neighborhood safety and vitality.
- Increasing the visibility of other businesses nearby.
- Providing opportunities for local entrepreneurs to establish new food and beverage-related businesses.

The proposed Plan Text Amendment to allow food cart pods in the Light Industrial zone within 500 feet of Tualatin-Sherwood Road will advance Sherwood's vision of providing a high quality of life and fostering a thriving local business community, providing opportunities for food cart operators and supporting existing businesses and employees with convenient food options during business hours.

## ***Thriving and Diversified Economy***

*In 2040, the Sherwood economy has grown to include a variety of businesses big and small that offer stable employment opportunities, higher-wage jobs, and balance the tax base to protect and maintain Sherwood's quality of life. Sherwood provides great destinations and experiences for both residents and visitors.*

*Goal 1. Accelerate the growth of local businesses and attract new businesses that balance the City's tax base, provide stable, high-wage jobs and capitalize on Sherwood's location and enhance the high-quality of life.*

**Response:** Allowing food cart pods in a portion of the Light Industrial zone will support Sherwood's economy and local businesses by providing a valuable amenity to employees that is accessible within short travel distances from places of employment. This mutually benefits large businesses (industrial/commercial employers) and small businesses (food carts/entrepreneurs). Additionally, food cart pods can attract residents and visitors with unique food and beverage options and destination-like amenities, enhancing quality of life. The proposed Plan Text Amendment is consistent with this goal.

**Policy 1.1** *Existing Business Retention, New Business Development, and Attraction of New Businesses: The City will support retention and expansion of existing businesses, growth and creation of entrepreneurial business, and attraction of new businesses that align with Sherwood's Community Vision and provide a diverse mix of economic activity. The types of businesses the City wants to attract most are non-polluting businesses with wages at or above the Washington County average, such as the industries identified in the most recent Economic Opportunities Analysis.*

**Response:** Retail and restaurant uses—which are similar to food cart pods—are identified among the targeted industries in the 2023 Economic Opportunities Analysis. Food cart pods support the retention and expansion of existing businesses and the attraction of new businesses by providing valuable and convenient amenities for employees, residents, and visitors. They also serve as small business incubators by providing opportunities for food/beverage-related entrepreneurial businesses to start and establish, contributing to a diverse and healthy mix of economic activity consistent with this policy.

**Policy 1.2** *Encourage development of employment to increase the city's tax base through a faster growth rate of jobs.*

**Response:** The proposed Plan Text Amendment supports the ability of local employers to retain and grow their workforce, which is consistent with this policy. Furthermore, the City requires that food cart pods include pavilions, which would increase the City's tax base. The proposed Plan Text Amendment is consistent with this policy.

**Policy 1.3** *Pursue development of higher employment densities in areas with planned or existing public facilities, utilities, and transportation infrastructure.*

**Response:** The proposed Plan Text Amendment supports growth but does not directly affect employment densities. Indirectly, having a nearby food cart pod as an amenity could induce some additional employment in the Light Industrial zone, consistent with this policy.

**Policy 1.4** *Support business growth in Sherwood to diversify and expand commercial and industrial development in order to provide employment opportunities and expand the tax base.*

**Response:** Food cart pods support commercial and industrial growth in industrial zones by providing valuable and convenient amenities to local employees, benefitting employers and increasing the desirability of the area to operate a business. Food cart operators are small businesses, so allowing a food cart pod in a portion of the Light Industrial zone furthers this policy of supporting business growth.

*Policy 1.5      Retain and encourage growth of existing and new businesses in Sherwood. Allow and encourage development of commercial and industrial areas.*

**Response:** Food cart pods contribute to the retention and growth of existing and new business by providing valuable and convenient amenities to local employees, benefitting employers and increasing the desirability of the area to operate a business. Furthermore, food cart pods promote entrepreneurship by accommodating small business operators. The proposed Plan Text Amendment is consistent with this policy.

*Policy 1.6      Support the creation, development, and retention of small, entrepreneurial businesses in Sherwood.*

**Response:** Food cart pod owners typically lease space to multiple food/beverage vendors, providing relatively low-cost and low-risk opportunities for local entrepreneurs to start, develop, and establish new food/beverage-related businesses. The proposed Plan Text Amendment is consistent with this policy.

*Policy 1.7      Attract businesses identified as Target Industries in Sherwood's most recent Economic Opportunities Analysis.*

**Response:** The 2023 Economic Opportunities Analysis identifies a range of target industries, including retail and restaurant uses, which are similar to food cart pods. Additional target industries include Technology and Advanced Manufacturing, Machinery Manufacturing, and Clean Tech. Food cart pods will help to attract industrial businesses in the industrial areas because they provide valuable and convenient amenities for employees, improving the vitality and desirability of that area for employers. The proposed Plan Text Amendment is consistent with this policy.

*Policy 1.8      Support growth of businesses that create destinations and experiences for residents of Sherwood and visitors.*

**Response:** The onsite eating areas and variety of food options typically associated with food cart pods provide a destination for local employees, residents, and visitors. The proposed Plan Text Amendment is consistent with this policy.

*Policy 1.9      Encourage opportunities for workforce development and training that meets the needs of new and existing businesses in Sherwood.*

**Response:** Food cart pods do not directly affect opportunities for workforce development in Light Industrial zones.

*Goal 2. Prioritize and promote economic development to balance the City's tax base by maintaining a supply of land to target growth industries and accelerate Sherwood's desired economic growth.*

**Response:** The proposed Plan Text Amendment would apply to a limited area consisting of approximately 8.4 developable acres (see Exhibit 2), so the code change would not lead to massive consumption of the City's employment land base. The proposed Plan Text Amendment would promote economic development by increasing opportunities to use land that may otherwise be underutilized, and by providing valuable and convenient amenities to area employers and employees. The proposed Plan Text Amendment is consistent with this goal.

*Policy 2.1      Land Supply: The City will provide a 20-year supply of suitable commercial and industrial land on sites with a variety of characteristics (e.g., site sizes, locations, visibility) and manage the supply of employment land to make most efficient use of commercial and industrial land.*

**Response:** The proposed Plan Text Amendment does not affect the City's obligation or ability to provide a 20-year supply of suitable commercial and industrial land. The proposed amendment increases opportunities to use land that may otherwise be underutilized, thereby preserving larger sites for

industrial uses. This change does not preclude the development of employment uses that are currently allowed in the Light Industrial zone and does not have a direct impact on the City's supply of developable employment land. The proposed amendment is consistent with this policy.

**Policy 2.2** *Provide for an adequate supply of commercial and industrial land to accommodate the types and amount of economic development and growth anticipated in the future, as described in the City's most recent Economic Opportunities Analysis (EOA).*

**Response:** The proposed Plan Text Amendment would apply only to a limited geographic area (approximately 50 acres). As food cart pods can fit on smaller sites or undeveloped portions of larger properties, they can serve as infill without consuming the entirety of large sites that would be more appropriate for the manufacturing uses identified in the EOA or other uses allowed in the Light Industrial zone. The proposed Plan Text Amendment does not preclude the development of employment uses that are currently allowed in the Light Industrial zone and does not have a direct impact on the City's supply of developable employment land. The proposed Plan Text Amendment is consistent with this policy.

**Policy 2.3** *Provide a range of site sizes and locations to accommodate the market needs of a variety of office-commercial, retail commercial, and industrial employment uses.*

**Policy 2.4** *Maintain an adequate short-term supply of suitable office commercial, retail commercial and industrial land to respond to economic development opportunities as they arise. "Short-term supply" means suitable land that is ready for construction usually within one year of an application for a building permit or request for service extension.*

**Policy 2.5** *Monitor and replenish the short-term supply and total available commercial and industrial land on a regular, periodic basis.*

**Response:** Allowing food cart pods within a limited area in the Light Industrial zone does not preclude those areas from being developed with or providing short-term supply for office-commercial, retail commercial, or industrial employment uses. The 2023 Economic Opportunities Analysis identified a short-term supply of approximately 24 acres in the LI zone. As the proposed Plan Text Amendment would still require conditional use review of any future food cart pod, the City has an appropriate mechanism to ensure that an adequate supply of land is available for the full range of uses allowed in the Light Industrial zone. The proposed Plan Text Amendment is consistent with these policies.

**Policy 2.6** *Support and encourage infill and redevelopment, especially in existing commercial areas, as a way to use land and existing infrastructure more efficiently. The City will develop and implement policies and programs to encourage office commercial and mixed-use development across Sherwood.*

**Response:** The proposed Plan Text Amendment would allow food cart pods on approximately 8.4 developable acres within the Light Industrial zone (see Exhibit 2). The developable areas are dispersed sites ranging from 0.5 acres to 2.8 acres which would accommodate the scale of a food cart pod, but not large employment uses. Therefore, the proposed Plan Text Amendment would provide increased opportunities for infill development, consistent with this policy.

**Policy 2.7** *Continue to provide flexibility in Sherwood's development code to support non-retail commercial and industrial development with the Target Industries identified in the recent EOA, most of which will need space in an existing building, sites smaller than five acres, or sites between five and 15 acres in size.*

**Response:** The proposed Plan Text Amendment does not modify development standards that apply to non-retail commercial and industrial development, so it does not affect the City's ability to provide

flexibility in regulating those uses. Many of the sites within the Affected Area depicted in Exhibit 2 fall within the site size range noted within this policy.

**Policy 2.8** *Explore options for more mixed-use development in Sherwood to provide additional space for office commercial, flexible and startup development within the City limits.*

**Response:** The proposed Plan Text Amendment allows the City to provide more options for new development in a limited geographic area, which will support small businesses and economic development in that area consistent with this policy. Food cart pods serve as small business incubators by providing opportunities for food/beverage-related entrepreneurial businesses to start and establish, contributing to a diverse and healthy mix of economic activity. The proposed Plan Text Amendment is consistent with this policy.

**Policy 2.9** *Develop criteria, in conjunction with objectives of this chapter, to identify industrial or commercial areas that are more appropriate for other uses (e.g., industrial land redesignated for commercial uses) based on their site characteristics (e.g., location, size, configuration, or transportation access), as needed.*

**Response:** The applicant's responses in this narrative address Comprehensive Plan policies and zoning code criteria, demonstrating the proposed Plan Text Amendment is appropriate for the defined area within the Light Industrial zone. Consistent with this policy, the proposed Plan Text Amendment could lead to development of underutilized areas within the Light Industrial zone.

### ***Strong Community, Culture, and Heritage***

*In 2040, Sherwood successfully retains its treasured small-town character and strong sense of community while welcoming diverse businesses and residents. Old Town preserves its historic atmosphere as an attractive place to shop, dine, and gather. The library and performing arts center play a vital role as place of learning and sharing, and art and creativity are woven into the fabric of the city. A variety of community events uphold a legacy of bringing the community together and giving Sherwood a sense of place.*

**Response:** Food cart pods positively contribute to this purpose by providing community gathering areas and places for new and diverse food/beverage-related businesses to start and grow.

*Goal 3. Foster a culture of collaboration and partnership between residents, community groups, businesses, service providers and government.*

**Policy 3.5** *Collaborate with public and private partners to expand and co-locate community gathering spaces and multi-purpose venues across Sherwood to help meet civic, institutional, arts and cultural use needs.*

**Response:** Food cart pods provide opportunities for community gathering, consistent with this goal and policy.

### ***Strategic and Collaborative Governance***

*In 2040, residents enjoy well-funded police, fire, and emergency response services that keep Sherwood safe. The city is governed in a fiscally responsible and responsive manner that allows for strategic, well-planned growth and the adequate provision of services.*

#### ***Governance and Growth Management***

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

**Response:** Prior to developing food cart pods in areas affected by the proposed Plan Text Amendment, coordination with local service providers and regulatory agencies will occur through the applicable land use review procedures.

*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.*

**Response:** This Plan Text Amendment request addresses consistency with Metro plans, Statewide Planning Goals, Sherwood's Comprehensive Plan, and the Sherwood Zoning and Community Development Code, enabling the City to find that the amendment does not conflict with applicable plans and regulations.

*Policy 1.3 Routinely verify whether the City's supply of developable land is sufficient to meet short- and long-term employment and housing needs and coordinate with Metro and Washington County to request additional lands for urbanization when Sherwood's growth areas will not accommodate the 20-year projected demand for employment and/or housing.*

**Response:** The proposed Plan Text Amendment applies to a limited geographic area that includes approximately 8.4 developable acres. This change does not preclude the development of employment uses that are currently allowed in the Light Industrial zone and does not have a direct impact on the City's supply of developable employment land. As the proposed Plan Text Amendment would require conditional use review of any future food cart pod, the City has an appropriate mechanism to ensure that an adequate supply of land is available for the full range of uses allowed in the Light Industrial zone.

*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.*

**Response:** City staff will coordinate with other governmental partners to review this proposed Plan Text Amendment, and the proposed Plan Text Amendment does not preclude the City from coordinating intergovernmental agreements needed to support urbanization, annexation, or provision of urban services.

### *Community Health and Safety*

*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.*

**Response:** Allowing food cart pods in the Light Industrial zone is consistent with this policy because it provides opportunities to establish food and beverage options in close proximity to places of employment, reducing and shortening vehicle trips.

*Policy 7.1 Encourage habitat-friendly development practices for developments with Regionally Significant Fish and Wildlife Habitats.*

**Response:** Consistent with this policy, future development of food cart pods in areas affected by the proposed Plan Text Amendment will be subject to Sherwood's habitat-friendly development regulations as applicable based on specific site locations and characteristics.

*Policy 7.3 Address public safety in development and redevelopment through building and site design, including Crime Prevention Through Environmental Design principles.*

**Response:** Food cart pods will generally improve public safety through increased foot traffic and visibility. Site-specific safety standards may be applied by the City during future conditional use and development review procedures.

*Policy 7.4 Promote compact mixed-use areas, innovative design, and limited neighborhood serving commercial uses compatible within existing residential neighborhoods to reduce transportation demand.*

*Policy 7.5 Advance resource efficiency in the built environment through the integration of energy-conserving features and innovative construction methods in new development, redevelopment and retrofits.*

*Policy 7.6 Advance adaptive reuse when designing buildings and sites to respond to changing economic, environmental, and energy needs and conditions while remaining compatible with adjacent development and uses.*

**Response:** Development standards implementing these policies may be applied by the City as applicable during future land use and development review procedures. Consistent with these policies, allowing food cart pods may encourage use of existing undeveloped infill sites, promoting compact development and efficient use of employment land.

### ***Coordinated and Connected Infrastructure***

*In 2040, the city's transportation system is efficient, safe, and provides transportation options. The town has an active and connected transportation network where residents enjoy walking and bicycle paths between neighborhoods, parks, schools, the Tualatin National Wildlife refuge and Old Town. Quality public facilitates, services, and utilities contribute to a high quality of life. Sherwood has an excellent school system, an asset that draws families to the community. Sherwood residents of all ages enjoy the city's robust park system, community centers and state-of-the-art athletic and recreation facilities.*

**Response:** Food cart pods will generally enhance the livability of Sherwood by providing community gathering spaces with a variety of food and beverage options. Locating food cart pods in a portion of the Light Industrial zone near employment areas may also support increased use of pedestrian, bicycle, and transit modes by employees.

*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 1.1 Develop, implement and regularly update the City's Transportation System Plan (TSP).*

*Policy 1.2 Provide a supportive transportation network to the land use plan that provides opportunities for transportation choices and the use of alternative modes serving all neighborhoods and businesses.*

*Policy 1.3 Promote access and utilization of a multi-modal transportation system.*

*Policy 1.4 Encourage complementary infrastructure for bicycles and pedestrian facilities providing a diverse range of transportation choices for city residents.*

**Response:** The proposed Plan Text Amendment to allow food cart pods in the Light Industrial zone would apply only within 500 feet of Tualatin-Sherwood Road. This proximity of future food cart pods to Tualatin-

Sherwood Road will ensure they are easily accessible by pedestrians and transit, consistent with these policies.

- 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.*
- Policy 1.6      Prioritize incorporation of street design features and techniques that promote safe and comfortable travel by pedestrians, cyclists, emergency responders, transit users and motorists based on street context and function.*
- Policy 1.7      Promote the development of new vehicle technology, such as electric charging stations, in existing development, new development, and redevelopment.*

**Response:** As detailed in Exhibit 4, the amendments are consistent with the Transportation Planning Rule. Future food cart pod proposals will be subject to Sherwood Zoning and Community Development Code standards related to transportation facilities, which will ensure consistency with and implementation of these policies.

## **Sherwood Zoning and Community Development Code (Title 16)**

### ***Chapter 16.70 – General Provisions***

#### ***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. Notification of the neighborhood meeting shall be mailed 14 calendar days prior to the meeting date. 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.*

**Response:** A neighborhood meeting was conducted on October 30, 2025, to discuss the proposed Plan Text Amendment, as documented in Exhibit 5. No members of the public attended this meeting. This standard is met.

### ***Chapter 16.72 – Procedures for Processing Development Permits***

#### ***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:*
  - 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.*

**Response:** The proposed Plan Text Amendment requires a Type V review process, with hearings by both the Planning Commission and the City Council. This standard is met.

**Chapter 16.80 – Plan Amendments**

**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.*

**Response:** The applicant owns property within the Affected Area. This standard is met.

**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.*

**Response:** Demonstration of consistency with the Statewide Planning Goals, applicable Oregon Administrative Rules, Metro Urban Growth Management Functional Plan, and Sherwood Comprehensive Plan is provided in the findings above. Additionally, transportation analysis of the proposed amendment is detailed in Exhibit 4.

The proposed Plan Text Amendment would allow food cart pods to be located within a specific portion of the Light Industrial zone. The need for the proposed amendment arises from the current regulations, which limit food cart pods to the GC and RC zones but do not allow them elsewhere. The available sites in the GC and RC zones that could accommodate food cart pods are primarily in the western portion of the City, while the City's industrial land base is primarily in the eastern portion of the City. Based on Mackenzie's analysis, under current regulations, approximately 30 acres within the GC and RC zones may be available to accommodate food cart pods, while the proposed amendment would add approximately 8.4 acres that could accommodate a food cart pod within the LI zone in the eastern portion of the City. Allowing food cart pods as conditional uses in a subset of the LI properties (limited to sites within 500 feet of Tualatin-Sherwood Road) expands the areas where they could be located, potentially putting undeveloped and underdeveloped LI land into productive use.

The 500-foot offset from Tualatin-Sherwood Road is proposed because Tualatin-Sherwood Road is a commercial corridor, so it is reasonable to site food cart pod(s) along the corridor. Furthermore, a conceptual test fit of a potential food cart pod on the applicant's property (Washington County tax lot 2S129D000150, shown in Exhibit 6) indicates that a food cart pod and associated parking and circulation would fit comfortably within the 500-foot limitation.

Within the proposed amendment, provisions are imposed to ensure that not all LI-zoned land would be eligible for a food cart pod, and the conditional use review requirement ensures that the Planning Commission will have the ability to evaluate the appropriateness and compatibility of proposed food cart pod locations or designs. This mechanism provides a level of compromise that balances community interest in high-quality development with economic considerations for property owners.

Encouraging food cart pod development supports the local economy and benefits the City financially through continuing property tax payments. Food cart pods provide opportunities for entrepreneurs to operate their own small business with limited capital expense, stimulating the economy while providing additional services for residents and for employees of the industrial areas. Adopting a narrowly focused amendment prevents the construction of food cart pods throughout the LI zone, reducing the sale of any possible impacts from new construction on nearby properties and roadways.

This standard is met.

**B. Map Amendment**

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

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

**Response:** The applicant has not requested a Map Amendment. This standard does not apply.

**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.*

**Response:** While the applicant has not requested to amend the Comprehensive Plan or Zoning Map, discussion of compliance with the TPR is included above under the heading "Oregon Administrative Rules." As detailed in Exhibit 4, the proposed Plan Text Amendment is anticipated to have no significant effect on transportation facilities. This standard is met.

***Chapter 16.82 – Conditional Uses***

***16.82.010 – Generally***

**A. Authorization**

*Uses permitted in zoning districts as conditional uses may be established, enlarged, or altered by authorization of the Commission in accordance with the standards and procedures established in this Chapter. If the site or other conditions are found to be inappropriate for the use requested, the Commission or Hearings Officer (cited below as Hearing Authority) may deny the conditional use.*

**Response:** If the Plan Text Amendment is approved, then any future food cart pods in the LI zone would be required to obtain conditional use approval from the Planning Commission, matching the approval

path already specified for food cart pods in other zones. This approval would be contingent upon satisfying the Conditional Use approval criteria in Chapter 16.82 and the Food Cart Pods approval criteria in Chapter 16.39.

### ***Chapter 16.106 – Transportation Facilities***

#### ***16.106.080 – Traffic Impact Analysis (TIA)***

##### ***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.*

**Response:** No amendment to the Comprehensive Plan or zoning map is proposed as part of this application.

2. *A new direct property approach road to Highway 99W is proposed.*

**Response:** No direct approach to Highway 99W is proposed as part of this application.

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.*

**Response:** The applicant is proposing a Plan Text Amendment rather than a specific food cart pod development. Therefore, a full traffic impact analysis is not warranted as part of this application; however, the applicant's transportation engineer analyzed trip generation potential for a worst-case scenario within the Affected Area, estimating a potential net increase of 40 PM peak hour trips compared to uses allowed under current regulations. See Exhibit 4.

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.*

**Response:** The area affected by the proposed Plan Text Amendment, depicted in Exhibit 2, does not have frontage on Highway 99W. Furthermore, the proposed Plan Text Amendment would not authorize additional trips by vehicles that exceed the twenty-thousand-pound gross vehicle weight threshold. At the time of a specific conditional use application for a food cart pod, this criterion may trigger a required TIA.

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.*

**Response:** No changes to existing driveways are proposed as part of this application, and no new driveways are proposed as part of this application.

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.*

**Response:** No changes to internal traffic patterns are proposed as part of this application.

##### ***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.*

**Response:** The applicant met with City Engineering, City Planning, and Washington County staff to secure direction on the appropriate level of transportation analysis to include for this proposed Plan Text Amendment. City and County staff concluded that a TIA was not required at this time, though one may be required for future conditional use applications for specific food cart pods. The Transportation Planning Rule analysis in Exhibit 4 provides sufficient detail for the proposed Plan Text Amendment.

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.*

**Response:** As the applicant is proposing amendments to land use regulations, Transportation Planning Rule compliance is demonstrated in Exhibit 4. This analysis indicates that the proposed Plan Text Amendment does not have a significant effect on transportation facilities. This standard is met.

## V. CONCLUSION

The proposed Plan Text Amendment would allow food cart pods in a portion of the Light Industrial zone (within 500 feet of Tualatin-Sherwood Road) subject to Conditional Use approval. This action would support property owners in a manner consistent with the Statewide Planning Goals, Oregon Administrative Rules, Metro Urban Growth Management Functional Plan, and the Sherwood Comprehensive Plan. Based on the information presented and discussed in this narrative and the attached supporting documentation, this application meets applicable standards necessary for land use approval. The applicant respectfully requests approval by the City.