



Home of the Tualatin River National Wildlife Refuge

CITY COUNCIL MEETING PACKET

FOR

Tuesday, April 21, 2026

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

5:30 pm City Council Work Session

7:00 pm City Council Regular Meeting

**City Council Executive Session
(ORS 192.660(2)(e), Real property Transactions)
(Following the 7:00 pm Regular City Council Meeting)**

This meeting will be live streamed at
<https://www.youtube.com/user/CityofSherwood>



5:30 PM CITY COUNCIL WORK SESSION

- 1. Sherwood Chamber of Commerce Update**
(Craig Sheldon, City Manager)
- 2. Public Safety Fee (Commercial)**
(David Bodway, Finance Director)
- 3. Review Tree Code**
(Eric Rutledge, Community Development Director)

7:00 PM CITY COUNCIL REGULAR SESSION

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. ROLL CALL**
- 4. APPROVAL OF AGENDA**
- 5. CONSENT AGENDA**
 - A. Approval of April 7, 2026, City Council Meeting Minutes** (Sylvia Murphy, City Recorder)
 - B. Resolution 2026-019, Authorizing the City Manager to execute a construction contract for the SW 2nd Street and SW Park Street Regional Storm Facility Rehabilitation Project**
(Rich Sattler, Public Works Director)
 - C. Resolution 2026-020, Authorizing the City Manager to enter into an Intergovernmental Agreement with Washington County for the Recycling Modernization ACT (RMA) Contamination Reduction Program** (Rich Sattler, Public Works Director)
 - D. Resolution 2026-021, Authorizing the City Manager to Enter into a Contract with Talbot, Korvola & Warwick, LLP for Municipal Audit Services** (David Bodway, Finance Director)
- 6. CITIZEN COMMENTS**
- 7. PRESENTATIONS**
 - A. Proclamation, National Arbor Day, April 24, 2026** (Mayor Tim Rosener)
 - B. Proclamation, National Library Week, April 19th - 25th, 2026** (Mayor Tim Rosener)
- 8. PUBLIC HEARINGS**
 - A. Ordinance 2026-002, Vacating Two Public Right-of-Way Easements over Tax Lot 2S129DC01600 (Second Reading)** (Eric Rutledge, Community Development Director)

AGENDA

SHERWOOD CITY COUNCIL April 21, 2026

5:30 pm City Council Work Session

7:00 pm City Council Regular Session

**City Council Executive Session
(ORS 192.660(2)(e), Real Property
Transactions)
(Following the 7:00 pm Regular Session)**

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

**This meeting will be live streamed at
<https://www.youtube.com/user/CityofSherwood>**

B. Ordinance 2026-003, Amending sections of the Sherwood Zoning and Community Development Code to Conditionally Allow Food Cart Pods within the Light Industrial Zone District (*Second Reading*) (Hugo Agosto, Associate Planner)

9. CITY MANAGER REPORT

10. COUNCIL ANNOUNCEMENTS

11. ADJOURN TO EXECUTIVE SESSION

A. ORS 192.660(2)(e), Real Property Transactions (Ryan Adams, City Attorney)

12. ADJOURN

How to Provide Citizen Comments and Public Hearing Testimony: Citizen comments and public hearing testimony may be provided in person, in writing, or by telephone. Written comments must be submitted at least 24 hours in advance of the scheduled meeting start time by e-mail to Cityrecorder@Sherwoodoregon.gov and must clearly state either (1) that it is intended as a general Citizen Comment for this meeting or (2) if it is intended as testimony for a public hearing, the specific public hearing topic for which it is intended. To provide comment by phone during the live meeting, please e-mail or call the City Recorder at Cityrecorder@Sherwoodoregon.gov or 503-625-4246 at least 24 hours in advance of the meeting start time in order to receive the phone dial-in instructions. Per Council Rules Ch. 2 Section (V)(D)(5), Citizen Comments, "Speakers shall identify themselves by their names and by their city of residence." Anonymous comments will not be accepted into the meeting record.

How to Find out What's on the Council Schedule: City Council meeting materials and agenda are posted to the City web page at www.sherwoodoregon.gov, generally by the Thursday prior to a Council meeting. When possible, Council agendas are also posted at the Sherwood Library/City Hall and the Sherwood Post Office.

To Schedule a Presentation to the Council: If you would like to schedule a presentation to the City Council, please submit your name, phone number, the subject of your presentation and the date you wish to appear to the City Recorder, 503-625-4246 or Cityrecorder@Sherwoodoregon.gov

ADA Accommodations: If you require an ADA accommodation for this public meeting, please contact the City Recorder's Office at (503) 625-4246 or Cityrecorder@Sherwoodoregon.gov at least 48 hours in advance of the scheduled meeting time. Assisted Listening Devices are available on site.



SHERWOOD CITY COUNCIL MEETING MINUTES
22560 SW Pine St., Sherwood, Or
April 7, 2026

WORK SESSION

1. **CALL TO ORDER:** Mayor Rosener called the meeting to order at 5:32 pm.
2. **COUNCIL PRESENT:** Mayor Tim Rosener, Council President Kim Young, Councilors Renee Brouse, Keith Mays, Taylor Giles, Doug Scott and Dan Standke.
3. **STAFF PRESENT:** City Manager Craig Sheldon, Assistant City Manager Kristen Switzer, IT Director Brad Crawford, City Attorney Ryan Adams, Police Chief Ty Hanlon, Police Captain Corey Jentsch, Police Captain Nathan Powell, Public Works Director Rich Sattler, Community Development Director Eric Rutledge, Economic Development Manager Erik Adair, HR Director Lydia McEvoy, Planning Manager Sean Conrad, Deputy City Recorder Colleen Resch, and City Recorder Sylvia Murphy.
4. **TOPICS:**

City Manager Sheldon informed the Council that tonight's presentation materials were updated with additional information and a correction to the overtime data identified in the staffing plan. He stated the work session also addresses a Council goal under public safety to proactively review law enforcement.

Police Department Policy Updates

Police Chief Ty Hanlon commented on the Lexipol Policy Update Review Packet that was provided to the Council prior to the meeting (see record, Exhibit A) and asked if there was any feedback. The Council was supportive of the format of the document, and Mayor Rosener added that the city was adopting policies that were required to adopt. Chief Hanlon confirmed.

Police Department Staffing Plan

Chief Hanlon provided a presentation titled "Public Safety Levy" (see record, Exhibit B). He commented on the crossroads the Police Department faces with funding and various options to consider moving forward. He said this presentation relied heavily on a potential public safety levy option with some information on a fee-based option. He said the information provided would include call volume and workload trends, peer agency comparisons, mental health calls, overtime and financial sustainability, and a potential levy ask. He commented on workload trends and said 38% of shifts start at minimum staffing level. He discussed mental health calls and said 20-25% of all calls have a mental health component. He provided statistics on overtime hours and discussion followed. He commented on the 10 year outlook considering a 1% growth and the need for additional personnel. He said currently 38% of the General Fund goes towards Police services for personnel and technology costs. He stated that without a dedicated levy, technology plus personnel growth

would force cuts to patrol. He provided statistics on a potential property tax levy versus a public safety fee. He said he used an average assessed home value of \$350,000 and said the information was based on 7,200 equivalent dwelling units (EDUs). Councilor Scott asked what the Police department needs. Chief Hanlon estimated the need at \$1,000,000 per year for 4 additional officers. Chief Hanlon provided information from the December 2022 Sherwood Police Department (SPD) community survey and said 89% said yes to additional funding for the SPD. Mayor Rosener requested an additional work session on the subject.

Mayor Rosener addressed the next item on the agenda.

Discussion on Sherwood West Comprehensive Planning

Community Development Director Eric Rutledge and Planning Manager Sean Conrad provided a presentation (see record, Exhibit C). He said Metro approved the Sherwood West urban growth boundary (UGB) expansion, 1300 acres, in December 2024. He provided an update on the appeals to the Land Conservation and Development Commission (DCLC) and said the Final Written Order upholding the UGB expansion was received in March 2026. He noted there was a potential appeal to the Oregon Court of Appeals, which would need to be filed by April 14, 2026. He said he suspects the ruling by the Oregon Court of Appeals would be completed by the end of 2026. He stated the next step in an appeal process would be to the Oregon Supreme Court. He said the main discussion item for this work session was whether to take the next steps toward comprehensive planning of Sherwood West. He said the steps included scoping the comprehensive plan work and consultant contract, adopting an Intergovernmental Agreement (IGA) with Metro for grant funding, selecting a consultant through a competitive RFP process, and begin comprehensive planning. He estimated the process to take approximately 3 years. He asked the Council for direction. Discussion followed. City Manager Craig Sheldon noted the staff time has already been allocated for this project. The Council agreed to move ahead with the comprehensive planning.

Mayor Rosener adjourned the work session at 6:50 pm.

REGULAR SESSION

1. **CALL TO ORDER:** Mayor Rosener called the meeting to order at 7:02 pm.
2. **COUNCIL PRESENT:** Mayor Tim Rosener, Council President Kim Young, Councilors Renee Brouse, Keith Mays, Taylor Giles, Doug Scott and Dan Standke.
3. **STAFF PRESENT:** City Manager Craig Sheldon, Assistant City Manager Kristen Switzer, City Attorney Ryan Adams, IT Director Brad Crawford, Police Chief Ty Hanlon, Community Development Director Eric Rutledge, Public Works Director Rich Sattler, HR Director Lydia McEvoy, Economic Development Manager Erik Adair, Finance Director David Bodway, Planning Manager Sean Conrad, Planning Associate Hugo Hamblin-Agosta, Volunteer Coordinator Tammy Steffans, and City Recorder Sylvia Murphy.
4. **APPROVAL OF AGENDA:**

Mayor Rosener addressed approval of the agenda and asked for a motion.

Councilor Giles suggested amending the Public Hearing section and addressing Resolution 2026-018, Adopting the Old Town Strategic Action Plan prior to addressing Ordinance 2026-003 amending sections of the Sherwood zoning and community development code.

MOTION TO AMEND: FROM COUNCILOR GILES TO AMEND THE AGENDA AND MOVE RESOLUTION 2026-018, ADOPTING THE OLD TOWN STRATEGIC ACTION PLAN TO THE SECOND PUBLIC HEARING. SECONDED BY COUNCILOR BROUSE. MOTION PASSED 7:0, ALL PRESENT MEMBERS VOTED IN FAVOR.

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

Mayor Rosener addressed the next item on the agenda.

5. CONSENT AGENDA:

- A. Approval of March 3, 2026, City Council Meeting Minutes**
- B. Resolution 2026-016, Authorizing the City Manager to Sign a Contract Amendment with WSP USA Inc. for the Tannery Site Cleanup Project**
- C. Resolution 2026-017, Authorizing the City Manager to Execute a Construction Contract Amendment for the Sunset-Timbrel Crosswalk Safety Project**

MOTION: FROM COUNCILOR BROUSE TO ADOPT THE CONSENT AGENDA. SECONDED BY COUNCILOR GILES. MOTION PASSED 7:0, ALL PRESENT MEMBERS VOTED IN FAVOR.

6. CITIZEN COMMENTS:

None.

7. PRESENTATION:

A. Recognition of Eagle Scout Award Recipient

Mayor Rosener recognized Zachary Steele for earning his Eagle Scout Award and said due to his absence the certificate would be mailed to him.

B. Proclamation, National Community Development Week, April 6 – April 10, 2026

Council President Young read the proclamation and said the week celebrated the Community Development Block Grant (CDBG) Program and the HOME Investment Partnerships.

C. Proclamation, National Volunteer Appreciation Week, April 19 – April 25, 2026

Mayor Rosener read the proclamation and recognized all the volunteers in the community.

Mayor Rosener addressed the next agenda item, and the City Recorder read the public hearing statement.

8. PUBLIC HEARING:

A. Ordinance 2026-002, Vacating Two Public Right-of-Way Easements over Tax Lot 2S129DC01600

Community Development Director Eric Rutledge provided a presentation (see record, Exhibit D). He said this was an applicant led petition for right-of-way vacation for two easements identified as carrying public access benefits. He stated the easement was established via a 2007 land use decision for future access to an envisioned industrial park. He said due to recent lot consolidations, clear development, and property ownership patterns it prompted the request for vacation. He stated these were industrial properties located on Oregon Street. He said the vacation would vacate two overlapping public access easements and establish a reciprocal private access easement and public utility easements. He noted this was an ordinance and required two readings with the second reading tentatively scheduled for April 21, 2026.

Councilor Giles asked for a department recommendation. Mr. Rutledge stated the department supported the vacation.

With no further questions from the Council, Mayor Rosener opened the public hearing. With no public testimony, Mayor Rosener closed the public hearing.

Mayor Rosener addressed the next agenda item, and the City Recorder read the public hearing statement.

B. Resolution 2026-018, Adopting the Old Town Strategic Action Plan

Planning Manager Sean Conrad provided a presentation (see record, Exhibit E). He said the purpose of the Old Town Strategic Action Plan was to promote the ongoing revitalization of “Old Town” as the traditional heart of the community. He recapped public outreach over the past 20 months. He stated the three elements of the plan included business health and growth, sense of arrival, and infill and development. He said the plan emphasized redevelopment along Pine Street and Columbia Street. He stated the Planning Commission held a public hearing in March and made several recommendations for the Council to consider. He said the two key recommendations stated the language referring to an 18-hour district should be revised and the action to re-zone High Density Residential (HDR) zoned properties to Retail Commercial (RC) due to adjacency of existing low-density neighborhoods should be removed and the alternative could be an overlay zone. He provided a summary of the full Planning Commission recommendations. He stated the Council alternatives included adopting the Old Town Plan with full recommendations provided by the Planning Commission, adopting the Old Town Plan with partial recommendations provided by the Planning Commission, or adopting the Old Town Plan with any revisions or additions deemed appropriate by the Council.

Councilor Giles asked for clarification on the Planning Commission recommendation regarding the 18-hour district. Mr. Conrad said the concern was regarding late night business.

Mayor Rosener referred to the Old Town Plan renderings. Mr. Conrad said the renderings were just visions and dependent on the property owners. He said the plan would cast a vision and provide staff direction moving forward.

Council President Young asked about the Planning Commission recommendation to consider the transition period for Symposium Coffee and other businesses as redevelopment on their respective sites occurred. Mr. Conrad said the idea was to look at ways to retain the businesses that may relocate while their site is redeveloped. He said the Planning Commission did not provide specifics.

Councilor Standke asked for a clarification on parking concerns. Mr. Conrad said the Planning Commission was concerned about a lack of parking and recommended a parking study.

Mayor Rosener asked about the recommendation to make the plan clearer that Site D was to be city-owned in long term. Mr. Conrad said the discussion was that Site D, the gravel lot by the Art Center, should remain city-owned long term.

With no further questions for staff, Mayor Rosener opened the public hearing. With no public testimony received, Mayor Rosener closed the public hearing.

Mayor Rosener suggested the Council consider and discuss each Planning Commission recommendation and provide a consensus to approve or disapprove their recommendations. Discussion was held with the following outcomes.

- Recommendation that the language referring to an 18-hour district be revised because that is not necessarily who Sherwood is and the vision for Old Town. The Council agreed that this was too limited and unnecessary. **Disapproved.**
- Recommendation to clarify whether the 75% transparency for storefronts only requires the ground floor up to 10 ft. to meet the requirement, and what the recommendation is for upper floors. **Approved.**
- Recommendation to remove the action to re-zone HDR properties to RC due to the adjacency of existing low-density neighborhoods (i.e. near the existing Public Works site). Alternative could be an overlay zone that allows or requires commercial along Columbia Street only. **Approved.**
- Recommendation that as the area and city adds population, Cannery Square be expanded to allow for additional capacity during events. For example, Cannery Square was at capacity for the 2025 Tree Lighting Ceremony. **Approved.**
- Recommendation that the need for parking be evaluated at Site G before a sale or development occurs. The Council agreed that parking should be evaluated for all the city-owned properties. **Approved.**
- Recommendation to consider the transition period for Symposium Coffee and other businesses as redevelopment on their respective sites occurred. **Disapproved.**
- Recommendation to make the plan clearer that Site D is to be city-owned in the long term. **Disapproved.**
- Recommendation that on p. 87 of the plan that annual monitoring and reporting happens twice a year instead of once per year. **Disapproved.**

Staff thanked the Council for the directions and said they would work with the consultants to update the plan and return to the City Council as soon as possible.

Mayor Rosener addressed the next agenda item, and the City Recorder read the public hearing statement.

C. Ordinance 2026-003, Amending sections of the Sherwood Zoning and Community Development Code to Conditionally Allow Food Carts Pods within the Light Industrial Zone District

Planning Associate Hugo Hamblin-Agosto provided a presentation (see record, Exhibit F). He said the proposed amendment would allow Food Card Pods in Light Industrial (LI) zones as a Conditional Use Permit

(CUP). He said the amendment was applicant proposed and would apply to LI zones and must be entirely sited within 550 feet of Tualatin-Sherwood Road. He referred to the applicable criteria associated with the proposed amendment and parcels affected. He commented on the Food Cart Pod development standards and provided a conceptual drawing, see page 9 of Exhibit F. He said the Planning Commission held a public hearing on February 24, 2026, and voted unanimously in favor of recommending the proposed text amendment to the City Council.

Mayor Rosener opened the public hearing and asked the applicant to come forward. Brian Varricchione with MacKenzie Engineering came forward on behalf of the applicant ORWA, LLC. He said ORWA owns properties on Century Drive and would like to have the opportunity to develop a Food Cart Pod. He said they worked collaboratively with staff to increase options for property owners in the LI zone within 550 of Tualatin-Sherwood Road.

With no questions for the applicant and no public testimony received, Mayor Rosener closed the public hearing.

Councilor Scott thanked the staff and the applicant for working collaboratively. He said he supports the proposal.

Councilor Giles stated he supports Food Cart Pods and commented on the possible location and suggested pausing until the city finalized the Old Town Strategic Plan.

Councilor Brouse agreed with Councilor Giles and said she was concerned that allowing a Food Cart Pod at this location would hinder the possibly of one in Old Town. She suggested finalizing the Old Town Strategic Plan first.

Council President Young noted that the Old Town Strategic Plan was basically completed with just one final reading with small changes. She said she supports the location in the LI zone.

Councilor Standke said he supports the location and the proposed amendment.

Councilor Mays said he appreciates staff's approach to working with the applicant. He does not support Food Cart Pods and said the Council previously approved a code amendment to allow Food Cart Pods in certain zones and said if this amendment was approved it would make it difficult for an applicant to propose another Food Cart Pod in Old Town. He stated he does not support the proposed amendment.

Councilor Scott said Food Cart Pods were discussed in general in Old Town during the strategic planning process but stated Old Town was constrained and this was a better location. He said he was concerned with parking, and this location would include parking. He stated a potential Food Cart Pod in Old Town could take years.

Mayor Rosener said he supports this proposed amendment and does not agree that the city could only support one Food Cart Pod. He noted this proposed amendment would still require a full land use application and approval by the Planning Commission. Discussion followed. Mayor Rosener stated there would be a second hearing on this ordinance.

Mayor Rosener addressed the next agenda item.

9. CITY MANAGER REPORT:

City Manager Craig Sheldon commented on Pride Disposal’s 40-year anniversary event and congratulated them. He announced a ribbon cutting event at the Sherwood Library for the new modular pod at noon on Friday, April 10. He stated the State of the City address was scheduled for 5 pm on April 15 at the Sherwood Center for the Arts. He announced the annual Trashpalooza event was scheduled for Saturday, April 18 from 10 am to noon at Cannery Square. He stated the Volunteer Appreciation banquet was scheduled for Wednesday, April 29 at 6 pm.

10. COUNCIL ANNOUNCEMENTS:

Mayor Rosener suggested foregoing announcements and continuing to the three executive sessions. Council agreed.

11. ADJOURN TO EXECUTIVE SESSION:

Mayor Rosener adjourned the meeting at 8:45 pm and convened an executive session.

EXECUTIVE SESSION

1. **CALL TO ORDER:** Mayor Rosener called the Executive Session to order at 8:53 pm.
2. **COUNCIL PRESENT:** Mayor Tim Rosener, Council President Kim Young, Councilors Renee Brouse, Keith Mays, Taylor Giles, Doug Scott, and Dan Standke.
3. **STAFF PRESENT:** City Manager Craig Sheldon, Assistant City Manager Kristen Switzer, City Attorney Ryan Adams, Community Development Director Eric Rutledge, Human Resources Director Lydia McEvoy, Finance Director David Bodway, and Legal Counsel David Wendell.
4. **TOPICS:**
 - A. **ORS 192.660(2)(d), Labor Negotiations**
5. **ADJOURN:** Mayor Rosener adjourned the executive session at 9:15 pm for this ORS and addressed the next ORS.

EXECUTIVE SESSION

1. **CALL TO ORDER:** Mayor Rosener called the Executive Session to order at 9:15 pm.
2. **COUNCIL PRESENT:** Mayor Tim Rosener, Council President Kim Young, Councilors Renee Brouse, Keith Mays, Taylor Giles, Doug Scott, and Dan Standke.
3. **STAFF PRESENT:** City Manager Craig Sheldon, Assistant City Manager Kristen Switzer, City Attorney Ryan Adams, Community Development Director Eric Rutledge, and Legal Counsel David Wendell.
4. **TOPICS:**

B. ORS 192.660(2)(h) Legal Counsel

- 5. **ADJOURN:** Mayor Rosener adjourned the executive session at 9:22 pm for this ORS and addressed the next ORS.

EXECUTIVE SESSION

- 1. **CALL TO ORDER:** Mayor Rosener called the Executive Session to order at 9:22 pm.
- 2. **COUNCIL PRESENT:** Mayor Tim Rosener, Council President Kim Young, Councilors Renee Brouse, Keith Mays, Taylor Giles, Doug Scott, and Dan Standke.
- 3. **STAFF PRESENT:** City Manager Craig Sheldon, City Attorney Ryan Adams, and Legal Counsel David Wendell.
- 4. **TOPICS:**

C. ORS 192.660(2)(f), Exempt Public Records

- 5. **ADJOURN:** Mayor Rosener adjourned the executive session at 9:40 pm.

Attest:

Sylvia Murphy, MMC, City Recorder

Tim Rosener, Mayor

TO: Sherwood City Council

FROM: Rich Sattler, Public Works Director

Through: Craig Sheldon, City Manager and Ryan Adams, City Attorney

SUBJECT: Resolution 2026-019, Authorizing the City Manager to execute a construction contract for the SW 2nd Street and SW Park Street Regional Storm Facility Rehabilitation Project

Issue: Should City Council authorize the City Manager to execute a construction contract with the lowest responsive bidder for the rehabilitation of a regional storm water quality treatment facility located at SW 2nd Street and SW Park Street?

Background: The 2nd and Park stormwater facility is located within Stella Olsen Park, west of the SW 2nd St. and SW Park St. intersection. A significant portion of Old Town's storm water is conveyed to this facility. However, the facility has been experiencing operational issues, including erosion, reduced treatment effectiveness, and hydraulic short-circuiting. As a result, stormwater is bypassing the intended treatment path and flowing through the system without adequate treatment.

Rehabilitation of the facility is necessary to restore treatment capacity and ensure compliance with current Clean Water Services (CWS) standards. The proposed improvements include regrading the facility, restoring plantings, and modifying the inflow/bypass structure. These measures have been identified as the most efficient and cost-effective approach to rehabilitate this facility.

The City solicited competitive bids from contractors and opened bids on April 9, 2026, to determine the lowest responsive bid. The lowest responsive bidder was Brown Contracting LLC with a total bid of \$206,950.00. The required seven (7) day protest period has been completed.

Work is expected to begin early June 2026, with completion late September 2026. City staff provided notification to area residents of the upcoming project.

Financials: The construction of the street improvements has a budgeted Base Contract Amount of \$206,950.00 with Construction Contingency of \$31,042.50 (15%). Funding for the project was included in the FY25/27 adopted budget.

Recommendation: Staff respectfully requests City Council adoption of Resolution 2026-019, authorizing the City Manager to execute a construction contract with Brown Contracting LLC for the SW 2nd Street and SW Park Street Regional Storm Facility Rehabilitation Project.



RESOLUTION 2026-019

AUTHORIZING THE CITY MANAGER TO EXECUTE A CONSTRUCTION CONTRACT FOR THE SW 2ND STREET AND SW PARK STREET REGIONAL STORM FACILITY REHABILITATION PROJECT

WHEREAS, the City has identified the need to rehabilitate an existing regional stormwater quality treatment facility located at SW 2nd Street and SW Park Street; and

WHEREAS, the City completed the design, produced bid documents and solicited contractors using a competitive bidding process in accordance with ORS 279C, OAR 137-049; and

WHEREAS, the City opened bids on April 9, 2026, and issued the Notice of Intent to Award, and the mandatory seven (7) day protest period has been completed with no protests received; and

WHEREAS, the City has budgeted for the construction cost of this project within the adopted FY2025/2027 budget; and

WHEREAS, Brown Contracting LLC has been identified by City staff as the lowest responsive bidder.

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

Section 1: The City Manager is hereby authorized to execute a construction contract with Brown Contracting LLC in a Base Contract Amount of \$206,950.00 with Construction Contingency of \$31,042.50 (15%) of the Base Contract Amount for the SW 2nd Street and SW Park Street Regional Storm Facility Rehabilitation Project.

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

Duly passed by the City Council this 21st day of April 2026.

Tim Rosener, Mayor

Attest:

Sylvia Murphy, MMC, City Recorder

TO: Sherwood City Council

FROM: Rich Sattler, Public Works Director
Through: Craig Sheldon, City Manager and Ryan Adams, City Attorney

SUBJECT: Resolution 2026-020, Authorizing the City Manager to enter into an Intergovernmental Agreement with Washington County for the Recycling Modernization ACT (RMA) Contamination Reduction Program

Issue: Should City Council authorize the City Manager to execute an Intergovernmental Agreement (IGA) with Washington County to participate in a cooperative Recycling Modernization Act (RMA) Contamination Reduction Program.

Background: The State of Oregon, through the Recycling Modernization Act (RMA) (ORS 459A.929), requires local governments serving populations over 4,000 to implement programs aimed at reducing contamination in the recycling stream and set a contamination reduction goal consistent with statewide goals.

The Oregon Department of Environmental Quality (DEQ) has established requirements for contamination reduction programs and maintains a list of approved program elements. Local governments must also report program activities annually through the Opportunity to Recycle (OTR) report. As a member of the Washington County Solid Waste Cooperative, the county currently prepares and submits OTR reports on the City's behalf.

The RMA requires producer responsibility organizations (PRO) to compensate up to \$3 per capita for contamination reduction programming work. DEQ establishes minimum requirements for local government programs and provides that cities and counties may work cooperatively with neighboring cities and counties to complete this work.

This Intergovernmental Agreement (IGA) establishes Washington County's duties as co-administrator of the contamination reduction program on behalf of the City of Sherwood for each fiscal year covered under this IGA. The PRO \$3 per capital funding for Sherwood is being passed through to Washington County to support the work done on the City's behalf. Other participating local governments who will enter into an agreement with Washington County for this work include Cornelius, Durham, Forest Grove, Hillsboro, King City, Sherwood, Tigard, and Tualatin.

The IGA establishes a collaborative framework for Washington County and participating cities to jointly implement contamination reduction programs, as required by state law and ensures that Sherwood meets all DEQ programming and reporting requirements.

Financials The City will pass through the PRO per capita compensation to Washington County, who will perform the work and meet DEQ requirements on the City's behalf.

Recommendation: Staff respectfully requests City Council adoption of Resolution 2026-020, authorizing the City Manager to enter into an Intergovernmental Agreement (IGA) with Washington County to participate in a cooperative Recycling Modernization Act (RMA) Contamination Reduction Program.



RESOLUTION 2026-020

AUTHORIZING THE CITY MANAGER TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH WASHINGTON COUNTY FOR THE RECYCLING MODERNIZATION ACT (RMA) CONTAMINATION REDUCTION PROGRAM

WHEREAS, the City of Sherwood has a responsibility to provide municipal services, including solid waste and recycling services to its residents; and

WHEREAS, ORS 190.010 authorizes the City of Sherwood to enter into an intergovernmental agreement with Washington County for recycling contamination reduction education as it relates to requirements of the Recycling Modernization Act; and

WHEREAS, the work associated with this IGA will be performed by Washington County as outlined in the annual work plan; and

WHEREAS, the City will provide the specific duties outlined in the terms and conditions set forth in the IGA; and

WHEREAS, Washington County will provide the services required under the terms and conditions set forth in the IGA.

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

Section 1: The City Manager is hereby authorized to enter into an intergovernmental agreement with Washington County, which is set forth in the attached Exhibit A and is further authorized to make administrative modifications hereto.

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

Duly passed by the City Council this 21st day of April 2026.

Tim Rosener, Mayor

Attest:

Sylvia Murphy, MMC, City Recorder

**INTERGOVERNMENTAL AGREEMENT
RECYCLING MODERNIZATION ACT - CONTAMINATION REDUCTION PROGRAM**

THIS AGREEMENT, entered into consistent with ORS Chapter 190 and ORS 459.065(1)(b), is between Washington County, hereinafter referred to as “County,” whose address is 155 N First, Hillsboro, OR 97124, and the individual signatory city of _____ hereinafter referred to as “City” or “Cities.” Identical agreements will also be entered into between the County and other Washington County cities. Any reference hereinafter to “Participating Local Governments” includes both County and all individual signatory cities to an agreement identical to this Agreement including City. The Participating Local Governments are Washington County and, at the time of signature, includes the Cities of Cornelius, Durham, Forest Grove, Hillsboro, King City, Sherwood, Tigard and Tualatin. This list of cities is not exclusive and additional cities may join this Agreement independently without requiring consent from any of the other cities.

WHEREAS, Participating Local Governments have responsibilities related to the recycling contamination reduction under the provisions of (Oregon Revised Statute 459A.929) and related administrative rules; and

WHEREAS, the Participating Local Governments agree that performing these responsibilities in a collaborative and cooperative manner promotes the cost-effective and efficient use of public resources; and

WHEREAS, the Participating Local Governments including County and City desire to enter into an agreement to establish procedures for mutually performing these responsibilities and related services and defining legal relationships and responsibilities; now, therefore,

In consideration of the mutual covenants herein, and in exchange for the promises and other valuable consideration set forth below, County and City agree as follows:

I. Purpose

Pursuant to Oregon Revised Statute 459A.929 and related administrative rules, the Oregon Department of Environmental Quality (hereinafter referred to as “DEQ”) has established contamination reduction requirements for local governments as part of the Pollution Prevention and Recycling Modernization Act (hereinafter referred to as “RMA”). Local governments in communities with over 4,000 people must establish and implement programs to reduce contamination in

the recycling system and set a contamination reduction goal consistent with statewide goals. The RMA requires producer responsibility organization(s) to compensate local governments up to \$3 per capita for contamination reduction programming work (Oregon Revised Statute 459A.890(4)). The DEQ is required to establish and maintain a list of approved contamination reduction program elements for local governments to use in these programs (Oregon Revised Statute 459A.929). Per ORS 459A.929(2)(c)(B). Local governments may select elements from DEQ's list to implement in their programs or local governments may submit alternative program plans to implement program elements not included in the DEQ's list of approved program elements. Local governments are required to report on contamination reduction programs in the annual Opportunity to Recycle (hereinafter referred to as "OTR") reports. DEQ establishes minimum requirements for local government programs and provides that cities and counties may work cooperatively with neighboring cities and counties to complete this work. This Agreement documents the arrangements among the Participating Local Governments, establishes the County's duties as co-administrator of the contamination reduction program on behalf of the Participating Local Government(s) for each fiscal year covered under this Agreement.

II. Term of Agreement

Participation shall be accomplished by adoption of the contamination reduction program work plan by the Participating Local Governments and by entering into this Agreement. The term of this Agreement commences upon execution and continues in effect through June 30, 2030, unless terminated by either party as provided for in Section III "Termination and Opt-Out." Thereafter, this Agreement automatically renews for successive five-year terms (July 1 – June 30) provided funding from the producer responsibility organization(s) continues to be available, as per Oregon Revised Statute 459A.890(4). Cities maintain the ability to implement their own contamination reduction program plan after executing this agreement.

III. Termination and Opt Out

County or City may opt out of this Agreement upon giving 120 days written notice of its intent to do so. County or City may be terminated from participation in this Agreement if either is in default of the terms hereof. In the event of a default, the party alleging the default shall give the defaulting party (and all Participating Local Governments) written notice of the alleged default and defaulting party shall have 30 days after receipt of notice to cure the default. When County or City opts out of this Agreement or it is terminated, the effective date shall be deemed to be July 1 of the next ensuing fiscal year or a date agreed upon by the parties.

Further, that party's assigned funding for the current year's work program as provided for in Section VII, "Funding," shall remain under the authority of the Agreement for the remainder of the current fiscal year.

The County may immediately terminate this Agreement by written notice to City in the event the County does not receive adequate funding from the producer responsibility organization(s).

Any withdrawal from this Agreement under this section by a party shall not require of consent of any of the other Cities. Washington County reserves the right to add additional signatories to this agreement without the consent of the Cities and the Cities expressly agree that any additional party may be added without requiring an amendment to this agreement.

V. Duties of Parties

A. Duties of County

1. The County shall establish an annual work plan for contamination reduction and identify specific steps to implement the plan.
2. The County shall perform work requiring technical expertise, including plan development, data collection/compilation, report writing, program coordination, technical advice to Cities, and general information delivery to the public.
3. The County shall perform fieldwork including providing customer facing contamination reduction education and resources, technical assistance, and feedback to generators for which the producer responsibility organization(s) funding has been allocated as provided for in Section VII herein. Where funding for specific cities is curtailed by the producer responsibility organization(s), then adjustments shall be made by the County to the types of fieldwork conducted.
4. The County shall perform work requiring coordination with garbage and recycling collection companies, the DEQ, and other agencies and represent the Participating Local Governments before such agencies.
5. The County shall act as agent for all Participating Local Government(s) in establishing program criteria and seeking reimbursement in applying for contamination reduction funds. This does not preclude any City from individually receiving or allocating funding to other entities (as

defined by DEQ) for contamination reduction programming consistent with the process set out in Section VII, "Funding."

5. The County shall perform specific duties assigned in the contamination reduction work plan for a given year.

B. Duties of City

1. City shall perform the specific duties assigned as outlined in the contamination reduction work plan, as reviewed and approved by the City prior to each respective fiscal year, for a given year and annually provide the DEQ and producer responsibility organization(s) with information required for funding distribution.
2. City shall ensure that any entity other than the County that receives contamination reduction funding provides data to the County that is required, as determined by the DEQ, to include in the annual Opportunity to Recycle reports completed on behalf of the City. Data must be provided to the County by January 15th of each year.
3. City shall be responsible for amending administrative rules or codes based on contamination reduction work plan developed by the County, provided any such work plan does not materially conflict with pre-existing City administrative rules or codes, or otherwise introduce stipulations that may be disallowed under City administrative or contracting rules. However this does not absolve the City of its obligations under ORS 459A.929.

VI. Indemnification

- A. Subject to the limitations of liability for public bodies set forth in the Oregon Tort Claims Act, ORS 30.260 to 30.300, and the Oregon Constitution, the County shall hold harmless, defend, and indemnify City, its directors, officers, agents, and employees, against all claims, demands, actions and suits (including all attorney fees and costs) arising from the County's performance of this Agreement where the loss or claim is attributable to the negligent acts or omissions of the County.
- B. Subject to the limitations of liability for public bodies set forth in the Oregon Tort Claims Act, ORS 30.260 to 30.300, and the Oregon

Constitution, City shall hold harmless, defend and indemnify the County, its Commissioners, employees and agents against all claims, demands, actions, and suits (including all attorney fees and costs) arising from City's performance of this Agreement where the loss or claim is attributable to the negligent acts or omissions of City.

VII. Funding

A. Contamination Reduction Programs

1. The County shall develop, propose and present a contamination reduction work plan to the Cities each year, including projected annual expenses and funding. The annual contamination reduction work plan will be developed in a timely manner so as to meet all deadlines set by the DEQ, the producer responsibility organization(s) and Cities. The contamination reduction work plan shall provide Participating Local Governments with contamination reduction program standards that meet OTR requirements and DEQ guidance.
2. Upon review of the annual contamination reduction work plan, the Cities will work with the County to determine the funding percentage to be allocated to the County for purposes of funding the activities described in Section V(A) above.
3. Producer responsibility organization(s) shall act as the administrator of contamination reduction program funding. The County shall request reimbursement of the funds on behalf of the Participating Local Government(s).
4. Each City has the right, for up to three years, to audit County records relating to producer responsibility organization(s) funding received through this Agreement.
5. Each City's participation in this Agreement is dependent on the execution of the Primary Funding agreement and contamination reduction addendum between the County and the producer responsibility organization(s). If the County does not have an executed contamination reduction addendum which includes the City listed in Schedule A it is not considered a signatory to this Agreement. This IGA

shall be considered to be operative for any local government upon the date of signing this Agreement.

B. Programs Funded through the Producer Responsibility Organization

1. For all sources of funding provided by the producer responsibility organization(s) related to compliance activities under the RMA, each City shall determine whether to receive those funds directly or allocate those funds to the County or other entity as provided for within this Agreement.
2. City maintains the ability to implement their own contamination reduction program, separate from the program coordinated by the County for Participating Local Governments. City may retain funding or allocate funding to another entity that is responsible for implementing the City’s contamination reduction program. Any City choosing to retain contamination reduction funding or allocate to another entity shall notify in writing the County of its intent to retain those funds or allocate to another entity no later than January 31 of each year.

IX. Exclusivity

This writing is intended both as the final expression of the Agreement between County and City with respect to the included terms and as a complete and exclusive statement of the terms of the Agreement. The addition or removal of any additional unit of local government shall not affect the rights or obligations of the other signatories, and any such agreement with an individual unit of local government shall be considered effective upon the signing of this Agreement (contingent upon the requirements of Section VII section A of this IGA).

WASHINGTON COUNTY (County)

CITY of _____ (City)

By: _____

By: _____

Print name and title

Print name and title

Date

Date

TO: Sherwood City Council

FROM: David Bodway, Finance Director

Through: Craig Sheldon, City Manager and Ryan Adams, City Attorney

SUBJECT: Resolution 2026-021, Authorizing the City Manager to Enter into a Contract with Talbot, Korvola & Warwick, LLP for Municipal Audit Services

Issue:

Shall the City Council authorize the City Manager to enter into a contract with Talbot, Korvola & Warwick, LLP for Municipal Audit Services for the fiscal years ending 2026 through 2028?

Background:

The City is required by law to receive an audit of its financial statements annually performed by a licensed CPA firm. The previous contract for auditing services has ended. In February 2026 the City issued a Request for Proposals (RFP) for Municipal Audit Services for the fiscal years ending 2026 through 2028 and received five (5) proposals. These were reviewed and scored by a selection committee in the following areas:

- Firm and team qualifications
- Project understanding and approach
- Project timeline and
- Cost structure

The overall scores are summarized in the table below.

Firm	Average score
Talbot, Korvola & Warwick	85
Baker Tilly	60
Sorren	70
RedW LLC	84
Singer Lewak	64

Financial Impacts:

The amount of the contract for fiscal years ending 2026 through 2028 is \$280,800, the impact to the 25-26 budget is \$89,000 which is in line with the amount in the adopted budget.

Recommendation:

Staff respectfully recommends City Council adoption of Resolution 2026-021 authorizing the City Manager to enter into a contract with Talbot, Korvola & Warwick, LLP for municipal audit services.



RESOLUTION 2026-021

AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH TALBOT, KORVOLA & WARWICK, LLP FOR MUNICIPAL AUDIT SERVICES

WHEREAS, by law, the City must publish an annual financial report which is audited by independent Certified Public Accountants (CPA); and

WHEREAS, the current contract with our independent CPA expired; and

WHEREAS, the City of Sherwood issued a request for proposals on February 26, 2026; and

WHEREAS, five proposals were received and evaluated by a selection committee; and

WHEREAS, the selection committee recommended Talbot, Korvola & Warwick, LLP as the City's auditors for fiscal years ending 2026-2028.

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

Section 1. The City Manager is authorized to contract with Talbot, Korvola & Warwick, LLP as the City's auditors for fiscal years ending 2026-2028.

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

Duly passed by the City Council this 21st day of April, 2026.

Tim Rosener, Mayor

Attest:

Sylvia Murphy, MMC, City Recorder

TO: Sherwood City Council

FROM: Eric Rutledge, Community Development Director
Through: Craig Sheldon, City Manager and Ryan Adams, City Attorney

SUBJECT: Ordinance 2026-002, Vacating Two Public Right-of-Way Easements over Tax Lot 2S129DC01600 (Second Reading)

Issue:

Shall the City Council adopt Ordinance 2026-002, Vacating Two Public Right-of-Way Easements over Tax Lot 2S129DC01600?

Background

MB Family Properties LLC has submitted an application requesting the vacation of two existing public access easements located on Tax Lot 1600 north of the intersection of SW Oregon Street and SW Lower Roy Street. The easements were originally recorded in 2010 as a Condition of Approval to SP 07-08 which approved the "Oregon Street Industrial Park". At the time, the area north of Oregon Street was envisioned as a multi-property, multi-tenant industrial park whereby public access would have been necessary via a public street or public access easement. Since that time, some lots have been consolidated and final build out of this area is expected to include only three end users – AFP Systems on Tax Lot 2S129DC00500, G.H. McCulloch on Tax Lot 2S129DC01600, and the City of Sherwood on Tax Lots 2S129D000600 and 602. As such, access to properties is more appropriately provided via a private access driveway to reduce costs and maximize building area.

A new access easement is proposed and provided as Exhibit 1 to the Ordinance, which may serve as secondary access to the City's future Public Works site. Primary access is expected to be taken from SW Oregon Street. In the case that the future Public Works site makes a physical connection to this access easement and driveway, the City would enter into a shared maintenance agreement with the other benefiting property owners.

The City's Transportation System Plan (TSP), Parks and Recreation Master Plan, and other utility master plans have been reviewed prior to this request. The existing public easement is not necessary to serve any transportation, circulation, or recreational function. The City's Transportation System Plan does not identify any existing or future street connection through the subject property, and the easement area does not align with any planned roadway corridor or public access route. In addition, there are no planned or existing public trails, multi-use paths, or other public facilities located behind or adjacent to the property that would require public access through the easement.

Proposal

The application proposes to:

- Vacate two overlapping access easements totaling approximately 11,326 square feet located within Tax Lot 1600.
- Remove access rights granted to the general public.
- Establish a new private access easement between MB Family Properties LLC and the City of Sherwood.

In accordance with City of Sherwood and Clean Water Services standards, overlapping public utility easements have been required as part of recent land use decisions to ensure city and agency access to public utilities.

Public Notice (ORS 271)

The easement vacation is being processed pursuant to ORS Chapter 271, which requires:

- A petition signed by abutting property owners.
- Consent of affected property owners
- Publication of notice prior to the public hearing.
- Posting of notice within the proposed vacation area.

The application provides a petition signed by abutting property owners and consent of affected property owners, as defined by ORS 221.080(2). The City provided public notice of the proposed vacation in the Valley Times on March 13th, 20th, and 27th, 2026 and posted notice of the vacation on the site.

Financial Impacts:

While there are no immediate financial impacts, in the case that the future Public Works site makes a physical connection to this access easement and driveway, the City would enter into a shared maintenance agreement with the other benefiting property owners.

Recommendation:

Staff respectfully recommends approval of Ordinance 2026-002, Vacating Two Public Right-of-Way Easements over Tax Lot 2S129DC01600.

Attachments:

1. Petition for Right-of-Way Vacation
2. Restated Access Easement Agreement

SW Oregon Street Access Easement Vacation

Date: January 2026
Updated February 2026

Submitted to: City of Sherwood
Community Development Department
22560 SW Pine Street
Sherwood, OR 97140

Applicant: MB Family Properties LLC
18200 SW Pacific Highway
Tualatin, OR 97062

AKS Job Number: 8627-03



AKS
ENGINEERING & FORESTRY

12965 SW Herman Road, Suite 100
Tualatin, OR 97062
(503) 563-6151

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Exhibits

- Exhibit A:** Proposed Restated Access Easement Agreement, Legal Descriptions, and Maps [Updated]
- Exhibit B:** Vacation Petitions
- Exhibit C:** Ownership Information
- Exhibit D:** Assessor’s Maps
- Exhibit E:** Vacation Area Calculations [Updated]

SW Oregon Street Access Easement Vacation

Submitted to:	City of Sherwood Community Development Department 22560 SW Pine Street Sherwood, OR 97140
Applicant:	MB Family Properties LLC 18200 SW Pacific Highway Tualatin, OR 97062
Property Owners:	MB Family Properties LLC 18200 SW Pacific Highway Tualatin, OR 97062
Applicant's Consultant:	AKS Engineering & Forestry, LLC 12965 SW Herman Road, Suite 100 Tualatin, OR 97062 Contact(s): Glen Southerland, AICP Email: southerlandg@aks-eng.com Phone: (503) 563-6151
Site Location:	Access easements north of the intersection of SW Oregon Street and SW Lower Roy Street, south of Union Pacific right-of-way
Washington County Assessor's Map:	Map 2S129DC, Tax Lot 1600
Site Size:	Total area of easement: ±11,326 square feet Area of affected property: ±95,800 square feet
Land Use Districts:	Light Industrial (LI)

I. Executive Summary

MB Family Properties LLC (Applicant) is applying to vacate two overlapping access easements north of the intersection of SW Oregon Street and SW Lower Roy Street. The access easements, described and recorded as Washington County Document No. 2010-53593 and Document No. 2010-53594, are aligned north-to-south and extend from SW Oregon Street and terminate at the shared property line between Tax Lot 1600 and properties to the east (Tax Lots 600 and 602).

Document Nos. 2010-53593 and 2010-53594 were required per a previous City land use decision (SP 07-08). The purpose of the access easements is to provide access and utilities to the City of Sherwood, the property owner of Tax Lots 600 (Doc. No. 2010-53593) and 602 (Doc. No. 2010-53594). An apparent error resulted in the “general public at large” being granted access to use the easements in addition to the stated purpose, access to the City’s properties to the east. This situation is not desirable to the parties with a legitimate interest in access to the properties; therefore, the property owners propose to vacate the easement and establish a new easement that does not provide access to the “general public at large.” The City has determined that a right-of-way vacation process would establish an appropriate level of public involvement to allow the City to change the easement text. The process would result in access easements that retain rights for reciprocal ingress, egress, and utility purposes between the Applicant and the City of Sherwood.

This application includes the City of Sherwood (City) application forms, written materials, and other information necessary for City staff to review and determine compliance with the applicable approval criteria. The evidence is substantial and supports the City’s approval of the application.

II. Site Description/Setting

The subject site is located within the City of Sherwood north of the intersection of SW Oregon Street and SW Lower Roy Street, is zoned Limited Industrial (LI), and affects four tax lots: Tax Lots 500 and 1600 of Washington County Assessor’s Map 2S129DC and Tax Lots 600 and 602 of Map 2S129D. The easements are contained within Map 2S129DC Tax Lot 1600.

The four tax lots abutting the subject site comprise a total area of ±30.11 acres. The easements cover an area of ±10,000 square feet (Doc. No. 2010-53593) and ±11,326 square feet (Doc. No. 2010-53594). Details regarding property sizes and property ownership percentages related to vacation area calculations are available in Exhibit E.

III. Applicable Review Criteria

SHERWOOD MUNICIPAL CODE

TITLE 12 – STREETS, SIDEWALKS, AND PUBLIC PLACES

Chapter 12.16 UTILITY FACILITIES IN PUBLIC RIGHT-OF-WAY

[...]

12.16.110 Vacation.

If the city vacates any ROW, or portion thereof, that a utility operator uses, the utility operator shall, at its own expense, remove its facilities from the ROW unless the city reserves a public utility easement, which the city shall make a reasonable effort to do provided that there is no cost or expense to the city, or the utility operator obtains an easement for its facilities. If the utility operator fails to remove its facilities within thirty (30) days after a ROW is vacated, or as otherwise directed or agreed to in writing by

the city, the city may remove the facilities at the utility operator's sole expense. Upon receipt of an invoice from the city, the utility operator shall reimburse the city for the costs the city incurred within thirty (30) days.

Response: The vacation of the easement does not involve a right-of-way; the applicant has planned to remove access granted to the public from a private property. Access rights will be retained for the intended party, the City of Sherwood, owner of the adjacent parcel. The standards of this section do not apply to the application.

TITLE 16 – ZONING AND COMMUNITY DEVELOPMENT CODE

Division I. GENERAL PROVISIONS

Chapter 16.04 ESTABLISHMENT OF ZONING DISTRICTS*

16.04.030 - Zoning District Boundaries

The Commission shall resolve any dispute over the exact location of a zoning district boundary. In interpreting the location of such boundaries on the Official Plan and Zoning Map, the Commission shall rely on the following guidelines:

- A. Unless otherwise indicated, zoning district boundaries are the centerlines of streets, roads, highways, alleys, or such lines extended.
- B. Where a boundary line follows or nearly coincides with a section, lot or property ownership line, the boundary shall be construed as following such line.
- C. In the event that a dedicated street, road, highway, or alley is vacated by ordinance, the zoning regulations applicable to abutting property shall apply up to the centerline of such rights-of-way.
- D. If a right-of-way is vacated in total to one (1) property, the zoning of that property shall apply to the total vacated right-of-way.

Response: The area to be vacated does not serve as a zoning district boundary. As such, the above standards do not apply.

Division II. LAND USE AND DEVELOPMENT

Chapter 16.31 INDUSTRIAL LAND USE DISTRICTS

16.31.030 Development Standards

A. Generally

No lot area, setback, yard, landscaped area, open space, off-street parking or loading area, or other site dimension or requirement, existing on, or after, the effective date of this Code shall be reduced below the minimum required by this Code. Nor shall the conveyance of any portion of a lot, for other than a public use or right-of-way, leave a lot or structure on the remainder of said lot with less than minimum Code dimensions, area, setbacks or other requirements, except as permitted by Chapter 16.84 (Variances and Adjustments).

Response: Following the planned vacation, site dimensions and requirements will remain at or above the minimum required by the Sherwood Zoning and Community Development Code, as demonstrated by the Proposed Easement Agreement, Legal Description, and Maps (Exhibit A). Properties will meet minimum dimensions, area, setbacks, and other

requirements. This application does not include a variance or adjustment to development standards. This standard is met.

B. Development Standards

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

Development Standards by Zone	LI
Lot area – industrial uses:	10,000 SF
Lot area – commercial uses (subject to Section 16.31.050):	10,000 SF
Lot width at front property line:	100 feet
Lot width at building line:	100 feet
Front yard setback ¹¹	20 feet
Side yard setback ¹⁰	None
Rear yard setback ¹¹	None
Corner lot street side ¹¹	20 feet
Height ¹¹	50 feet

⁹ Lots within the EI zone that were legal lots of record prior to October 5, 2010 and smaller than the minimum lot size required in the table below may be developed if found consistent with other applicable requirements of Chapter 16.31 and this Code. Further subdivision of lots smaller than three acres shall be prohibited unless Section 16.31.050 applies.

¹⁰ When a yard is abutting a residential zone or public park, there shall be a minimum setback of forty (40) feet provided for properties zoned Employment Industrial and Light Industrial zones, and a minimum setback of fifty (50) feet provided for properties zoned General Industrial.

¹¹ Structures located within one hundred (100) feet of a residential zone shall be limited to the height requirements of that residential zone.

Response: As mentioned in the Executive Summary, this project involves a vacation of an easement providing access to the “general public at large” and does not involve any changes to the underlying property. The underlying property meets the minimum requirements of the table above. Other development standards will continue to be met following vacation of the easement. Therefore, these criteria are met.

16.31.070 - Community Design

For standards relating to off-street parking and loading, energy conservation, historic resources, environmental resources, landscaping, access and egress, signs, parks and open space, on-site storage, and site design, the applicable provisions of Divisions V, VIII and IX will apply.

Response: The provisions of Divisions V, VIII, and IX do not apply to this application.

[...]

Division III. ADMINISTRATIVE PROCEDURES

Chapter 16.70 GENERAL PROVISIONS

16.70.030 Application Requirements

A. Form

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

B. Copies

To assist in determining the compliance of proposed land use actions with the Comprehensive Plan and provisions of this Code, applicants shall submit one (1) complete electronic copy of the full application packet, one reduced (8½ × 11) copy of the full application packet and the required number of hard copies as outlined on the applicable forms prescribed and provided by the City.

C. Content

1. In addition to the required application form, all applications for Residential Design Checklist approval must include the following:
 - a. Residential Design Checklist.
 - b. Building elevations including enough detail to confirm conformance with the design standards of Chapter 16.14.
2. In addition to the required application form, all applications for Type I approval must include the following:
 - a. Appropriate fee(s) for the requested land use action required based on the City of Sherwood Fee Schedule.
 - b. Tax Map showing property within at least 300 ft. with scale (1" = 100' or 1" = 200'), north arrow, date, and legend.
 - c. Vicinity Map.
3. In addition to the required application form, all applications for Type II-V land use approval must include the following:
 - a. Appropriate fee(s) for the requested land use action required based on the City of Sherwood Fee Schedule.
 - b. Documentation of neighborhood meeting per 16.70.020.
 - c. Tax Map showing property within at least 300 feet with scale (1" = 100' or 1" = 200') north point, date and legend.
 - d. Two (2) sets of mailing labels for property owners of record within 1,000 feet of the subject site, including a map of the area showing the properties to receive notice and a list of the property owners, addresses and tax lots. Ownership records shall be based on the most current available information from the Tax Assessor's office.
 - e. Vicinity Map showing a minimum radius of 500 feet around the property and the closest intersection of two Principal Arterial, Arterial, Collector or Neighborhood roads.
 - f. A narrative explaining the proposal in detail and a response to the Required Findings for Land Use Review for the land use approval(s) being sought.

-
- g. Two (2) copies of a current preliminary title report.
 - h. Existing conditions plan drawn to scale showing: property lines and dimensions, existing structures and other improvements such as streets and utilities, existing vegetation, any floodplains or wetlands and any easements on the property.
 - i. Proposed development plans sufficient for the Hearing Authority to determine compliance with the applicable standards. Checklists shall be provided by the City detailing information typically needed to adequately review specific land use actions.
 - j. A traffic study, if required by other sections of this Code.
 - k. Other special studies or reports that may be identified by the City Manager or his or her designee to address unique issues identified in the pre-application meeting or during project review including but not limited to:
 - 1) Wetland assessment and delineation;
 - 2) Geotechnical report;
 - 3) Traffic study;
 - 4) Verification of compliance with other agency standards such as CWS, DSL, Army Corps of Engineers, ODOT, PGE, BPA, Washington County.
 - l. Plan sets must have:
 - 1) The proposed name of the development. If a proposed project name is the same as or similar to other existing projects in the City of Sherwood, the applicant may be required to modify the project name.
 - 2) The name, address and phone of the owner, developer, applicant and plan producer.
 - 3) North arrow.
 - 4) Legend.
 - 5) Date plans were prepared and date of any revisions.
 - 6) Scale clearly shown. Other than architectural elevations, all plans must be drawn to an engineer scale.
 - 7) All dimensions clearly shown.
 - 4. Exemptions can be made when items in 16.70.030.C.1 are not necessary in order to make a land use decision, such as for text amendments to the development code. Additional written documentation may be necessary to adequately demonstrate compliance with the criteria.

Response: The application package includes the relevant information required from the list above. These requirements are met.

Division VI. PUBLIC INFRASTRUCTURE

Chapter 16.118 - PUBLIC AND PRIVATE UTILITIES

16.118.020 – Standard

- A. Installation of utilities shall be provided in public utility easements and shall be sized, constructed, located and installed consistent with this Code, and applicable utility company and City standards.
- B. Public utility easements shall be a minimum of eight (8) feet in width unless a reduced width is specifically exempted by the City Engineer. An eight-foot wide public utility easement (PUE) shall be provided on private property along all public street frontages. This standard does not apply to developments within the Old Town Overlay.

[...]

Response: The subject easements currently provide for utilities and access to the adjacent properties. The recorded easements are planned to remain within the same location and provide the same function as the current easements; however, the easements will no longer provide access to the “general public at large.” These criteria are met.

16.118.050 - Private Streets

The construction of new private streets, serving single-family residential developments shall be prohibited unless it provides principal access to two or fewer residential lots or parcels i.e. flag lots. Provisions shall be made to assure private responsibility for future access and maintenance through recorded easements. Unless otherwise specifically authorized, a private street shall comply with the same standards as a public street identified in the Community Development Code and the Transportation System Plan. A private street shall be distinguished from public streets and reservations or restrictions relating to the private street shall be described in land division documents and deed records. A private street shall also be signed differently from public streets and include the words "Private Street".

Response: The easements were established to provide for access to the adjacent properties; however, it is not a private street. Therefore, this standard does not apply.

Division VII. LAND DIVISIONS, SUBDIVISIONS, PARTITIONS, LOT LINE ADJUSTMENTS AND MODIFICATIONS

Chapter 16.126 REPLATTING, LOT CONSOLIDATIONS AND VACATION OF PLATS

16.126.010. - Generally

- A. Any plat or portion thereof may be re-platted, consolidated or vacated upon receiving an application signed by all of the owners as appearing on the deed.
- B. All applications for a plat shall be made in accordance with the subdivision or the partition provisions within this Division and processed under the Type I procedure.

Response: This application does not involve vacation of a plat or an application for a plat. These standards do not apply.

16.126.020 - Basis for Denial

The application may be denied if it abridges or destroys any public right in any of its public uses, improvements, streets or alleys.

Response: The vacation involves access easements established on private property that do not serve a legitimate public purpose. Destruction or abridgement of public rights to public uses, improvements, streets, or alleys will not result from approval of the application. This standard is met.

16.126.030. - Timing of Vacations

All approved plat vacations shall be recorded in accordance with Section 16.122.010:

- A. Once recorded, the vacation shall operate to eliminate the force and effect of the plat prior to vacation; and
- B. The vacation shall also divest all public rights in the streets, alleys and public grounds, and all dedications laid out or described on the plat.

Response: These standards are understood.

OREGON REVISED STATUTES

Chapter 271 — Use and Disposition of Public Lands Generally; Easements

VACATION

271.080 Vacation in incorporated cities; petition; consent of property owners.

- (1) Whenever any person interested in any real property in an incorporated city in this state desires to vacate all or part of any street, avenue, boulevard, alley, plat, public square or other public place, such person may file a petition therefor setting forth a description of the ground proposed to be vacated, the purpose for which the ground is proposed to be used and the reason for such vacation.

Response: The Applicant is a business interested in real property within the City and is adjacent to the area planned to be vacated. The Applicant would like to remove the right to access by the “general public at large” while retaining an easement for public utilities and the City of Sherwood, owner of Tax Lots 600 and 602, and the reason for such vacation is explained in the Executive Summary, above. This criterion is met.

- (2) There shall be appended to such petition, as a part thereof and as a basis for granting the same, the consent of the owners of all abutting property and of not less than two-thirds in area of the real property affected thereby. The real property affected thereby shall be deemed to be the land lying on either side of the street or portion thereof proposed to be vacated and extending laterally to the next street that serves as a parallel street, but in any case not to exceed 200 feet, and the land for a like lateral distance on either side of the street for 400 feet along its course beyond each terminus of the part proposed to be vacated. Where a street is proposed to be vacated to its termini, the land embraced in an extension of the street for a distance of 400 feet beyond each terminus shall also be counted. In the vacation of any plat or part thereof the consent of the owner or owners of two-thirds in area of the property embraced within such plat or part thereof proposed to be vacated shall be sufficient, except where such vacation embraces street area, when, as to such street area

the above requirements shall also apply. The consent of the owners of the required amount of property shall be in writing.

Response: This application includes consent letters (Exhibit B) signed by the owners of all abutting property and owners of over two-thirds of affected properties. A Vacation Area Calculation Sheet (Exhibit E) demonstrates compliance with the minimum area requirements outlined in the above subsection. This criterion is met.

271.090 Filing of petition; notice.

The petition shall be presented to the city recorder or other recording officer of the city. If found by the recorder to be sufficient, the recorder shall file it and inform at least one of the petitioners when the petition will come before the city governing body. A failure to give such information shall not be in any respect a lack of jurisdiction for the governing body to proceed on the petition.

Response: This application package contains petitions signed by each of the property owners abutting the area proposed for vacation. These procedures are understood and this criterion is met.

271.100 Action by city governing body.

The city governing body may deny the petition after notice to the petitioners of such proposed action, but if there appears to be no reason why the petition should not be allowed in whole or in part, the governing body shall fix a time for a formal hearing upon the petition.

Response: This provision is understood.

271.110 Notice of hearing

(1) The city recorder or other recording officer of the city shall give notice of the petition and hearing by publishing a notice in the city official newspaper once each week for two consecutive weeks prior to the hearing. If no newspaper is published in such city, written notice of the petition and hearing shall be posted in three of the most public places in the city. The notices shall describe the ground covered by the petition, give the date it was filed, the name of at least one of the petitioners and the date when the petition, and any objection or remonstrance, which may be made in writing and filed with the recording officer of the city prior to the time of hearing, will be heard and considered.

Response: Notice of the public hearing will be published per Oregon Revised Statutes (ORS) requirements. This noticing requirement will be met at the appropriate time.

(2) Within five days after the first day of publication of the notice, the city recording officer shall cause to be posted at or near each end of the proposed vacation a copy of the notice, which shall be headed, "Notice of Street Vacation," "Notice of Plat Vacation" or "Notice of Plat and Street Vacation," as the case may be. The notice shall be posted in at least two conspicuous places in the proposed vacation area. The posting and first day of publication of such notice shall be at least 14 days before the hearing.

Response: When the hearing date is scheduled, the Applicant agrees to post the signs at the subject property at least 14 days prior to the hearing date, meeting the above requirements. This criterion is understood and will be met at the appropriate time.

(3) The city recording officer shall, before publishing such notice, obtain from the petitioners a sum sufficient to cover the cost of publication, posting and other anticipated expenses. The city recording officer shall hold the sum so

obtained until the actual cost has been ascertained, when the amount of the cost shall be paid into the city treasury and any surplus refunded to the depositor.

Response: The Applicant understands and will meet these requirements when needed.

271.120 Hearing determination.

At the time fixed by the governing body for hearing the petition and any objections filed thereto or at any postponement or continuance of such matter, the governing body shall hear the petition and objections and shall determine whether the consent of the owners of the requisite area has been obtained, whether notice has been duly given and whether the public interest will be prejudiced by the vacation of such plat or street or parts thereof. If such matters are determined in favor of the petition the governing body shall by ordinance make such determination a matter of record and vacate such plat or street; otherwise it shall deny the petition. The governing body may, upon hearing, grant the petition in part and deny it in part, and make such reservations, or either, as appear to be for the public interest.

Response: ORS 271.130 contains three approval criteria for the City Council to determine whether to grant the vacation. First, the City Council must find that the Applicant has obtained the consent of all abutting property owners and the owners of two-thirds of the affected area. The evidence before the City Council, provided by the Vacation Area Calculations attached as Exhibit E, demonstrates that such consents have been obtained. Second, the City Council must find that notice of the public hearing has been duly given. Timely and correctly located on-site postings will be made notifying the public of the City Council hearing on the area of the public right-of-way proposed to be vacated, appropriate and timely notice of the City Council hearing will be published in the local newspaper of record, and notice of the City Council public hearing will be mailed to all surrounding property owners based on the most recent Washington County Tax Roll. Finally, the City Council can find that the public interest will not be prejudiced by the vacation because the easement will retain access to the adjacent properties owned by the City of Sherwood. Access by the public at large to this privately owned property is not required and will be vacated. These requirements have been or will be met.

271.140 Title to vacated areas.

The title to the street or other public area vacated shall attach to the lands bordering on such area in equal portions; except that where the area has been originally dedicated by different persons and the fee title to such area has not been otherwise disposed of, original boundary lines shall be adhered to and the street area which lies on each side of such boundary line shall attach to the abutting property on such side. If a public square is vacated the title thereto shall vest in the city.

Response: The vacation involves an easement on private property. As the vacation does not involve a right-of-way, the vacation will not require title to vacated areas. The property will continue to be owned by the Applicant. This requirement does not apply to the application.

271.150 Vacation records to be filed; costs.

A certified copy of the ordinance vacating any street or plat area and any map, plat or other record in regard thereto which may be required or provided for by law, shall be filed for record with the county clerk. The petitioner for such vacation shall bear the recording cost and the cost of preparing and filing the certified copy of the ordinance

and map. A certified copy of any such ordinance shall be filed with the county assessor and county surveyor.

Response: These requirements are understood.

271.160 Vacations for purposes of rededication.

No street shall be vacated upon the petition of any person when it is proposed to replat or rededicate all or part of any street in lieu of the original unless such petition is accompanied by a plat showing the proposed manner of replatting or rededicating. If the proposed manner of replatting or rededicating or any modification thereof which may subsequently be made meets with the approval of the city governing body, it shall require a suitable guarantee to be given for the carrying out of such replatting or rededication or may make any vacation conditional or to take effect only upon the consummation of such replatting or rededication.

Response: The vacation will remove the subject access easements. The vacated easements will be replaced by new easements retaining access to its properties east of the subject site. The areas accessed are not public rights-of-way or other areas that the public require access to. As there is no public need, the “general public at large” do not require legal access to the easement. The vacation does not involve street dedication or rededication; therefore, this requirement does not apply.

[...]

271.190 Consent of owners of adjoining property; other required approval.

No vacation of all or part of a street, alley, common or public place shall take place under ORS 271.180 unless the consent of the persons owning the property immediately adjoining that part of the street or alley to be vacated is obtained thereto in writing and filed with the auditor or clerk of the city or town. No vacation shall be made of any street, alley, public place or part thereof, if within 5,000 feet of the harbor or pierhead line of the port, unless the port commission, or other bodies having jurisdiction over docks and wharves in the port district involved, approves the proposed vacation in writing.

Response: The consent of abutting property owners has been obtained in writing. Those petitions are included as Exhibit B of this application package. This requirement is met.

271.200 Petition; notice.

- (1) Before any street, alley, common or public place or any part thereof is vacated, or other right granted by any city governing body under ORS 271.180 to 271.210 the applicant must petition the governing body of the city or town involved, setting forth the particular circumstances of the case, giving a definite description of the property sought to be vacated, or of the right, use or occupancy sought to be obtained, and the names of the persons to be particularly affected thereby. The petition shall be filed with the auditor or clerk of the city or town involved 30 days previous to the taking of any action thereon by the city governing body.
- (2) Notice of the pendency of the petition, containing a description of the area sought to be vacated or right, use or occupancy sought to be obtained, shall be published at least once each week for three successive weeks prior to expiration of such 30-day period in a newspaper of general circulation in the county wherein the city or town is located.

Response: A description of the area has been included as part of this submittal. The required petition has been submitted, and the required notice will be posted. These requirements are met.

271.210 Hearing; grant of petition.

Hearing upon the petition shall be had by the city governing body at its next regular meeting following the expiration of 30 days from the filing of the petition. At that time objections to the granting of the whole or any part of the petition shall be duly heard and considered by the governing body, which shall thereupon, or at any later time to which the hearing is postponed or adjourned, pass by a majority vote an ordinance setting forth the property to be vacated, or other rights, occupancy or use to be thereby granted. Upon the expiration of 30 days from the passage of the ordinance and the approval thereof by the mayor of the city or town, the ordinance shall be in full force and effect.

Response: These requirements are understood.

IV. Conclusion

The required findings have been made, and this written narrative and accompanying documentation demonstrate that the application is consistent with the applicable provisions of the City of Sherwood Zoning and Community Development Code and Oregon Revised Statutes. The evidence in the record is substantial and supports approval of the application. Therefore, the Applicant respectfully requests that the City approve this Vacation application.

Exhibit A: Proposed Restated Access Easement Agreement, Legal Descriptions, and Maps [Updated]

After recording, return to:

RESTATED ACCESS EASEMENT AGREEMENT

BETWEEN: MB Family Properties LLC
an Oregon limited liability company **(Grantor)**

AND: The City of Sherwood
an Oregon municipal corporation **(Grantee)**

**EFFECTIVE
DATE:** _____

This Restated Access Agreement (this “Agreement”) is made as of the Effective Date, by and between Grantor and Grantee.

RECITALS

A. Grantor owns the real property more particularly described as Parcel 1 of Partition Plat No. 2023-018, recorded as Document Number 2023-026535, Washington County Records, located in the Southeast One-Quarter of Section 29, Township 2 South, Range 1 West, Willamette Meridian, City of Sherwood, Washington County, Oregon (“Parcel 1”).

B. Grantee owns the real property more particularly described as set forth in the attached Exhibit C (referred to respectively as “Tax Lot 600” and “Tax Lot 602.”)

C. Grantor’s predecessor in interest granted easements over Parcel 1 for ingress and egress to Tax Lot 600 and Tax Lot 602 recorded in Washington County Records as instrument numbers 2010-053593 and 2010-053594 (Prior Easements). Grantor and Grantee desire to completely restate and amend the Prior Easements on the terms and conditions of this Agreement.

AGREEMENT

1. Incorporation of Recitals. The Recitals set forth above are true and accurate and are incorporated into this Agreement.

2. **Grant of Easement.** Grantor grants to Grantee a nonexclusive easement to be used for ingress, egress, and utility purposes over and across Parcel 1, the legal description of which is as set forth in the attached Exhibit "A" and depicted in the attached Exhibit "B" (the "Easement").
3. **Use of Easement.** Grantor reserves the right to engage in any use compatible with the full enjoyment of Grantee's easement rights. Use of the Easement to access Lot 600 and Lot 602 shall be secondary with principal access to Lot 600 and Lot 602 directly from Oregon Street.
4. **Maintenance.** Upon the development of Lot 600 and Lot 602, the parties shall enter into a maintenance agreement that provides for the maintenance, repair, and upkeep of the Easement. The maintenance agreement shall provide that the parties share equally the costs and expenses for the maintenance, repair, and upkeep of the Easement and that the maintenance agreement be recorded.
5. **Consideration.** The consideration for this grant is other than money.
6. **Exceptions of Record.** The Easement is subject to all prior easements or encumbrances of record.
7. **Remedies.** In the event Grantee breaches or fails to perform or observe any of the terms and conditions set forth in this Agreement and Grantee fails to cure the default within ninety (90) days of Grantor's giving Grantee written notice of default, or, if the default is not curable within ninety (90) days and Grantee fails to commence to cure within the 90 days and diligently proceed to complete the cure; then Grantor may seek all legal remedies available to Grantor except that Grantor may not terminate Grantee's rights under this Agreement.
8. **Termination of Agreement.** The Easement provided in this Agreement shall be permanent and irrevocable except upon the written termination of the then owners of the properties.
9. **Severability.** Any provision of this Agreement that is deemed invalid or unenforceable shall be ineffective to the extent of the invalidity or unenforceability, without rendering invalid or unenforceable the remaining provisions of this Agreement.
10. **Notices.** All notices or other communications required or permitted hereunder shall be in writing and shall be personally delivered or sent by registered or certified mail, postage prepaid, return receipt requested, and shall be deemed received three (3) days after deposit in the United States mail to the addresses that appear below the signature lines below.
11. **Further Assurances.** The parties each agree, at the request of the other party, to execute and deliver all further documents as may be reasonably necessary or appropriate in order to confirm, record, or carry out the provisions of this Agreement.
12. **Resolution by Arbitration.** Any disagreements associated with this Agreement are to be resolved through binding arbitration pursuant to the Washington County Circuit Court arbitration rules, with the presiding judge of the Washington County Circuit Court appointing one arbitrator

whose decision will be binding and final. The non-prevailing party is to pay the cost of the arbitration.

13. Attorney Fees. If any suit or action arising out of or related to this Agreement is brought by a party, the prevailing party shall be entitled to recover the costs and fees (including without limitation reasonable attorneys' fees, the fees and costs of experts and consultants, copying, courier and telecommunication costs, deposition costs, and all costs of discovery) incurred by the prevailing party in the suit or action, including without limitation any post-trial or appellate proceeding, or in the collection or enforcement of any judgment or award entered or made in the suit or action.

14. Not a Public Dedication. Nothing contained in this Agreement shall be deemed to constitute a gift or dedication of any portion of Parcel 1 to the general public or for the benefit of the general public or for any public purpose, it being the intention that the Easement will be strictly limited to and for the purposes expressed in this Agreement.

[signatures on following page]

Tax Lot 600



AKS ENGINEERING & FORESTRY
12965 SW Herman Road, Suite 100, Tualatin, OR 97062
P: (503) 563-6151 F: (503) 563-6152

AKS Job #8627-03

EXHIBIT A
Access Easement

A portion of Parcel 1 of Partition Plat No. 2023-018, recorded as Document Number 2023-026535, Washington County Records, located in the Southeast One-Quarter of Section 29, Township 2 South, Range 1 West, Willamette Meridian, City of Sherwood, Washington County, Oregon, and being more particularly described as follows:

Commencing at the southeast corner of said Parcel 1, also being on the north right-of-way line of SW Oregon Street (36.00 feet from centerline); thence along said north right-of-way line, North 88°53'20" West 18.03 feet to the Point of Beginning; thence continuing along said north right-of-way line, North 88°53'20" West 35.95 feet; thence leaving said north right-of-way line, North 18°07'42" East 13.58 feet to a line which is parallel with and 50.00 feet westerly of, when measured at right angles to, the east line of said Parcel 1; thence along said parallel line, North 01°06'40" East 298.50 feet; thence leaving said parallel line, South 88°53'20" East 50.00 feet to the east line of said Parcel 1; thence along said east line, South 01°06'40" West 57.99 feet; thence leaving said east line, North 88°53'20" West 22.00 feet to a line which is parallel with and 22.00 feet westerly of, when measured at right angles to, said east line; thence along said parallel line, South 01°06'40" West 240.51 feet; thence leaving said parallel line, South 15°54'22" East 13.58 feet to the Point of Beginning.

The above described tract of land contains 10,049 square feet, more or less.

The Basis of Bearings for this description are based on said Partition Plat No. 2023-018.

9/29/2025



Nick White



RENEWS: 6/30/26

Tax Lot 602



AKS ENGINEERING & FORESTRY

12965 SW Herman Road, Suite 100, Tualatin, OR 97062

P: (503) 563-6151

F: (503) 563-6152

AKS Job #8627-03

EXHIBIT A

Access Easement

A portion of Parcel 1 of Partition Plat No. 2023-018, recorded as Document Number 2023-026535, Washington County Records, located in the Southeast One-Quarter of Section 29, Township 2 South, Range 1 West, Willamette Meridian, City of Sherwood, Washington County, Oregon, and being more particularly described as follows:

Commencing at the southeast corner of said Parcel 1, also being on the north right-of-way line of SW Oregon Street (36.00 feet from centerline); thence along said north right-of-way line, North 88°53'20" West 18.03 feet to the Point of Beginning; thence continuing along said north right-of-way line, North 88°53'20" West 35.95 feet; thence leaving said north right-of-way line, North 18°07'42" East 13.58 feet to a line which is parallel with and 50.00 feet westerly of, when measured at right angles to, the east line of said Parcel 1; thence along said parallel line, North 01°06'40" East 349.49 feet; thence leaving said parallel line, South 88°53'20" East 50.00 feet to the east line of said Parcel 1; thence along said east line, South 01°06'40" West 50.99 feet; thence leaving said east line, North 88°53'20" West 22.00 feet to a line which is parallel with and 22.00 feet westerly of, when measured at right angles to, said east line; thence along said parallel line, South 01°06'40" West 298.50 feet; thence leaving said parallel line, South 15°54'22" East 13.58 feet to the Point of Beginning.

The above described tract of land contains 11,323 square feet, more or less.

The Basis of Bearings for this description are based on said Partition Plat No. 2023-018.

9/29/2025

**REGISTERED
PROFESSIONAL
LAND SURVEYOR**

**OREGON
JANUARY 9, 2007
NICK WHITE
70652LS**

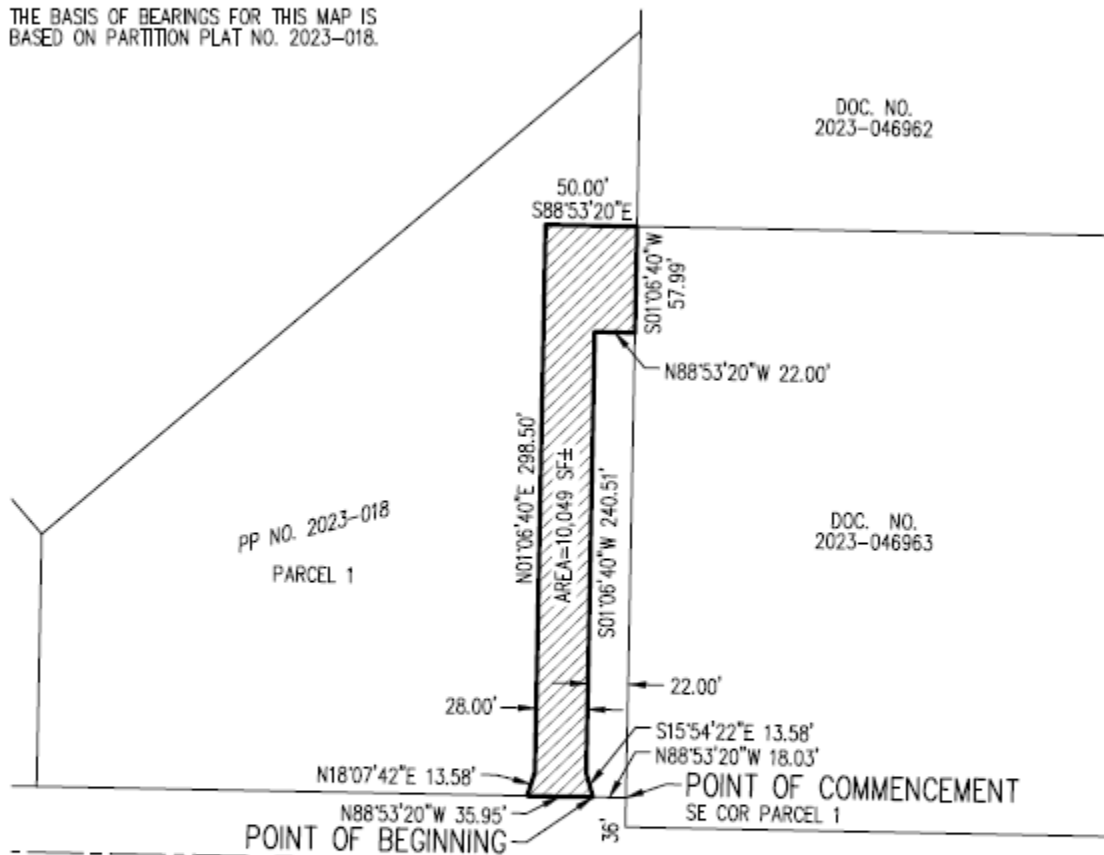
RENEWS: 6/30/26

Tax Lot 600

EXHIBIT B

A PORTION OF PARCEL 1 OF PARTITION PLAT NO. 2023-018,
 LOCATED IN THE SOUTHEAST 1/4 OF SECTION 29,
 TOWNSHIP 2 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN,
 CITY OF SHERWOOD, WASHINGTON COUNTY, OREGON

THE BASIS OF BEARINGS FOR THIS MAP IS
 BASED ON PARTITION PLAT NO. 2023-018.



DOC. NO.
2023-046962

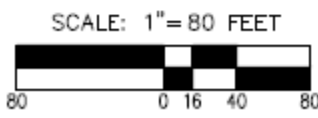
DOC. NO.
2023-046963

9/29/2025
**REGISTERED
 PROFESSIONAL
 LAND SURVEYOR**

OREGON
 JANUARY 9, 2007
 NICK WHITE
 70652LS
 RENEWS: 6/30/26

PREPARED FOR
 JBMAC VENTURES, LLC
 19435 SW 129TH AVENUE
 TUALATIN, OR 97062

SW OREGON STREET
SW LOWER ROY STREET



AKS ENGINEERING & FORESTRY, LLC
 12965 SW HERMAN RD, STE 100
 TUALATIN, OR 97062
 503.563.6151 WWW.AKS-ENG.COM



ACCESS EASEMENT

TL 251290C 01600	
DRWN: WCB	CHKD: NSW
AKS JOB: 8627-03	EXHIBIT B

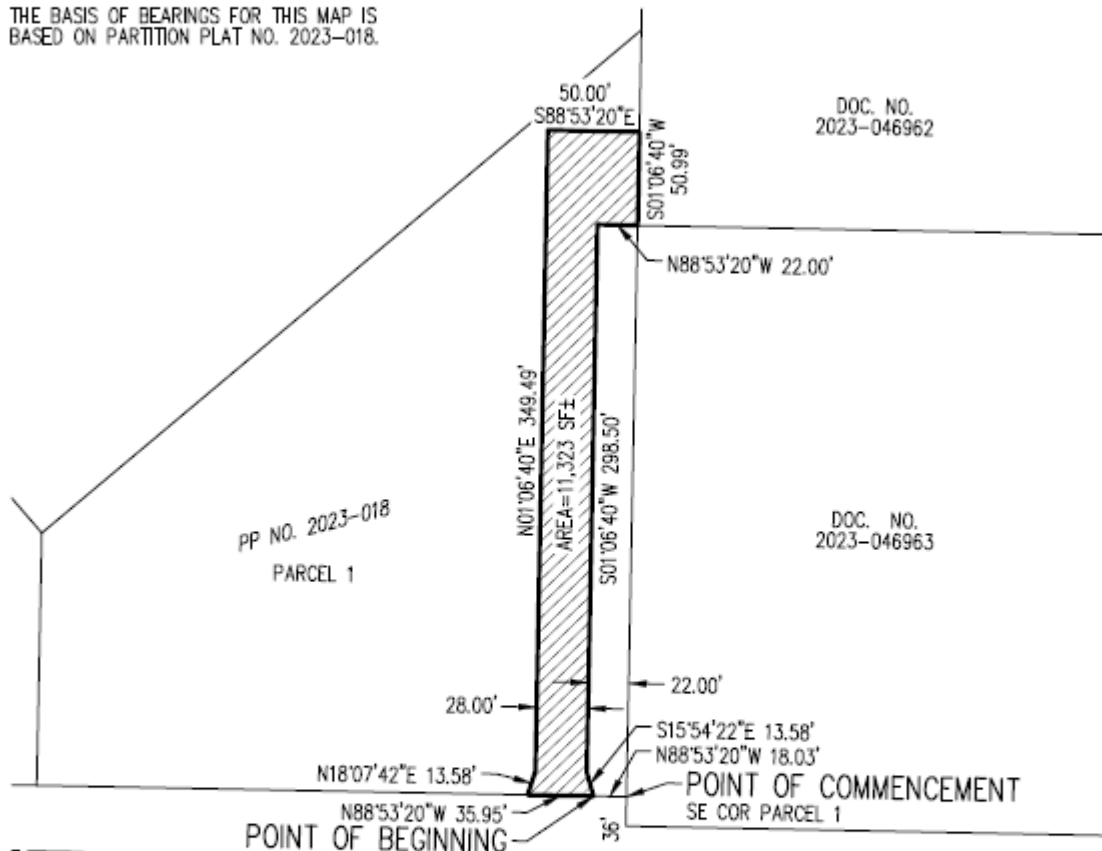
DWG: 8627-03 20250929 EXB | EXB1

Tax Lot 602

EXHIBIT B

A PORTION OF PARCEL 1 OF PARTITION PLAT NO. 2023-018,
 LOCATED IN THE SOUTHEAST 1/4 OF SECTION 29,
 TOWNSHIP 2 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN,
 CITY OF SHERWOOD, WASHINGTON COUNTY, OREGON

THE BASIS OF BEARINGS FOR THIS MAP IS
 BASED ON PARTITION PLAT NO. 2023-018.



DOC. NO.
2023-046962

DOC. NO.
2023-046963

PP NO. 2023-018
PARCEL 1

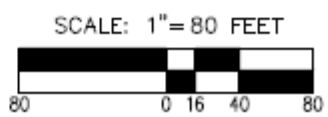
N01°06'40"E 349.49'
AREA=11,323 SF±

9/29/2025
 REGISTERED
 PROFESSIONAL
 LAND SURVEYOR

 OREGON
 JANUARY 9, 2007
 NICK WHITE
 706521S
 RENEWS: 6/30/26

PREPARED FOR
 JBMAC VENTURES, LLC
 19435 SW 129TH AVENUE
 TUALATIN, OR 97062

SW OREGON STREET
 SW LOWER ROY STREET



AKS ENGINEERING & FORESTRY, LLC
 12965 SW HERMAN RD, STE 100
 TUALATIN, OR 97062
 503.563.6151 WWW.AKS-ENG.COM



ACCESS EASEMENT

TL 251290C 01600	
DRWN: WCB	CHKD: NSW
AKS JOB: 8627-03	EXHIBIT B

Exhibit C Tax Lot 600

25129D000600—

Beginning at the Southeast corner of Section 29, Township 2 South, Range 1 West of the Willamette Meridian, in the City of Sherwood, Washington County, Oregon; and running thence North 0°20' East, on the East line of said Section 29, a distance of 1719.3 feet to a point on the Southerly line of a 60.0 foot railroad right of way as described in Book "Q", Page 466, Washington County, Oregon Deed Records; thence South 47°49' West, on said right of way line, 441.5 feet to a corner of a tract of land conveyed for railroad right of way and described in Book 50, Page 212, Washington County, Oregon Deed Records; thence South 42°11' East, along a line of said tract, 38 feet to a point; thence South 47°49' West 102 feet to a corner of said tract; thence Southwesterly, along a line of said tract, 440 feet to a point which bears South 42°11' East 43 feet from the center line of railroad tract; thence Southwesterly 120 feet to a point on the right of way of said railroad, South 42°11' East 30.0 feet from the center line of said tract; thence South 47°49' West, parallel to the center line of said railroad, 138.8 feet to the Northeast corner of a tract of land conveyed to the Sherwood Corporation and described in Book 277, Page 733 Washington County, Oregon Deed Records; thence South 0°01' East, on the East line of said tract and the East line of a tract of land described in Book 275, Page 319, said deed records, a distance of 885.5 feet to the South line of said Section 29; thence North 89°59' East 911.4 feet to the place of beginning.

Excepting therefrom the following described tract conveyed to Transpacific International, Inc., an Oregon Corporation, by deed recorded September 13, 1996, Fee No. 96082349, Washington County records:

A parcel of land in the Southeast one-quarter of Section 29, Township 2 South, Range 1 West of the Willamette Meridian, in the City of Sherwood, Washington County, Oregon, more particularly described as follows:

Beginning at the Southeast corner of said Section 29; thence South 89°59' West, along the South line of said Section 29, to the point of intersection with the Southerly extension of the East line of tract of land described in Book 275, Page 319, Washington County, Oregon deed records; thence North 00°01'00" West, along the Southerly extension of the above mentioned East line and the East line of that tract of land conveyed to the City of Sherwood Corporation as described in Book 277, Page 733, Washington County, Oregon deed records, 347.41 feet to the true point of beginning; thence North 89°59'00" East 350.00 feet; thence North 00°01'00" West 400.00 feet; thence South 89°59'00" West 225.00 feet; thence South 44°59'00" West 176.78 feet to the said Sherwood Corporation East line; thence, along said East line, South 00°01'00" East 275.00 feet to the true point of beginning.

And further excepting therefrom that portion taken in eminent domain by Washington County, in Case No. C012484CV, in the Circuit Court for Washington County.

Tax Lot 602

25129D000602—

A parcel of land in the Southeast one-quarter of Section 29, Township 2 South, Range 1 West of the Willamette Meridian, in the City of Sherwood, Washington County, Oregon, more particularly described as follows:

Beginning in the Southeast corner of said Section 29; thence South 89°59' West, along the South line of said Section 29, to the point of intersection with the Southerly extension of the East line of a tract of land described in Book 275, Page 319, Washington County, Oregon Deed Records; thence North 00°01'01" West, along the Southerly extension of the above mentioned East line and the East line of that tract of land conveyed to the Sherwood Corporation, as described in Book 277, Page 733, Washington County, Oregon Deed Records, 347.41 feet to the true point of beginning; thence North 89°59'00" East 350.00 feet; thence North 00°01'00" West 400.00 feet; thence South 89°59'00" West 225.00 feet; thence South 44°59'00" West 176.78 feet to the said Sherwood Corporation East line; thence, along said East line, South 00°01'00" East 275.00 feet to the true point of beginning.

Exhibit B: Vacation Petitions



Home of the Tualatin River National Wildlife Refuge

Case No. _____
Fee _____
Receipt # _____
Date _____
TYPE _____

City of Sherwood Application for Land Use Action

Type of Land Use Action Requested: (check all that apply)

- Annexation
- Plan Amendment (Proposed Zone _____)
- Planned Unit Development
- Site Plan (square footage of building and parking area)
- Variance (list standards to be varied in description)
- Conditional Use
- Partition (# of lots _____)
- Subdivision (# of lots _____)
- Other: Vacation of Easement

By submitting this form the Owner, or Owner's authorized agent/ representative, acknowledges and agrees that City of Sherwood employees, and appointed or elected City Officials, have authority to enter the project site at all reasonable times for the purpose of inspecting project site conditions and gathering information related specifically to the project site.

Note: See City of Sherwood current Fee Schedule, which includes the "Publication/Distribution of Notice" fee, at www.sherwoodoregon.gov. Click on Government/Finance/Fee Schedule.

Owner/Applicant Information:

Applicant: MB Family Properties LLC Phone: Please contact Applicant's consultant
 Applicant Address: 18200 SW Pacific HWY, Tualatin OR 97062 Email: Please contact Applicant's consultant
 Owner: Same as Applicant Phone: Please contact Applicant's consultant
 Owner Address: Same as Applicant Email: Please contact Applicant's consultant

Contact for Additional Information: Applicant's Consultant: Glen Goutherland, AICP - AKS Engineering & Forestry, LLC
12965 SW Herman Road, Suite 100, Tualatin, OR 97062; (503) 563-6151 ; southerlandg@aks-eng.com

Property Information:

Street Location: No situs
 Tax Lot and Map No: Map 2S129DC Tax Lot 1600
 Existing Structures/Use: Vacant
 Existing Plan/Zone Designation: Limited Industrial
 Size of Property(ies) ±2.02 Acres

Proposed Action:

Purpose and Description of Proposed Action:

Vacation of two access easements to remove access by the "general public at large" while preserving access for abutting properties.

Proposed Use: N/A

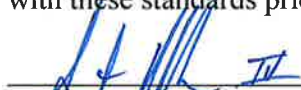
Proposed No. of Phases (one year each): N/A

LAND USE APPLICATION FORM


Authorizing Signatures:

I am the owner/authorized agent of the owner empowered to submit this application and affirm that the information submitted with this application is correct to the best of my knowledge.

I further acknowledge that I have read the applicable standards for review of the land use action I am requesting and understand that I must demonstrate to the City review authorities compliance with these standards prior to approval of my request.


Applicant's Signature

1/7/26
Date


Owner's Signature

1/7/26
Date

The following materials must be submitted with your application or it will not be accepted at the counter. Once taken at the counter, the City has up to 30 days to review the materials submitted to determine if we have everything we need to complete the review. Applicant can verify submittal includes specific materials necessary for the application per checklist.

3 Copies of Application Form* completely filled out and signed by the property owner (or person with authority to make decisions on the property).

Copy of Deed to verify ownership, easements, etc.

At least 3 folded sets of plans*

At least 3 copies of narrative addressing application criteria*

Fee (along with calculations utilized to determine fee if applicable)

N/A **Neighborhood Meeting Verification** including affidavit, sign-in sheet and meeting summary (required for Type III, IV and V projects)

* **Note** that the required numbers of copies identified on the checklist are required for completeness; however, upon initial submittal applicants are encouraged to submit only 3 copies for completeness review. Prior to completeness, the required number of copies identified on the checklist and one full electronic copy will be required to be submitted.

Easement Vacation
Requested by MB Family Properties LLC

Area of Request for Vacation:



Figure 1: Doc. No. 2010-53593 (TL 600)

Figure 1: Doc. No. 2010-53594 (TL 602)

Two access easements north of the intersection of SW Oregon Street and SW Lower Roy Street for the purposes of removing access by the general public while preserving access for abutting properties.

I hereby support the proposed easement vacation.

Property Owner Name: JBMAC Ventures LLC

Property Assessor's Map and Tax Lot/Address:
2S129DC000500 – 14843 SW Oregon Street, Sherwood, OR 97140



Property Owner's Signature

1-7-2026

Date

Easement Vacation

Requested by MB Family Properties LLC

Area of Request for Vacation:

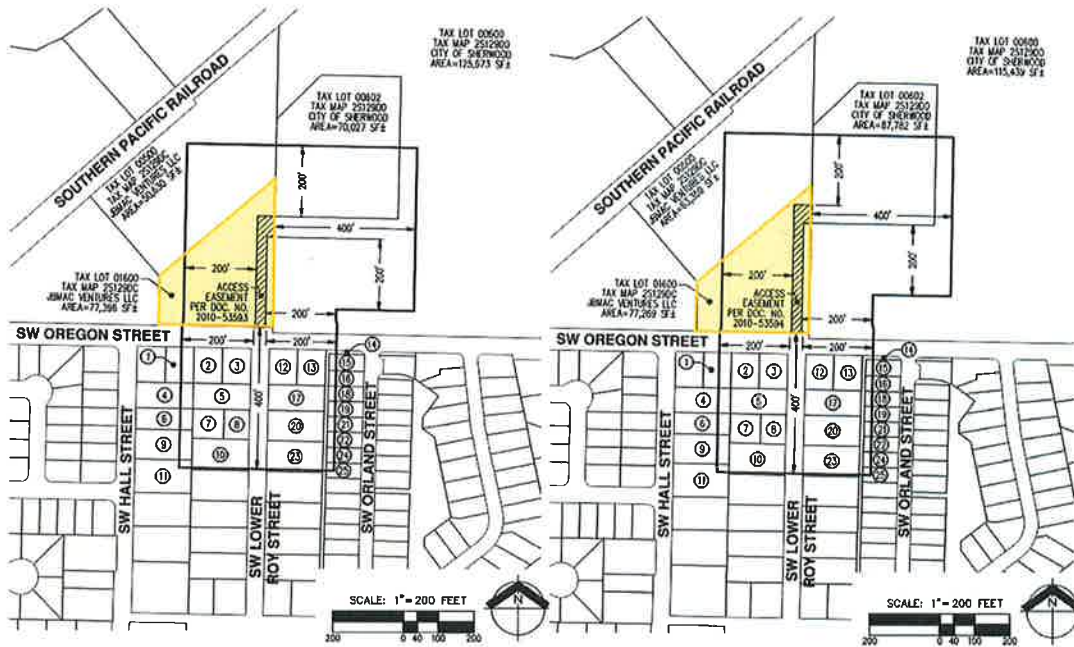


Figure 1: Doc. No. 2010-53593 (TL 600)

Figure 1: Doc. No. 2010-53594 (TL 602)

Two access easements north of the intersection of SW Oregon Street and SW Lower Roy Street for the purposes of removing access by the general public while preserving access for abutting properties.

I hereby support the proposed easement vacation.

Property Owner Name:

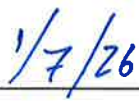
MB Family Properties LLC

Property Assessor's Map and Tax Lot/Address:

2S129DC001600 – No assigned address, Sherwood, OR 97140



Property Owner's Signature



Date

Easement Vacation

Requested by MB Family Properties LLC

Area of Request for Vacation:

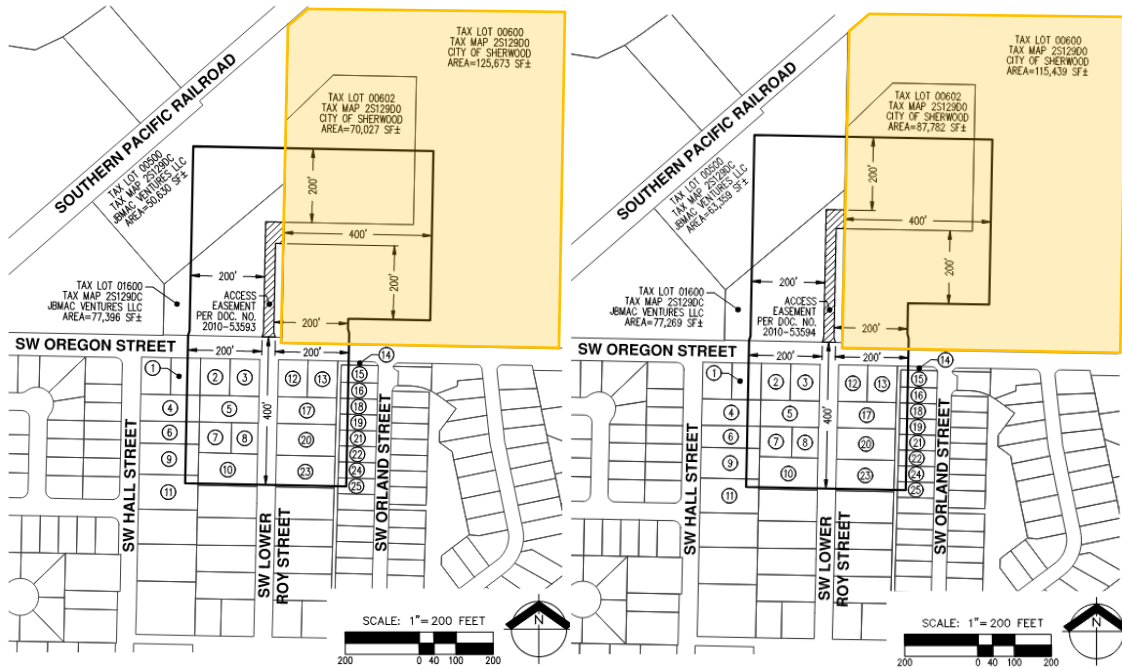


Figure 1: Doc. No. 2010-53593 (TL 600)

Figure 1: Doc. No. 2010-53594 (TL 602)

Two access easements north of the intersection of SW Oregon Street and SW Lower Roy Street for the purposes of removing access by the general public while preserving access for abutting properties.

I hereby support the proposed easement vacation.

Property Owner Name: City of Sherwood

Property Assessor's Map and Tax Lot/Address:

2S129D0000600 – No assigned address, Sherwood, OR 97140

2S129D0000602 – No assigned address, Sherwood, OR 97140

Property Owner's Signature

Date

Exhibit C: Ownership Information

Property Detail Report

Owner: Jbmac Ventures LLC
 Site: 14843 SW Oregon St Sherwood OR 97140
 Mail: 19435 SW 129th Ave Tualatin OR 97062



Location and Site Information

County:	Washington	Lot SqFt:	174,240
Legal Description:	ACRES 4.00	Lot Acres:	4.00
APN:	R548161	Land Use:	2300
Tax Lot:	2S129DC00500	Land Use STD:	Industrial-Vacant Land
Twn-Rng-Sec:	02S / 01W / 29 / SE	County Bldg Use:	8003
Neighborhood:	Cpo 5 Sherwood-Tualatin S1	# Dwellings:	
Subdivision:		Map Page/Grid:	684-H6
Legal Lot/Block:		Zoning:	Sherwood-LI
Census Tract/Block:	032104 / 2002	Watershed:	Fanno Creek-Tualatin River
Elementary School:	Hawks View Elementary School	High School:	Sherwood High School
Middle School:	Sherwood Middle School	School District:	Sherwood

Property Characteristics

Total Living Area:	Bedrooms:	Year Built/Eff:
First Floor SqFt:	Bathrooms Total:	Heating:
Second Floor SqFt:	Bathrooms Full/Half:	Cooling:
Basement Fin/Unfin:	Stories:	Fireplace:
Attic Fin/Unfin:	Foundation:	Pool:
Garage SqFt:	Roof Material:	Kitchen:

Assessment and Tax Information

Market Total:	\$2,025,000.00	Property Tax:	\$10,054.60
Market Land:	\$2,025,000.00	Exemption:	
Market Structure:		Market Improved %:	
Assessment Year:	2025	Levy Code:	88.52
Assessed Total:	\$508,200.00	Mill Rate:	19.6325

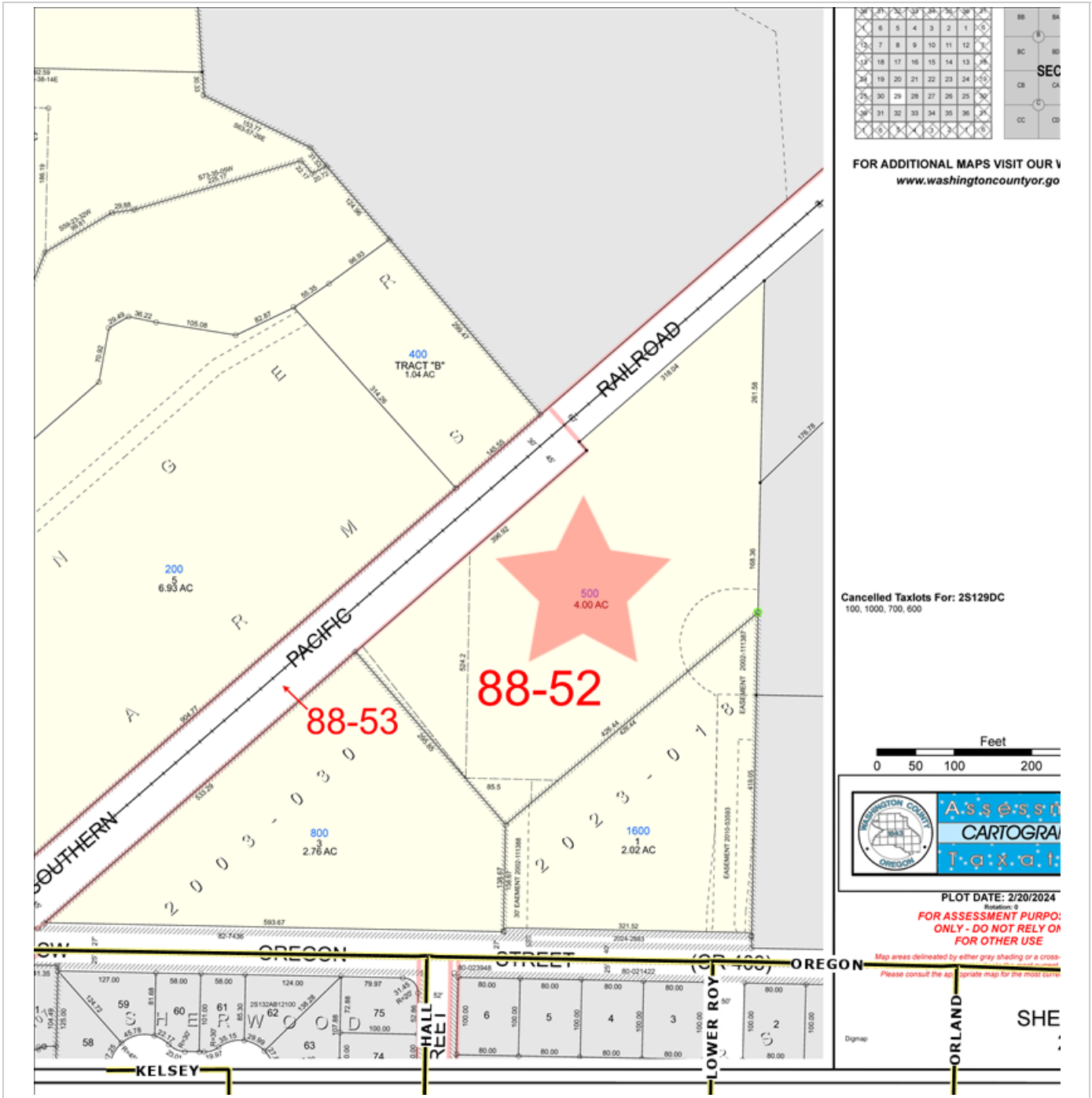
Sale and Loan Information

Sale Date:	07/02/2021	Lender:	
Sale Amount:	\$1,600,000.00	Loan Amount:	
Document #:	2021075182	Loan Type:	
Deed Type:	Deed	Price/SqFt:	\$0.00
Title Co:		Seller Name:	GRABOWSKI FAMILY TRUST

Prepared By: WFG National Title Customer Service Department
 12909 SW 68th Pkwy, Suite 350, Portland, OR 97223
 P: 503 603 1700 | 360 891 5474 E: cs@wfgnationaltitle.com | cccs@wfgtitle.com

Sentry Dynamics, Inc. and its customers make no representation, warranties or conditions, express or implied, as to the accuracy or completeness of information contained in this report.

Assessor Map



Parcel ID: R548161
Site Address: 14843 SW Oregon St

Sentry Dynamics, Inc. and its customers make no representations, warranties or conditions, express or implied, as to the accuracy or completeness of information contained in this report.

Aerial Map



Parcel ID: R548161

Sentry Dynamics, Inc. and its customers make no representations, warranties or conditions, express or implied, as to the accuracy or completeness of information contained in this report.

WFG Title 21-177825 COMM

File No.: 21-177825

Grantor
WFG Investments, LLC, an Idaho limited liability company and the Grabowski Family Trust dated August 13, 1993
Grantee
JBMAC Ventures, LLC, an Oregon limited liability company 19435 SW 129th Avenue Tualatin, OR 97062
After recording return to
JBMAC Ventures, LLC, an Oregon limited liability company 19435 SW 129th Avenue Tualatin, OR 97062
Until requested, all tax statements shall be sent to
JBMAC Ventures, LLC, an Oregon limited liability company 19435 SW 129th Avenue Tualatin, OR 97062 Tax Acct No(s): 2S129DC-00500, R548161, R2118788, R2118789

Washington County, Oregon **2021-075182**
D-DW
 Stn=2 S AKINS **07/02/2021 12:26:27 PM**
 \$30.00 \$11.00 \$5.00 \$60.00 \$1,600.00 **\$1,706.00**

I, Joe Nelson, Interim Director of Assessment and Taxation and Ex-Officio County Clerk for Washington County, Oregon, do hereby certify that the within instrument of writing was received and recorded in the book of records of said county.

Joe Nelson, Interim Director of
Assessment and Taxation, Ex-Officio

Reserved for Recorder's Use

STATUTORY WARRANTY DEED

WFG Investments, LLC, an Idaho limited liability company and Robert C. Grabowski and Barbara G. Grabowski, as Trustees of The Grabowski Family Trust, as tenants in common, as to Parcel I Robert C. Grabowski and Barbara G. Grabowski, Trustees of the Grabowski Family Trust, dated August 13, 1993, as to Parcel II, Grantor(s) convey and warrant to JBMAC Ventures, LLC, an Oregon limited liability company, Grantee(s), the real property described in the attached Exhibit A, subject only to those liens and encumbrances set forth on the attached Exhibit B.

The true consideration for this conveyance is **\$1,600,000.00**. (Here comply with requirements of ORS 93.030)

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009 AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Executed this 30 day of June, 2021

WFG Investments, LLC, an Idaho limited liability company

By: [Signature]
Name: William F. Gallagher
Its: Managing Member

By: [Signature]
Name: Carol Gallagher
Its: Managing Member

the Grabowski Family Trust dated August 13, 1993

By: _____
Name: Robert C. Grabowski
Its: Trustee

By: _____
Name: Barbara G. Grabowski
Its: Trustee

Idaho
STATE OF ~~OREGON~~
COUNTY OF Ada

This instrument was acknowledged before me this 30 day of June, 2021 by William F. Gallagher and Carol Gallagher as Managing Members of William F. GallagherWFG Investments, LLC, an Idaho limited liability company, on behalf of the limited liability company.

[Signature]
Notary Public for Oregon
My Commission Expires: 1-27-2026



STATE OF OREGON
COUNTY OF _____

This instrument was acknowledged before me this _____ day of June, 2021 by Robert C. Grabowski, as Trustee, and Barbara G. Grabowski, as Trustee, of the Grabowski Family Trust dated August 13, 1993, on behalf of the Trust.

Notary Public for Oregon
My Commission Expires: _____

Executed this _____ day of June, 2021

WFG Investments, LLC, an Idaho limited liability company

By: _____
Name: William F. Gallagher
Its: Managing Member

By: _____
Name: Carol Gallagher
Its: Managing Member

the Grabowski Family Trust dated August 13, 1993

By: RCG
Name: Robert C. Grabowski
Its: Trustee

By: Barbara G. Grabowski
Name: Barbara G. Grabowski
Its: Trustee

STATE OF OREGON
COUNTY OF _____

This instrument was acknowledged before me this _____ day of June, 2021 by William F. Gallagher and Carol Gallagher as Managing Members of William F. GallagherWFG Investments, LLC, an Idaho limited liability company, on behalf of the limited liability company

Notary Public for Oregon
My Commission Expires: _____

STATE OF ~~OREGON~~ Idaho
COUNTY OF Blaine

This instrument was acknowledged before me this 30th day of June, 2021 by Robert C. Grabowski, as Trustee, and Barbara G. Grabowski, as Trustee, of the Grabowski Family Trust dated August 13, 1993, on behalf of the Trust.

Vaele K. Bryant
Notary Public for ~~Oregon~~ Idaho
My Commission Expires: 08/10/2021

VAELENE K BRYANT
Notary Public - State of Idaho
Commission Number 54613
My Commission Expires 08-10-2021

EXHIBIT "A"
LEGAL DESCRIPTION

PARCEL I:

A parcel of land situated in the Southeast one-quarter of Section 29, Township 2 South, Range 1 West of the Willamette Meridian, in the City of Sherwood, County of Washington and State of Oregon, being more particularly described as follows:

Commencing at the Southwest corner of the Southeast one-quarter of said Section 29; thence North 89°59'00" East, along the South line of said Southeast one-quarter of Section 29, a distance of 1726.21 feet to the Southerly extension of the West line of that parcel conveyed to Frontier Leather Company by document recorded in Book 467, page 108, Washington County Deed Records; thence North 00°01'00" West along said West line and the Southerly extension thereof, a distance of 347.41 feet to the Southwest corner of that parcel conveyed to Transpacific International, Inc. by document recorded as Fee No. 96082349, Washington County Deed Records; thence North 89°59'00" East, along the South line thereof, a distance of 350.00 feet to the Southeast corner thereof; thence North 00°01'00" West along the East line thereof a distance of 400.00 feet to the Northeast corner thereof; thence South 89°59'00" West along the North line thereof a distance of 225.00 feet to an angle point therein; thence South 44°59'00" West continuing along said North line a distance of 176.78 feet to a point on the West line of the aforementioned Frontier Leather Company parcel and the true point of beginning; thence South 00°01'00" East along said West line a distance of 168.36 feet; thence South 48°52'28" West a distance of 426.44 feet; thence North 42°10'49" West a distance of 295.85 feet to the Southeasterly right-of-way line of the Southern Pacific Railroad, said point being 45.00 feet from, when measured at right angles to, the center line of said railroad; thence North 47°49'15" East along said Southeasterly right-of-way line a distance of 396.92 feet to an angle point therein; thence North 42°10'45" West continuing along said Southeasterly right-of-way line a distance of 15.00 feet; thence North 47°49'15" East continuing along said Southeasterly right-of-way line a distance of 318.04 feet to the Northwest corner of the aforementioned Frontier Leather Company parcel; thence South 00°01'00" East along said West line a distance of 261.58 feet to the true point of beginning.

PARCEL II:

Parcel 1 and 2, PARTITION PLAT NO. 2003-030, in the City of Sherwood, County of Washington and State of Oregon.

TOGETHER WITH non-exclusive easement for ingress and egress as described in Access Easement and Joint Maintenance Agreement recorded July 15, 2010, Recording No. 2010-053595.

EXHIBIT "B"
Exceptions

1. Possible Easement as disclosed by instrument, including the terms and provisions thereof:
For : Electric Transmission lines, and appurtenances with rights to "danger trees"
Granted to : Portland General Electric Company, an Oregon Corporation
Recorded : June 12, 1959
Recording No(s) : (book) 418 (page) 678
Affects : the East 12.5 feet of premises as disclosed by DRG EB 4071 attached to document.

2. Terms and provisions of Permanent Easement Agreement:
For : Underground sewer line and permitted waste and maintenance responsibilities
Between : Linke Enterprises of Oregon, Inc., an Oregon corporation
formerly : known as Frontier Leather Company, Inc
And : Transpacific International, Inc., an Oregon corporation
Recorded : August 8, 1995
Recording No(s) : 95055118
Affects : appurtenant rights over property lying East of Parcel 1 Partition Plat No. 2003-030

3. Prospective Purchase Agreement, including the terms and provisions thereof with ground water restrictions, land use restrictions and Easement for right of entry:
Between : Oregon Department of Environmental Quality
And : Pacific III, LLC
Recorded : March 19, 2002
Recording No. : 2002-032053

As amended or modified by Easement and Equitable Servitude, including the terms and provisions thereof:
Recorded : April 3, 2008
Recording No. : 2008-029679

4. Effect, if any of Declaration of Private Access and Utility Easement, including the terms and provisions thereof:
Recorded : September 24, 2002
Recording No(s) : 2002-111387
Affects : Parcel 1 Partition Plat No. 2003-030 - also delineated on the Partition plat.

NOTE: When property becomes under one ownership, the above easement would merge.

5. Effect if any, of Declaration of Private Access and Utility Easement, including the terms and provisions thereof:
Recorded : September 24, 2002
Recording No(s) : 2002-111388
Affects : Parcel 2, Partition Plat No. 2003-030 - also delineated on the partition plat.

NOTE: When property becomes under one ownership, the above easement would merge.

6. Access Easement and Maintenance Agreement, including the terms and provisions thereof:
 - For : reciprocal easement to be used for ingress, egress and utility purposes
 - To : owner of Tax Lot 600 in the Southeast quarter of Section 29 T2S, R1W and the general public at large
 - Recorded : July 15, 2010
 - Recording No(s) : 2010-053593
 - (Affects Parcel 1, Partition Plat 2003-30 see document for location for the benefit of 2S129D-00600)

7. Access Easement and Maintenance Agreement, including the terms and provisions thereof:
 - For : reciprocal easement to be used for ingress, egress and utility purposes
 - To : Owner of Tax Lot 602 in the Southeast quarter of Section 29 T2S R1W and the general public at large
 - Recorded : July 15, 2010
 - Recording No(s) : 2010-053594
 - (Affects Parcel I, Partition Plat No. 2003-030 for the benefit of 2S129D 0602)

8. Terms and provisions of Access Easement and Joint Maintenance Agreement::
 - For : ingress and egress
 - Between : Sherwood Oaks Care Facility, LLC, an Oregon limited liability company
 - And : Pacific III, LLC, an Oregon limited liability company and general public at large
 - Recorded : July 15, 2010
 - Recording No(s) : 2010-053595

9. 2021/2022 real property taxes a lien due but not yet payable

Property Detail Report

Owner: Mb Family Properties LLC
 Site: Sherwood OR 97140
 Mail: 18200 SW Pacific Hwy Tualatin OR 97062



Location and Site Information

County:	Washington	Lot SqFt:	87,991
Legal Description:	2023-018 PARTITION PLAT, LOT 1, ACRES 2.02	Lot Acres:	2.02
APN:	R2229066	Land Use:	2300
Tax Lot:	2S129DC01600	Land Use STD:	Industrial-Vacant Land
Twn-Rng-Sec:	02S / 01W / 29 / SE	County Bldg Use:	8003
Neighborhood:	Cpo 5 Sherwood-Tualatin S1	# Dwellings:	
Subdivision:		Map Page/Grid:	684-H6
Legal Lot/Block:	1	Zoning:	Sherwood-LI
Census Tract/Block:	032104 / 2002	Watershed:	Fanno Creek-Tualatin River
Elementary School:	Hawks View Elementary School	High School:	Sherwood High School
Middle School:	Sherwood Middle School	School District:	Sherwood

Property Characteristics

Total Living Area:	Bedrooms:	Year Built/Eff:
First Floor SqFt:	Bathrooms Total:	Heating:
Second Floor SqFt:	Bathrooms Full/Half:	Cooling:
Basement Fin/Unfin:	Stories:	Fireplace:
Attic Fin/Unfin:	Foundation:	Pool:
Garage SqFt:	Roof Material:	Kitchen:

Assessment and Tax Information

Market Total:	\$1,346,260.00	Property Tax:	\$10,423.00
Market Land:	\$1,346,260.00	Exemption:	
Market Structure:		Market Improved %:	
Assessment Year:	2025	Levy Code:	88.52
Assessed Total:	\$526,820.00	Mill Rate:	19.6325

Sale and Loan Information

Sale Date:	10/15/2025	Lender:	
Sale Amount:	\$1,350,000.00	Loan Amount:	\$0.00
Document #:	46355	Loan Type:	
Deed Type:	Warranty Deed	Price/SqFt:	\$0.00
Title Co:	WFG TITLE	Seller Name:	JBMAC VENTURES LLC

Prepared By: WFG National Title Customer Service Department
 12909 SW 68th Pkwy, Suite 350, Portland, OR 97223
 P: 503 603 1700 | 360 891 5474 E: cs@wfgnationaltitle.com | cccs@wfgtitle.com

Sentry Dynamics, Inc. and its customers make no representation, warranties or conditions, express or implied, as to the accuracy or completeness of information contained in this report.

Aerial Map



Parcel ID: R2229066

Sentry Dynamics, Inc. and its customers make no representations, warranties or conditions, express or implied, as to the accuracy or completeness of information contained in this report.

WFG Title 25-138033 Comm

File No.: 25-138033

Grantor
JBMAC Ventures, LLC
Grantee
MB Family Properties LLC
After recording return to
MB Family Properties LLC 18200 SW Pacific Highway Tualatin, OR 97062
Until requested, all tax statements shall be sent to
MB Family Properties, LLC 18200 SW Pacific Highway Tualatin, OR 97062
Tax Acct No(s): 2S129DC01600, R2229066

Washington County, Oregon	2025-046355
D-DW	10/15/2025 10:33:21 AM
Stn=2 S AKINS	
\$25.00 \$11.00 \$10.00 \$60.00 \$1,350.00	\$1,456.00
I, Joe Nelson, Director of Assessment and Taxation and Ex-Officio County Clerk for Washington County, Oregon, do hereby certify that the within instrument of writing was received and recorded in the book of records of said county.	
Joe Nelson, Director of Assessment and Taxation, Ex-Officio County Clerk	

Reserved for Recorder's Use

STATUTORY WARRANTY DEED

JBMAC Ventures, LLC, an Oregon limited liability company, Grantor, conveys and warrants to MB Family Properties LLC, an Oregon limited liability company, Grantee, the real property described in the attached Exhibit A, subject only to those liens and encumbrances set forth on the attached Exhibit B.

The true consideration for this conveyance is \$1,350,000.00. (Here comply with requirements of ORS 93.030)

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009 AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Executed this 13 day of October, 2025

JBMAC Ventures, LLC, an Oregon limited liability company

By: Jim Bayne
Name: Jim Bayne
Its: Member

By: Brooks Bayne
Name: Brooks Bayne
Its: Member

STATE OF OREGON
COUNTY OF CLACKAMAS

This instrument was acknowledged before me this 13th day of October, 2025 by Jim Bayne and Brooks Bayne, as Member, of JBMAC Ventures, LLC, an Oregon limited liability company, on behalf of the limited liability company.

Daniela Monique Pulido
Notary Public for Oregon
My Commission Expires: 12/28/2026

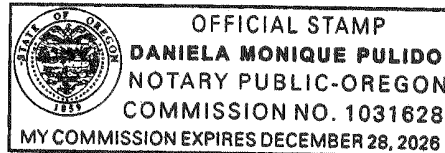


EXHIBIT "A"
LEGAL DESCRIPTION

Parcel 1, Partition Plat No. 2023-018 in the City of Sherwood, County of Washington and State of Oregon.

TOGETHER WITH non-exclusive Easement for Ingress and Egress as described in Access Easement and Joint Maintenance Agreement recorded July 15, 2010, Recording No. 2010-053595.

EXHIBIT "B"
Exceptions

1. Possible Easement as disclosed by instrument, including the terms and provisions thereof:
For : Electric Transmission lines, and appurtenances with rights
to "danger trees"
Granted to : Portland General Electric Company, an Oregon Corporation
Recorded : June 12, 1959
Recording No(s) : (book) 418 (page) 678
Affects : the East 12.5 feet of premises as disclosed by DRG EB 4071
attached to document.

Also, delineated on Partition Plat No. 2023-018.

2. Intentionally Deleted.

3. Prospective Purchase Agreement, including the terms and provisions thereof with ground water restrictions, land use restrictions and Easement for right of entry:
Between : Oregon Department of Environmental Quality
And : Pacific III, LLC
Recorded : March 19, 2002
Recording No. : 2002-032053

As amended or modified by Easement and Equitable Servitude, including the terms and provisions thereof:

Recorded : April 3, 2008
Recording No. : 2008-029679

4. Easement, including the terms and provisions thereof:
For : Private Access and Utility
Recorded : September 24, 2002
Recording No(s) : 2002-111387
Affects : a portion of the premises herein - also delineated on the
Partition Plat
2003-030 and 2023-018 with possible maintenance
provisions included..

5. Easement, including the terms and provisions thereof:
For : Private Access and Utility Easement
Recorded : September 24, 2002
Recording No(s) : 2002-111388
Affects : a portion of the premises herein - also delineated on the
Partition Plat
2003-030 and 2023-018 with possible maintenance
provisions included..

6. Access Easement and Maintenance Agreement, including the terms and provisions thereof:
For : reciprocal easement to be used for ingress, egress and
utility : purposes
To : owner of Tax Lot 600 in the Southeast quarter of Section
29 T2S, R1W and the general public at large
Recorded : July 15, 2010
Recording No(s) : 2010-053593

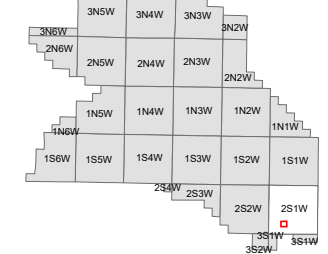
(Affects Parcel I, Partition Plat No. 2003-030 for the benefit of 2S129D 0602)
Also, delineated on Partition Plat No. 2023-018.

7. Access Easement and Maintenance Agreement, including the terms and provisions thereof:
 - For utility : reciprocal easement to be used for ingress, egress and purposes
 - To Section 29 : Owner of Tax Lot 602 in the Southeast quarter of T2S R1W and the general public at large
 - Recorded : July 15, 2010
 - Recording No(s) : 2010-053594

(Affects Parcel I, Partition Plat No. 2003-030 for the benefit of 2S129D 0602)
Also, delineated on Partition Plat No. 2023-018.
8. Terms and provisions of Access Easement and Joint Maintenance Agreement::
 - For : ingress and egress
 - Between liability : Sherwood Oaks Care Facility, LLC, an Oregon limited company
 - And general : Pacific III, LLC, an Oregon limited liability company and public at large
 - Recorded : July 15, 2010
 - Recording No(s) : 2010-053595
9. Covenants, Conditions, Restrictions & Easements, including the terms and provisions thereof, as shown on the recorded Partition Plat No. 2023-018.
10. Easement, including the terms and provisions thereof:
 - For : Utility
 - Granted to : Portland General Electric Company
 - Recorded : October 24, 2023
 - Recording No(s) : 2023-044192
11. Easement, including the terms and provisions thereof:
 - For : Sanitary Sewer
 - Granted to : City of Sherwood
 - Recorded : January 19, 2024
 - Recording No(s) : 2024-002882
12. Easement, including the terms and provisions thereof:
 - For : Public Access
 - Granted to : City of Sherwood
 - Recorded : January 19, 2024
 - Recording No(s) : 2024-002883
13. Easement, including the terms and provisions thereof:
 - For : Public Utility
 - Granted to : City of Sherwood
 - Recorded : January 19, 2024
 - Recording No(s) : 2024-002884
14. 2025-2026 taxes, a lien not yet due and payable.

Exhibit D: Assessor's Maps

WASHINGTON COUNTY OREGON
SE 1/4 SECTION 29 T2S R1W
SCALE 1"= 200'



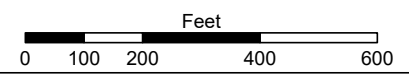
38	37	36	35	34	33	32	31	30
28	27	26	25	24	23	22	21	20
18	17	16	15	14	13	12	11	10
8	7	6	5	4	3	2	1	0

BB	BA	AB	AA
BC	BD	AC	AD
CB	CA	DB	DA
CC	CD	DC	DD

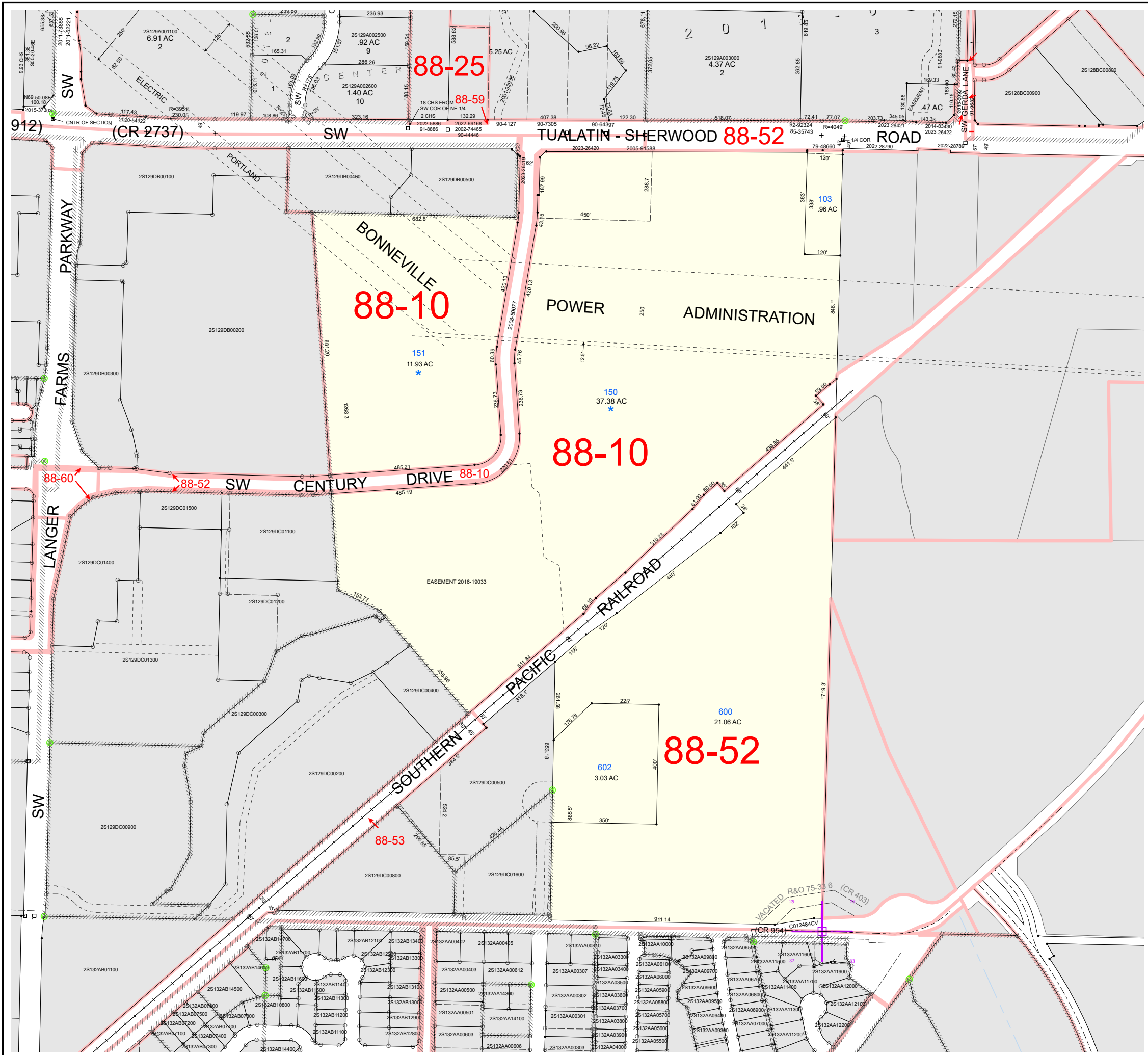
SECTION 29

FOR ADDITIONAL MAPS VISIT OUR WEBSITE AT
www.washingtoncountyor.gov/gis

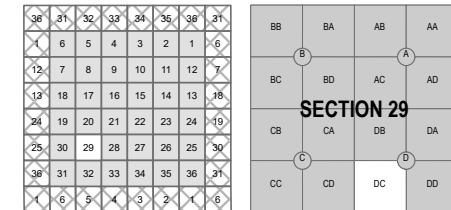
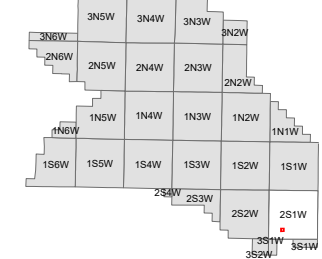
Cancelled Taxlots For: 2S129D
401, 402, 500-A1, 104, 200, 400, 403, 501, 101, 102, 500, 700, 800, 900, 1000, 1100, 100, 601



PLOT DATE: 7/24/2023
FOR ASSESSMENT PURPOSES
ONLY - DO NOT RELY ON
FOR OTHER USE
Map areas delineated by either gray shading or a cross-hatched pattern
are for reference only and may not indicate the most current property boundaries.
Please consult the appropriate map for the most current information.

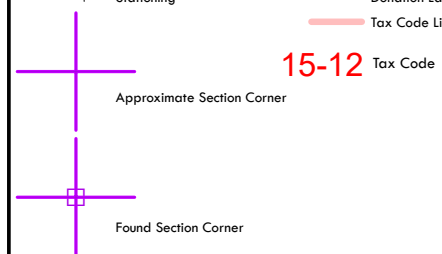


WASHINGTON COUNTY OREGON
SW 1/4 SE 1/4 SECTION 29 T2S R1W
SCALE 1"= 100'

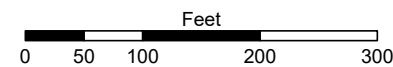


FOR ADDITIONAL MAPS VISIT OUR WEBSITE AT
www.washingtoncountyor.gov/gis

- Plat Lot Corner
- Adjusted Lot Corner
- Lot Corner in Road
- ★ Urban Land Hook
- Initial Point of Plat
- ⊙ Approximate DLC Corner
- Found DLC Corner
- + Stationing
- Taxlot Line
- Old Lot Line
- Plat Boundary
- Easement ROW
- Easement Centerline
- Condo Unit Boundary
- Public Road Centerline
- Railroad Centerline
- Stream
- Donation Land Claim
- Tax Code Line



Cancelled Taxlots For: 2S129DC
100, 1000, 700, 600



PLOT DATE: 10/24/2025

FOR ASSESSMENT PURPOSES
ONLY - DO NOT RELY ON
FOR OTHER USE

Map areas delineated by either gray shading or a cross-hatched pattern
are for reference only and may not indicate the most current property boundaries.
Please consult the appropriate map for the most current information.

SHERWOOD
2S129DC

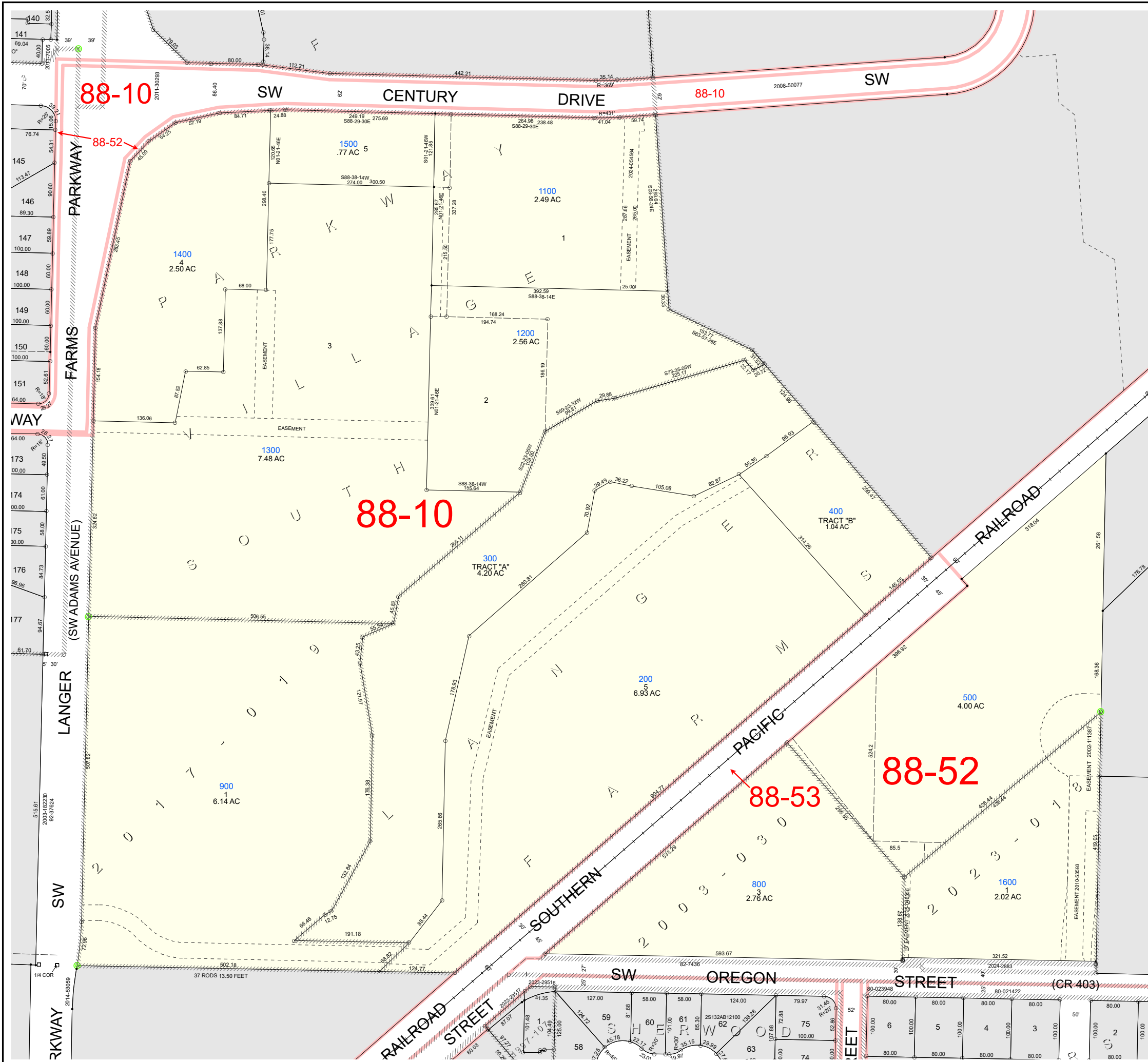


Exhibit E: Vacation Area Calculations [Updated]

EXHIBIT E1

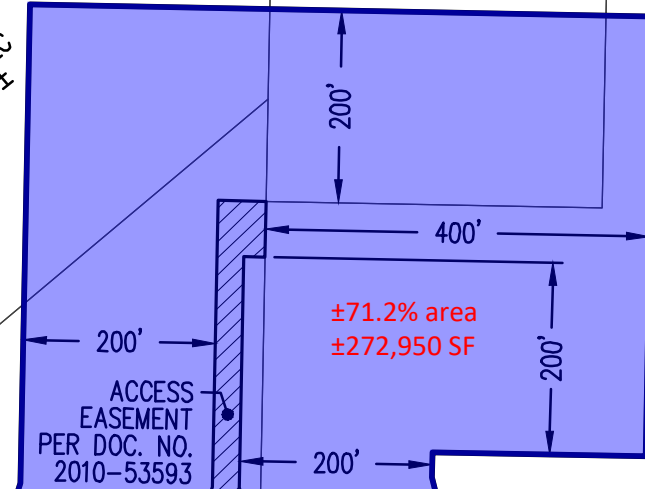
TAX LOT 00600
TAX MAP 2S129D0
CITY OF SHERWOOD
AREA=125,738 SF±

TAX LOT 00602
TAX MAP 2S129D0
CITY OF SHERWOOD
AREA=69,943 SF±

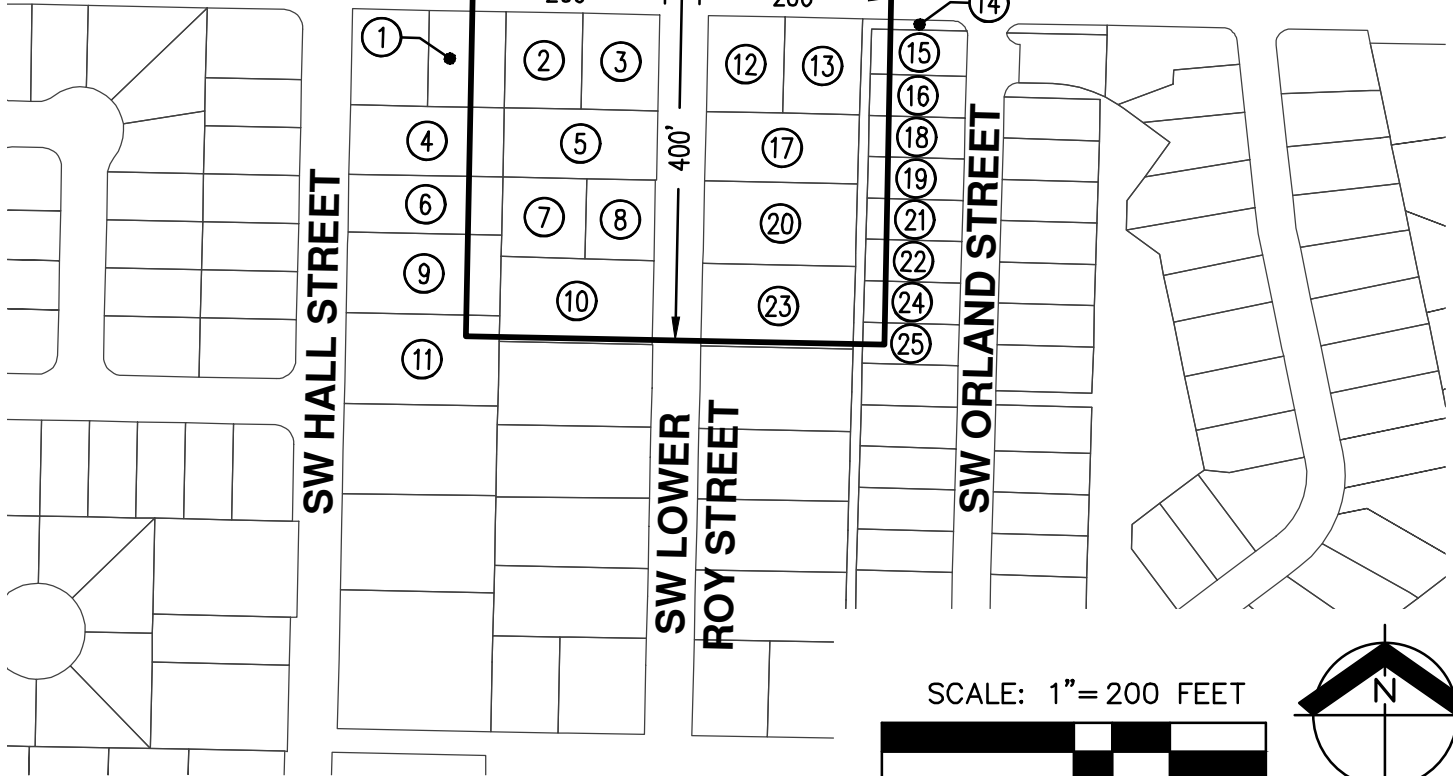
SOUTHERN PACIFIC RAILROAD

TAX LOT 00500
TAX MAP 2S129D0
JBMAC VENTURES LLC
AREA=50,611 SF±

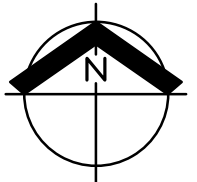
TAX LOT 01600
TAX MAP 2S129D0
MB FAMILY PROPERTIES LLC
AREA=77,269 SF±



SW OREGON STREET



SCALE: 1" = 200 FEET



AKS ENGINEERING & FORESTRY, LLC
12965 SW HERMAN RD, STE 100
TUALATIN, OR 97062
503.563.6151 WWW.AKS-ENG.COM



ACCESS EASEMENT EXHIBIT

1/7/2026	
DRWN: WCB	CHKD: NSW
AKS JOB: 8627-03	EXHIBIT

EXHIBIT E1

- | | |
|--|--|
| <p>① TAX LOT 00404
TAX MAP 2S132AA
CATRON JAMES R
AREA=3,524 SF±</p> <p>② TAX LOT 00405
TAX MAP 2S132AA
WHITE ROBERT A JR
AREA=8,006 SF±</p> <p>③ TAX LOT 00401
TAX MAP 2S132AA
ASHER KYLIE L
AREA=8,005 SF±</p> <p>④ TAX LOT 00403
TAX MAP 2S132AA
ROSSI KYLE G & TRACI S
AREA=2,534 SF±</p> <p>⑤ TAX LOT 00612
TAX MAP 2S132AA
VIVANCO MARIO & NICOLE
AREA=11,537 SF±</p> <p>⑥ TAX LOT 00500
TAX MAP 2S132AA
HICHAUD-TRADD ROBERT T & KATHLEEN
AREA=2,124 SF±</p> <p>⑦ TAX LOT 14300
TAX MAP 2S132AA
LUIKART CALLI K LIV TRUST
AREA=7,280 SF±</p> <p>⑧ TAX LOT 14200
TAX MAP 2S132AA
WHITE FAMILY TRUST
AREA=6,001 SF±</p> <p>⑨ TAX LOT 00501
TAX MAP 2S132AA
ALEGRIA JOSE MILTON
AREA=2,950 SF±</p> <p>⑩ TAX LOT 00606
TAX MAP 2S132AA
SWENSON DALE & LAURA LIV TRUST
AREA=13,201 SF±</p> <p>⑪ TAX LOT 00604
TAX MAP 2S132AA
BRIDGE PATRICK M & ADRIENNE
AREA=772 SF±</p> <p>⑫ TAX LOT 00309
TAX MAP 2S132AA
HEPBURN JOYCE G & ROGER V
AREA=7,951 SF±</p> <p>⑬ TAX LOT 00310
TAX MAP 2S132AA
MEREDITH COREY J & SITTON KATHARINE
AREA=8,036 SF±</p> | <p>⑭ TAX LOT 06300
TAX MAP 2S132AA
ORLAND VILLA ESTATES LLC
AREA=3,589 SF±</p> <p>⑮ TAX LOT 03200
TAX MAP 2S132AA
ENGEL RONALD M
AREA=939 SF±</p> <p>⑯ TAX LOT 03300
TAX MAP 2S132AA
ORLAND VILLA ESTATES LLC
AREA=882 SF±</p> <p>⑰ TAX LOT 00307
TAX MAP 2S132AA
WEST TRUST & WEST CREDIT SHELTER TRUST
AREA=11,521 SF±</p> <p>⑱ TAX LOT 03400
TAX MAP 2S132AA
ORLAND VILLA ESTATES LLC
AREA=898 SF±</p> <p>⑲ TAX LOT 03500
TAX MAP 2S132AA
ORLAND VILLA ESTATES LLC
AREA=914 SF±</p> <p>⑳ TAX LOT 00302
TAX MAP 2S132AA
BOLT JORDAN D & BRYAN C
AREA=13,865 SF±</p> <p>㉑ TAX LOT 03600
TAX MAP 2S132AA
ORLAND VILLA ESTATES LLC
AREA=930 SF±</p> <p>㉒ TAX LOT 03700
TAX MAP 2S132AA
ORLAND VILLA ESTATES LLC
AREA=946 SF±</p> <p>㉓ TAX LOT 00301
TAX MAP 2S132AA
WORTHEN FAMILY TRUST
AREA=12,782 SF±</p> <p>㉔ TAX LOT 038600
TAX MAP 2S132AA
ORLAND VILLA ESTATES LLC
AREA=962 SF±</p> <p>㉕ TAX LOT 03900
TAX MAP 2S132AA
ORLAND VILLA ESTATES LLC
AREA=515 SF±</p> |
|--|--|

EXHIBIT E2

TAX LOT 00600
TAX MAP 2S129D0
CITY OF SHERWOOD
AREA=115,439 SF±

TAX LOT 00602
TAX MAP 2S129D0
CITY OF SHERWOOD
AREA=87,782 SF±

SOUTHERN PACIFIC RAILROAD

TAX LOT 00500
TAX MAP 2S129D0
JBMAC VENTURES LLC
AREA=63,359 SF±

TAX LOT 01600
TAX MAP 2S129D0
MB FAMILY PROPERTIES LLC
AREA=77,269 SF±

ACCESS
EASEMENT
PER DOC. NO.
2010-53594

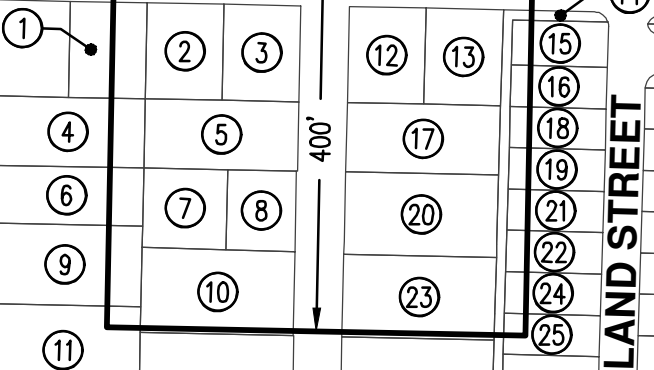
±72.5% area
±280,617 SF

SW OREGON STREET

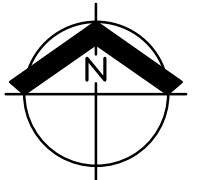
SW HALL STREET

SW LOWER ROY STREET

SW ORLAND STREET



SCALE: 1" = 200 FEET



AKS ENGINEERING & FORESTRY, LLC
12965 SW HERMAN RD, STE 100
TUALATIN, OR 97062
503.563.6151 WWW.AKS-ENG.COM



ACCESS EASEMENT EXHIBIT

1/7/2026	
DRWN: WCB	CHKD: NSW
AKS JOB: 8627-03	EXHIBIT

EXHIBIT E2

- | | |
|--|--|
| <p>① TAX LOT 00404
TAX MAP 2S132AA
CATRON JAMES R
AREA=3,524 SF±</p> <p>② TAX LOT 00405
TAX MAP 2S132AA
WHITE ROBERT A JR
AREA=8,006 SF±</p> <p>③ TAX LOT 00401
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TAX MAP 2S132AA
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TAX MAP 2S132AA
LUIKART CALLI K LIV TRUST
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ALEGRIA JOSE MILTON
AREA=2,950 SF±</p> <p>⑩ TAX LOT 00606
TAX MAP 2S132AA
SWENSON DALE & LAURA LIV TRUST
AREA=13,201 SF±</p> <p>⑪ TAX LOT 00604
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BRIDGE PATRICK M & ADRIENNE
AREA=772 SF±</p> <p>⑫ TAX LOT 00309
TAX MAP 2S132AA
HEPBURN JOYCE G & ROGER V
AREA=7,951 SF±</p> <p>⑬ TAX LOT 00310
TAX MAP 2S132AA
MEREDITH COREY J & SITTON KATHARINE
AREA=8,036 SF±</p> | <p>⑭ TAX LOT 06300
TAX MAP 2S132AA
ORLAND VILLA ESTATES LLC
AREA=3,589 SF±</p> <p>⑮ TAX LOT 03200
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AREA=939 SF±</p> <p>⑯ TAX LOT 03300
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AREA=882 SF±</p> <p>⑰ TAX LOT 00307
TAX MAP 2S132AA
WEST TRUST & WEST CREDIT SHELTER TRUST
AREA=11,521 SF±</p> <p>⑱ TAX LOT 03400
TAX MAP 2S132AA
ORLAND VILLA ESTATES LLC
AREA=898 SF±</p> <p>⑲ TAX LOT 03500
TAX MAP 2S132AA
ORLAND VILLA ESTATES LLC
AREA=914 SF±</p> <p>⑳ TAX LOT 00302
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BOLT JORDAN D & BRYAN C
AREA=13,865 SF±</p> <p>㉑ TAX LOT 03600
TAX MAP 2S132AA
ORLAND VILLA ESTATES LLC
AREA=930 SF±</p> <p>㉒ TAX LOT 03700
TAX MAP 2S132AA
ORLAND VILLA ESTATES LLC
AREA=946 SF±</p> <p>㉓ TAX LOT 00301
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AREA=12,782 SF±</p> <p>㉔ TAX LOT 038600
TAX MAP 2S132AA
ORLAND VILLA ESTATES LLC
AREA=962 SF±</p> <p>㉕ TAX LOT 03900
TAX MAP 2S132AA
ORLAND VILLA ESTATES LLC
AREA=515 SF±</p> |
|--|--|

Vacation Area Calculations

Abutting Properties

Map	Tax Lot	Owner	Area Within Boundary (square feet)	Percentage of Total Abutting
2S129DC		1600 MB Family Properties LLC	77,269	28.3%
2S129D		600 City of Sherwood	125,738	46.1%
2S129D		602 City of Sherwood	69,943	25.6%
Total			272,950	100.0%

Affected Properties

Map	Tax Lot	Owner	Area Within Boundary (square feet)	Percentage of Total Affected
2S129DC		500 JBMAC Ventures LLC	50,611	18.5%
2S132AA		301 Worthen Family Trust	12,782	7.1%
2S132AA		302 Bolt Jordan D & Bryan C	13,865	7.6%
2S132AA		307 West Trust & West Credit Shelter Trust	11,521	6.4%
2S132AA		309 Hepburn Joyce G & Roger V	7,951	4.4%
2S132AA		310 Meredith Corey J & Sitton Katharine	8,036	4.4%
2S132AA		401 Asher Kylie L	8,005	4.4%
2S132AA		403 Rossi Kyle G & Traci S	2,534	1.4%
2S132AA		404 Catron James R	3,524	1.9%
2S132AA		405 White Robert A Jr	8,006	4.4%
2S132AA		500 Hichaud-Tradd Robert T & Kathleen	2,124	1.2%
2S132AA		501 Alegria Jose Milton	2,950	1.6%
2S132AA		604 Bridge Patrick M & Adrienne	772	0.4%
2S132AA		606 Swenson Dale & Laura Liv Trust	13,201	7.3%
2S132AA		612 Vivanco Mario & Nicole	11,537	6.4%
2S132AA		3200 Engle Ronald M	939	0.5%
2S132AA		3300 Orland Villa Estates LLC	882	0.5%
2S132AA		3400 Orland Villa Estates LLC	898	0.5%
2S132AA		3500 Orland Villa Estates LLC	914	0.5%
2S132AA		3600 Orland Villa Estates LLC	930	0.5%
2S132AA		3700 Orland Villa Estates LLC	946	0.5%
2S132AA		3800 Orland Villa Estates LLC	962	0.5%
2S132AA		3900 Orland Villa Estates LLC	515	0.3%
2S132AA		6300 Orland Villa Estates LLC	3,589	2.0%
2S132AA		14200 White Family Trust	6,001	3.3%
2S132AA		14300 Luikart Calli K Liv Trust	7,280	4.0%
Total			181,275	100.0%

Percentage Signatures Obtained Pending City Council Approval

71.2%

Vacation Area Calculations

Abutting Properties

Map	Tax Lot	Owner	Area Within Boundary (square feet)	Percentage of Total Abutting
2S129DC		1600 MB Family Properties LLC	77,396	27.6%
2S129D		600 City of Sherwood	115,439	41.1%
2S129D		602 City of Sherwood	87,782	31.3%
Total			280,617	100.0%

Affected Properties

Map	Tax Lot	Owner	Area Within Boundary (square feet)	Percentage of Total Affected
2S129DC		500 JBMAC Ventures LLC	63,359	22.6%
2S132AA		301 Worthen Family Trust	12,782	6.6%
2S132AA		302 Bolt Jordan D & Bryan C	13,865	7.1%
2S132AA		307 West Trust & West Credit Shelter Trust	11,521	5.9%
2S132AA		309 Hepburn Joyce G & Roger V	7,951	4.1%
2S132AA		310 Meredith Corey J & Sitton Katharine	8,036	4.1%
2S132AA		401 Asher Kylie L	8,005	4.1%
2S132AA		403 Rossi Kyle G & Traci S	2,534	1.3%
2S132AA		404 Catron James R	3,524	1.8%
2S132AA		405 White Robert A Jr	8,006	4.1%
2S132AA		500 Hichaud-Tradd Robert T & Kathleen	2,124	1.1%
2S132AA		501 Alegria Jose Milton	2,950	1.5%
2S132AA		604 Bridge Patrick M & Adrienne	772	0.4%
2S132AA		606 Swenson Dale & Laura Liv Trust	13,201	6.8%
2S132AA		612 Vivanco Mario & Nicole	11,537	5.9%
2S132AA		3200 Engle Ronald M	939	0.5%
2S132AA		3300 Orland Villa Estates LLC	882	0.5%
2S132AA		3400 Orland Villa Estates LLC	898	0.5%
2S132AA		3500 Orland Villa Estates LLC	914	0.5%
2S132AA		3600 Orland Villa Estates LLC	930	0.5%
2S132AA		3700 Orland Villa Estates LLC	946	0.5%
2S132AA		3800 Orland Villa Estates LLC	962	0.5%
2S132AA		3900 Orland Villa Estates LLC	515	0.3%
2S132AA		6300 Orland Villa Estates LLC	3,589	1.8%
2S132AA		14200 White Family Trust	6,001	3.1%
2S132AA		14300 Luikart Calli K Liv Trust	7,280	3.8%
Total			194,023	100.0%

Percentage Signatures Obtained Pending City Council Approval 72.5%



ORDINANCE 2026-002

VACATING TWO PUBLIC RIGHT-OF-WAY EASEMENTS OVER TAX LOT 2S129DC01600

WHEREAS, MB Family Properties LLC has submitted a petition requesting the vacation of two existing public access easements established by Document 2010-53593 and Document 2010-53594 in Washington County, located on Tax Lot 2S129DC01600, north of the intersection of SW Oregon Street and SW Lower Roy Street in the City of Sherwood; and

WHEREAS, due to the limited number properties and users of the area, property access can be more appropriately provided through a private access driveway, which will reduce infrastructure costs and allow more efficient use of the industrial property for building development; and

WHEREAS, the proposal also establishes a new private access easement between MB Family Properties LLC and the City of Sherwood, which may provide secondary access to the City's future Public Works site, included as Exhibit 1 to this Ordinance; and

WHEREAS, the City's Transportation System Plan, Park and Recreation Master Plan have been reviewed and do not identify any existing or planned roadway, trail, multi-use path, or other public facilities requiring public access through the easement area; and

WHEREAS, the vacated access area does not align with any needed existing or planned roadway corridor or public access route; and

WHEREAS, public utility easements will remain or be established in accordance with City of Sherwood and Clean Water Services standards to ensure continued access to public utilities; and

WHEREAS, the petition has been processed pursuant to ORS Chapter 271, which requires a petition signed by abutting property owners, consent of affected property owners, publication of notice prior to the public hearing, and posting of notice within the proposed vacation area; and

WHEREAS, the City provided public notice of the proposed vacation in the *Valley Times* on March 13, March 20, and March 27, 2026, and posted notice within the proposed vacation area; and

WHEREAS, the Sherwood City Council held a public hearing on this ordinance on April 7, 2026, and April 21, 2026; and

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

Section 1. After full and due consideration, the City Council finds that the existing public access easements over Tax Lot 2S129DC01600 are no longer necessary.

Section 2. The City Council authorizes the City Manager to execute the restated access agreement included as Exhibit 1 to this Ordinance.

Section 3. This Ordinance shall be effective on the 30th day after its enactment by the City Council and approval by the Mayor.

Duly passed by the City Council on the 21st of April 2026.

Tim Rosener, Mayor

Date

Attest:

Sylvia Murphy, MMC, City Recorder

	<u>AYE</u>	<u>NAY</u>
Giles	_____	_____
Scott	_____	_____
Mays	_____	_____
Standke	_____	_____
Brouse	_____	_____
Young	_____	_____
Rosener	_____	_____

After recording, return to:

RESTATED ACCESS EASEMENT AGREEMENT

BETWEEN: MB Family Properties LLC
an Oregon limited liability company **(Grantor)**

AND: The City of Sherwood
an Oregon municipal corporation **(Grantee)**

EFFECTIVE DATE: _____

This Restated Access Agreement (this “Agreement”) is made as of the Effective Date, by and between Grantor and Grantee.

RECITALS

A. Grantor owns the real property more particularly described as Parcel 1 of Partition Plat No. 2023-018, recorded as Document Number 2023-026535, Washington County Records, located in the Southeast One-Quarter of Section 29, Township 2 South, Range 1 West, Willamette Meridian, City of Sherwood, Washington County, Oregon (“Parcel 1”).

B. Grantee owns the real property more particularly described as set forth in the attached Exhibit C (referred to respectively as “Tax Lot 600” and “Tax Lot 602”).

C. Grantor’s predecessor in interest granted easements over Parcel 1 for ingress and egress to Tax Lot 600 and Tax Lot 602 recorded in Washington County Records as instrument numbers 2010-053593 and 2010-053594 (Prior Easements). Grantor and Grantee desire to completely restate and amend the Prior Easements on the terms and conditions of this Agreement.

AGREEMENT

1. Incorporation of Recitals. The Recitals set forth above are true and accurate and are incorporated into this Agreement.

2. **Grant of Easement.** Grantor grants to Grantee a nonexclusive easement to be used for ingress, egress, and utility purposes over and across Parcel 1, the legal description of which is as set forth in the attached Exhibit “A” and depicted in the attached Exhibit “B” (the “Easement”).
3. **Use of Easement.** Grantor reserves the right to engage in any use compatible with the full enjoyment of Grantee’s easement rights. Use of the Easement to access Lot 600 and Lot 602 shall be secondary with principal access to Lot 600 and Lot 602 directly from Oregon Street.
4. **Maintenance.** Upon the development of Lot 600 and Lot 602 and connection to and use of the easement by Lot 600 and 602, the parties shall enter into a maintenance agreement that provides for the maintenance, repair, and upkeep of the Easement. The maintenance agreement shall provide that the parties share equally the costs and expenses for the maintenance, repair, and upkeep of the Easement and that the maintenance agreement be recorded. If Lot 600 and 602 do not connect to and use the easement for access, Lot 600 and 602 shall not be required to participate in a maintenance agreement.
5. **Consideration.** The consideration for this grant is other than money.
6. **Exceptions of Record.** The Easement is subject to all prior easements or encumbrances of record.
7. **Remedies.** In the event Grantee breaches or fails to perform or observe any of the terms and conditions set forth in this Agreement and Grantee fails to cure the default within ninety (90) days of Grantor’s giving Grantee written notice of default, or, if the default is not curable within ninety (90) days and Grantee fails to commence to cure within the 90 days and diligently proceed to complete the cure; then Grantor may seek all legal remedies available to Grantor except that Grantor may not terminate Grantee’s rights under this Agreement.
8. **Termination of Agreement.** The Easement provided in this Agreement shall be permanent and irrevocable except upon the written termination of the then owners of the properties.
9. **Severability.** Any provision of this Agreement that is deemed invalid or unenforceable shall be ineffective to the extent of the invalidity or unenforceability, without rendering invalid or unenforceable the remaining provisions of this Agreement.
10. **Notices.** All notices or other communications required or permitted hereunder shall be in writing and shall be personally delivered or sent by registered or certified mail, postage prepaid, return receipt requested, and shall be deemed received three (3) days after deposit in the United States mail to the addresses that appear below the signature lines below.
11. **Further Assurances.** The parties each agree, at the request of the other party, to execute and deliver all further documents as may be reasonably necessary or appropriate in order to confirm, record, or carry out the provisions of this Agreement.
12. **Resolution by Arbitration.** Any disagreements associated with this Agreement are to be resolved through binding arbitration pursuant to the Washington County Circuit Court arbitration

rules, with the presiding judge of the Washington County Circuit Court appointing one arbitrator whose decision will be binding and final. The non-prevailing party is to pay the cost of the arbitration.

13. Attorney Fees. If any suit or action arising out of or related to this Agreement is brought by a party, the prevailing party shall be entitled to recover the costs and fees (including without limitation reasonable attorneys' fees, the fees and costs of experts and consultants, copying, courier and telecommunication costs, deposition costs, and all costs of discovery) incurred by the prevailing party in the suit or action, including without limitation any post-trial or appellate proceeding, or in the collection or enforcement of any judgment or award entered or made in the suit or action.

14. Not a Public Dedication. Nothing contained in this Agreement shall be deemed to constitute a gift or dedication of any portion of Parcel 1 to the general public or for the benefit of the general public or for any public purpose, it being the intention that the Easement will be strictly limited to and for the purposes expressed in this Agreement.

[signatures on following page]

Tax Lot 600



AKS ENGINEERING & FORESTRY

12965 SW Herman Road, Suite 100, Tualatin, OR 97062
P: (503) 563-6151 F: (503) 563-6152

AKS Job #8627-03

EXHIBIT A

Access Easement

A portion of Parcel 1 of Partition Plat No. 2023-018, recorded as Document Number 2023-026535, Washington County Records, located in the Southeast One-Quarter of Section 29, Township 2 South, Range 1 West, Willamette Meridian, City of Sherwood, Washington County, Oregon, and being more particularly described as follows:

Commencing at the southeast corner of said Parcel 1, also being on the north right-of-way line of SW Oregon Street (36.00 feet from centerline); thence along said north right-of-way line, North 88°53'20" West 18.03 feet to the Point of Beginning; thence continuing along said north right-of-way line, North 88°53'20" West 35.95 feet; thence leaving said north right-of-way line, North 18°07'42" East 13.58 feet to a line which is parallel with and 50.00 feet westerly of, when measured at right angles to, the east line of said Parcel 1; thence along said parallel line, North 01°06'40" East 298.50 feet; thence leaving said parallel line, South 88°53'20" East 50.00 feet to the east line of said Parcel 1; thence along said east line, South 01°06'40" West 57.99 feet; thence leaving said east line, North 88°53'20" West 22.00 feet to a line which is parallel with and 22.00 feet westerly of, when measured at right angles to, said east line; thence along said parallel line, South 01°06'40" West 240.51 feet; thence leaving said parallel line, South 15°54'22" East 13.58 feet to the Point of Beginning.

The above described tract of land contains 10,049 square feet, more or less.

The Basis of Bearings for this description are based on said Partition Plat No. 2023-018.

9/29/2025

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JANUARY 9, 2007
NICK WHITE
70652LS

RENEWS: 6/30/26

Tax Lot 602



AKS ENGINEERING & FORESTRY

12965 SW Herman Road, Suite 100, Tualatin, OR 97062
P: (503) 563-6151 F: (503) 563-6152

AKS Job #8627-03

EXHIBIT A

Access Easement

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Commencing at the southeast corner of said Parcel 1, also being on the north right-of-way line of SW Oregon Street (36.00 feet from centerline); thence along said north right-of-way line, North 88°53'20" West 18.03 feet to the Point of Beginning; thence continuing along said north right-of-way line, North 88°53'20" West 35.95 feet; thence leaving said north right-of-way line, North 18°07'42" East 13.58 feet to a line which is parallel with and 50.00 feet westerly of, when measured at right angles to, the east line of said Parcel 1; thence along said parallel line, North 01°06'40" East 349.49 feet; thence leaving said parallel line, South 88°53'20" East 50.00 feet to the east line of said Parcel 1; thence along said east line, South 01°06'40" West 50.99 feet; thence leaving said east line, North 88°53'20" West 22.00 feet to a line which is parallel with and 22.00 feet westerly of, when measured at right angles to, said east line; thence along said parallel line, South 01°06'40" West 298.50 feet; thence leaving said parallel line, South 15°54'22" East 13.58 feet to the Point of Beginning.

The above described tract of land contains 11,323 square feet, more or less.

The Basis of Bearings for this description are based on said Partition Plat No. 2023-018.

9/29/2025

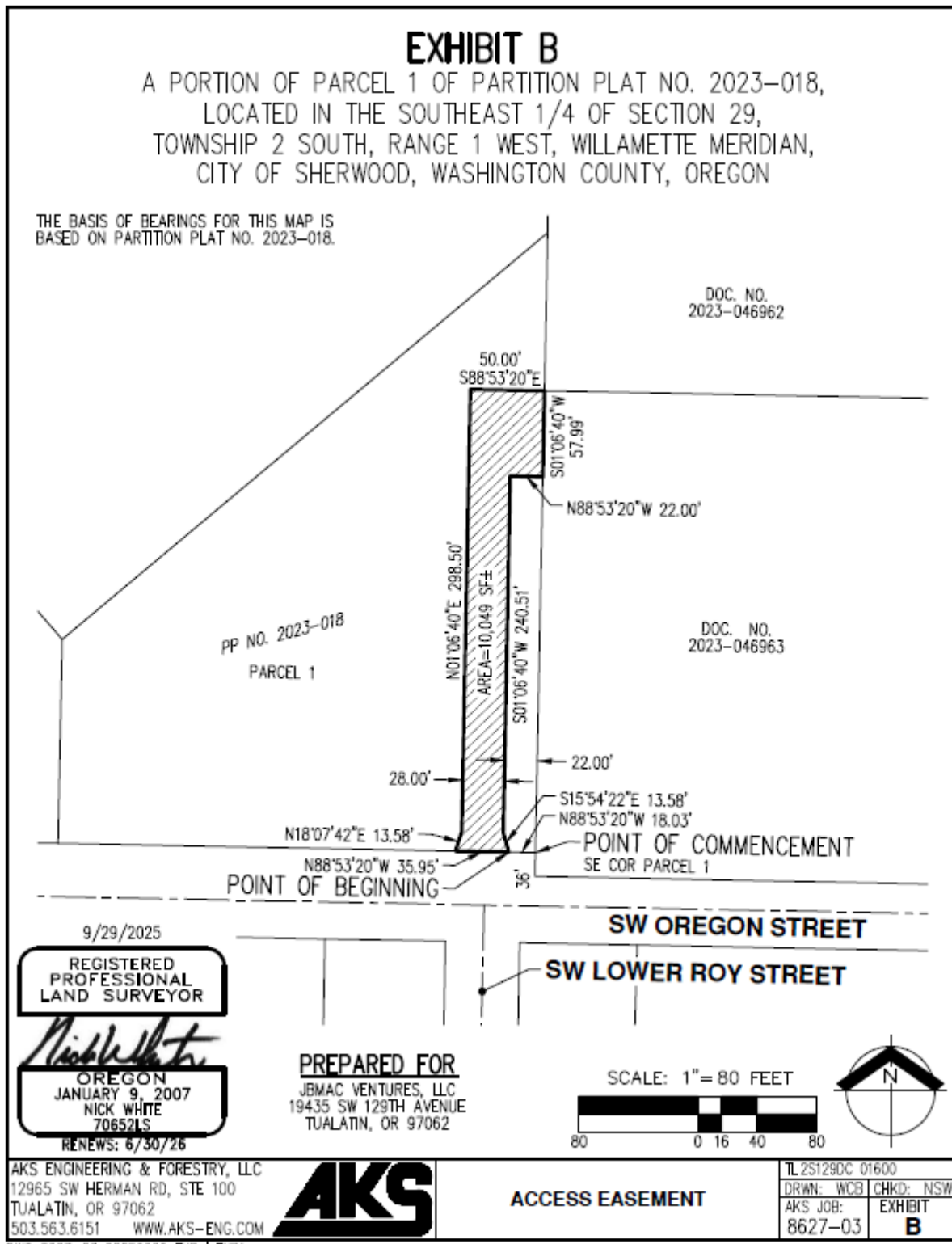


Nick White



RENEWS: 6/30/26

Tax Lot 600



Tax Lot 602

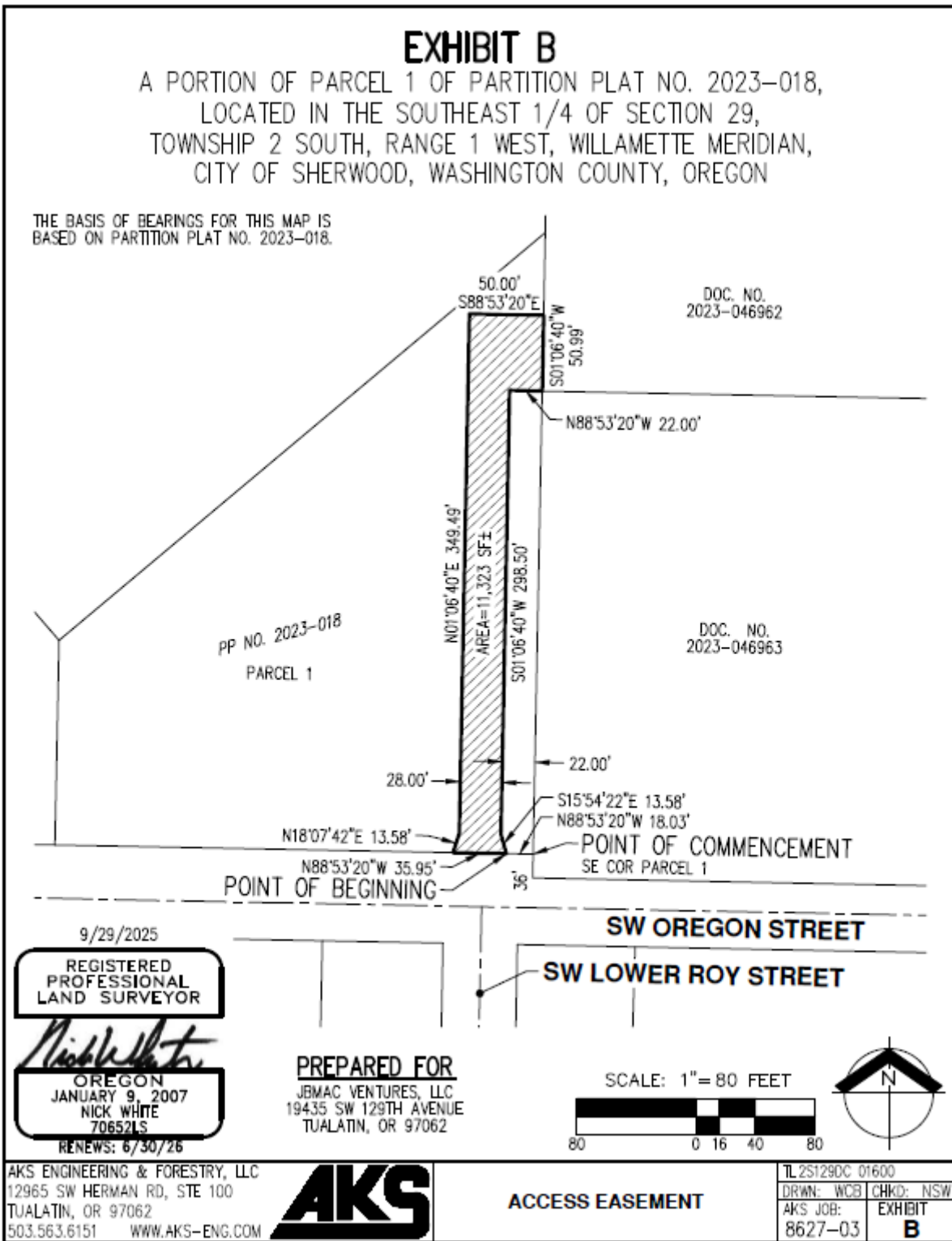


Exhibit C Tax Lot 600

25129D000600—

Beginning at the Southeast corner of Section 29, Township 2 South, Range 1 West of the Willamette Meridian, in the City of Sherwood, Washington County, Oregon; and running thence North 0°20' East, on the East line of said Section 29, a distance of 1719.3 feet to a point on the Southerly line of a 60.0 foot railroad right of way as described in Book "Q", Page 466, Washington County, Oregon Deed Records; thence South 47°49' West, on said right of way line, 441.5 feet to a corner of a tract of land conveyed for railroad right of way and described in Book 50, Page 212, Washington County, Oregon Deed Records; thence South 42°11' East, along a line of said tract, 38 feet to a point; thence South 47°49' West 102 feet to a corner of said tract; thence Southwesterly, along a line of said tract, 440 feet to a point which bears South 42°11' East 43 feet from the center line of railroad tract; thence Southwesterly 120 feet to a point on the right of way of said railroad, South 42°11' East 30.0 feet from the center line of said tract; thence South 47°49' West, parallel to the center line of said railroad, 138.8 feet to the Northeast corner of a tract of land conveyed to the Sherwood Corporation and described in Book 277, Page 733 Washington County, Oregon Deed Records; thence South 0°01' East, on the East line of said tract and the East line of a tract of land described in Book 275, Page 319, said deed records, a distance of 885.5 feet to the South line of said Section 29; thence North 89°59' East 911.4 feet to the place of beginning.

Excepting therefrom the following described tract conveyed to Transpacific International, Inc., an Oregon Corporation, by deed recorded September 13, 1996, Fee No. 96082349, Washington County records:

A parcel of land in the Southeast one-quarter of Section 29, Township 2 South, Range 1 West of the Willamette Meridian, in the City of Sherwood, Washington County, Oregon, more particularly described as follows:

Beginning at the Southeast corner of said Section 29; thence South 89°59' West, along the South line of said Section 29, to the point of intersection with the Southerly extension of the East line of tract of land described in Book 275, Page 319, Washington County, Oregon deed records; thence North 00°01'00" West, along the Southerly extension of the above mentioned East line and the East line of that tract of land conveyed to the City of Sherwood Corporation as described in Book 277, Page 733, Washington County, Oregon deed records, 347.41 feet to the true point of beginning; thence North 89°59'00" East 350.00 feet; thence North 00°01'00" West 400.00 feet; thence South 89°59'00" West 225.00 feet; thence South 44°59'00" West 176.78 feet to the said Sherwood Corporation East line; thence, along said East line, South 00°01'00" East 275.00 feet to the true point of beginning.

And further excepting therefrom that portion taken in eminent domain by Washington County, in Case No. C012484CV, in the Circuit Court for Washington County.

Tax Lot 602

25129D000602—

A parcel of land in the Southeast one-quarter of Section 29, Township 2 South, Range 1 West of the Willamette Meridian, in the City of Sherwood, Washington County, Oregon, more particularly described as follows:

Beginning in the Southeast corner of said Section 29; thence South 89°59' West, along the South line of said Section 29, to the point of intersection with the Southerly extension of the East line of a tract of land described in Book 275, Page 319, Washington County, Oregon Deed Records; thence North 00°01'01" West, along the Southerly extension of the above mentioned East line and the East line of that tract of land conveyed to the Sherwood Corporation, as described in Book 277, Page 733, Washington County, Oregon Deed Records, 347.41 feet to the true point of beginning; thence North 89°59'00" East 350.00 feet; thence North 00°01'00" West 400.00 feet; thence South 89°59'00" West 225.00 feet; thence South 44°59'00" West 176.78 feet to the said Sherwood Corporation East line; thence, along said East line, South 00°01'00" East 275.00 feet to the true point of beginning.

Agenda Item: Public Hearing (*Second Reading*)

TO: Sherwood City Council

FROM: Hugo Agosto, Associate Planner
Through: Sean Conrad, Planning Manager, Eric Rutledge, Community Development Director,
Craig Sheldon, City Manager and Ryan Adams, City Attorney

SUBJECT: **Ordinance 2026-003, Amending sections of the Sherwood Zoning and Community Development Code to Conditionally Allow Food Cart Pods within the Light Industrial Zone District** (*Second Reading*)

Issue:

Shall the City Council amend sections of the Sherwood Zoning and Community Development Code (SZCDC) to Conditionally Allow Food Cart Pods within the Light Industrial (LI) Zone District?

Background: In the Fall of 2024, the City Council amended sections of the Sherwood Zoning and Community Development Code to allow for the development and operation of Food Cart Pods in Retail Commercial (RC) and General Commercial (GC) zone districts as a Conditional Use Permit (CUP), subject to Planning Commission approval. Since its passage, the City has not held a pre-application conference or received a land use application for a food cart pod development within these zones.

In December 2025 the City received a property owner-initiated text amendment to allow the development and operation of Food Cart Pods on certain properties zoned Light Industrial along Tualatin-Sherwood Road. Specifically, the text amendment proposes allowing food cart pods on Light Industrial zoned land within 500 ft. of Tualatin-Sherwood. The proposed amendment also includes minor changes to Chapter – 16.39 Food Cart Pods, as to better align the proposed amendment with the adopted code language.

The Sherwood Planning Commission held a public hearing on the application on February 24, 2026, took public testimony, and considered the proposed text amendment application (LU 2025-018 PA Food Cart Pods). Opportunity for written and oral testimony was provided, but no testimony was received. In order for the text amendment to apply to the entirety of certain properties along Tualatin-Sherwood Road, the Commission recommended expanding the applicable area of the amendment to within 550 ft. of Tualatin-Sherwood Road. After considering the application materials, the proposed amendments, and the amended findings in the staff report, the Planning Commission voted unanimously in favor of recommending the proposed text amendments to City Council.

Amendments are made to Sherwood Municipal Code, Title 16 (Zoning and Community Development Code) to Industrial Use Table of Section 16.31.020 by allowing Food Cart Pods as Conditional Use within the Light Industrial zone and Chapter 16.39 - Food Cart Pods Section 16.39.030.

Financial Impacts:

There are no immediate financial impacts to the City, other than the cost of codification.

Recommendation:

Staff respectfully recommends the City Council consider the Planning Commission's recommendation on application LU 2025-018 PA Food Cart Pods and hold the second hearing on Ordinance 2026-003, amending sections of the Sherwood Zoning and Community Development Code for Food Cart Pods within the Light Industrial (LI) Zone District.

Attachment

1. Planning Commission Recommendation to Council

**CITY OF SHERWOOD
MARCH 9, 2026
PLANNING COMMISSION RECOMMENDATION TO CITY COUNCIL**



Home of the Tualatin River National Wildlife Refuge

**FOOD CART PODS
PLAN TEXT AMENDMENT
LU 2025-018 PA**

App. Submitted: December 19, 2026
App. Complete: January 18, 2026
Hearing Date: February 24, 2026

The City of Sherwood Planning Commission (Commission) held the initial evidentiary hearing on February 24, 2026. The Commission heard presentations from City staff and the applicant, followed by an opportunity for testimony from the public. No members of the public came forward to provide testimony.

At the hearing, Commission discussions were centered on the rationale regarding the proposed 500-foot radius under proposed footnote 15. The applicant explained that the radius was based on a rough estimation of usable area and was intended to balance opportunities for food cart pod development in appropriate locations, without being overly encumbering or resulting in an excessive amount of Light Industrial land being dedicated to this specific use where site characteristics and market conditions support primarily industrial development.

The Commission identified a property at 20520 SW Langer Farms Parkway, within the 500-foot radius and zoned Light Industrial (LI), that lacks viable street access, given that any future food cart pod would be required to be fully sited within the defined area, including drive aisles.

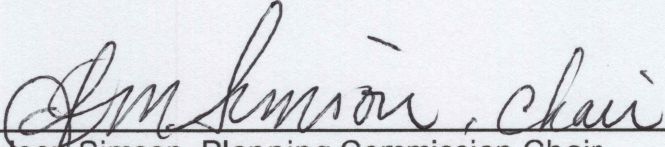
The commission directed staff to adjust the language under proposed footnote 14, within § 16.31.020, to ensure viable access to all impacted parcels by the proposed amendment:

*Food Cart Pod developments (including structures, seating, parking, driveways, vehicular maneuvering areas, and trash receptacles and enclosures) within the light industrial zone must be entirely sited within ~~500~~ **550** feet of Tualatin-Sherwood Road.*

Access for parcels abutting Tualatin-Sherwood (TS) Road were considered. Staff indicated that Washington County has roadway jurisdiction and would not permit direct access to abutting parcels. All future food cart pod developments would have to obtain access from a local road and meet the minimum driveway spacing standards as mandated by the *Engineering Design and Standards Manual*.

Furthermore, the commission requested clarification regarding the size limitations under footnote 3. The applicant indicated that the 20,000 square foot (maximum) limitation is encompassing of the structures itself and does not encompass exterior site improvements. Conversely, the proposed language requiring developments to be sited within a certain distance would apply to exterior improvements such as “seating, parking, driveways, vehicular maneuvering areas, and trash receptacles and enclosures.”

With minor modifications to the proposal, the Commission voted to close the public hearing. After considering the application materials and the proposed amendments, the Planning Commission voted in favor of recommending the proposed text amendments to the City Council. Staff updated the findings within the report to be reflective of substantive changes.


Jean Simson, Planning Commission Chair

03/15/2026
Date


PROPOSAL: An amendment to the Sherwood Zoning and Community Development Code to allow Food Cart Pods in the Light Industrial (LI) Zone District as a Conditional Use Permit (CUP), provided the use is entirely sited within ~~500~~ **550** feet of Tualatin-Sherwood Road. The proposed amendments would allow the development of Food Cart Pods subject to the following:

- Conditionally allow in the Light Industrial (LI) zone;
- Process as a Type IV Site Plan Review with a concurrent Type III Conditional Use Permit;
- Meet all applicable standards within Chapter 16.39 – Food Cart Pods.

To: Planning Commission

Hearing Date: February 24, 2026

FROM:



Hugo Agosto
Associate Planner

Proposal: An amendment to the Sherwood Zoning and Community Development Code to allow Food Cart Pods in the Light Industrial (LI) Zone District as a Conditional Use Permit (CUP), provided the use is entirely sited within ~~500~~ **550** feet of Tualatin-Sherwood Road. The proposed amendments would allow the development of Food Cart Pods subject to the following:

- Conditionally allow in the Light Industrial (LI) zone;
- Process as a Type IV Site Plan Review with a concurrent Type III Conditional Use Permit;
- Meet all applicable standards within Chapter 16.39 – Food Cart Pods.

A. Applicant: ORWA Sherwood LLC
Attn: Brenda Christina
8320 NE Highway 99
Vancouver, WA 98665

B. Location: City Wide

C. Review Type: The proposed text amendment requires a Type V review, which involves public hearings before the Planning Commission and City Council. The Planning Commission is scheduled to consider the matter on February 24, 2026. At the close of this hearing, the Planning Commission will forward a recommendation to the City Council, who will consider the proposal and make the final decision whether to approve, modify, or deny the proposed language. The City Council public hearings are tentatively scheduled for March 17, 2026, and April 7, 2026. Any appeal of the City Council's final decision relating to this matter will be considered by the Oregon Land Use Board of Appeals (LUBA).

D. Public Notice and Hearing: Notice of the February 24, 2026, Planning Commission hearing and tentative March 17, 2026, City Council hearing on the proposed amendment were published in *The Times* on January 30 and February 13, 2026.

Notice of the proposed code amendment was posted in five public locations around town and on the website on January 20, 2026. Notice to the Oregon Department of Land

Conservation and Development (DLCD) was submitted on January 20, 2026, and notice to agencies was sent via email on January 2, 2026.

- E. **Review Criteria:** The required findings for Plan Amendments are identified in Section 16.80.030 of the Sherwood Zoning and Community Development Code (SZCDC).
- F. **Background:** In the Fall of 2024, the City Council amended sections of the Sherwood Zoning and Community Development Code to allow for the development and operation of Food Cart Pods in Retail Commercial (RC) and General Commercial (GC) zone districts as a Conditional Use Permit (CUP), subject to planning commission approval. By allowing mobile food units, the city provides opportunities for small-scale entrepreneurship and creation of unique eating establishments that provide a community gathering spaces for the public.

On January 30, 2025, the subject property owner(s), located at 15028 SW Century Drive, held a Pre-Application Conference with City Staff, for a proposed Food Cart Pod development on a property zoned Light Industrial (LI), which included a Plan Text Amendment to allow the development and operation of Food Cart Pods in the Light Industrial (LI) zone district.

The applicant conducted a Neighborhood Meeting (**Attachment A, Appendix C**) at the Marjorie Stewart Senior Community Center, for property owners within 1,000 feet of the affected parcels and all other interested community members. No members of the public attended the meeting.

A complete application submittal was received by staff on December 19, 2026. The proposed amendments to Sherwood Municipal Code, Title 16 (Zoning and Community Development Code), would alter Chapter 16.31 – Industrial Land Use Districts, and include minor changes to Chapter – 16.39 Food Cart Pods, as to better align the proposed amendment with the adopted code language.

II. PUBLIC COMMENTS

As of this writing, no public comments have been received. Comments from the community are welcomed up to the close of the public hearing.

III. AGENCY COMMENTS

Notice to DLCD was sent on January 20, 2026, and an e-notice to Metro and agency partners was sent on January 2, 2026.

City of Sherwood, Engineering Department provided comments during the initial adoption of Chapter 16.39 – Food Cart Pods (Ord. 2024-004), stating that during land use reviews (Site Plan Review and Condition Use Permit) engineering staff can adequately condition the necessary public improvements under adopted procedures. Additional comments related to screening, minimum required parking, traffic mitigation/enforcement are codified under Title 16 – Sherwood Zoning and Community Development Code and will be addressed at time of land use review.

An Engineering memorandum dated January 23, 2026 (**Attachment B**) stated none of the codified language within the food cart pod section of the Sherwood Municipal Code will be changed sufficiently to warrant new comments or conditions. Therefore, the submittal requirements for off-site and on-site standards to develop a Food Cart Pod are unchanged except for the addition of a Conditional Use Permit (CUP) being required for properties within the LI zone district. Once a Food Cart Pod is proposed and traffic flows need to be addressed, conditions of approval through the land use review process allows engineering staff to require mitigation or enforcement to resolve the traffic issue.

Pride Disposal and Recycling Company, Kristen Tabscott, Executive Assistant, states they currently have no comments. However, they will need to verify that adequate service is available once a food truck pod site is located and proposed for development. Correspondence dated January 30, 2026, is under **Attachment C**.

Oregon Department of Transportation (ODOT), Transportation Region 1 – Marah Danielson, Senior Planner, stated that the proposed amendments to Title 16 – Sherwood Zoning and Community Development Code will not impact the State highway, so no formal comments are provided. Correspondence dated January 23, 2026, is under **Attachment D**.

Oregon Department of Transportation (ODOT), Commerce and Compliance Division – Ruth Price, Rail Crossing Program Coordinator, states that ODOT Rail Crossing do not have any concerns/comments. Correspondence dated January 23, 2026, is under **Attachment E**.

IV. REQUIRED FINDINGS FOR PLAN TEXT AMENDMENT

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

SZCDC 16.80.030 - Review Criteria

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

Community Need

Food Cart Pods are a response to a public desire for gathering places and local food choices. The applicant has identified the various community needs for food cart pods in Sherwood's Light Industrial (LI) zone districts, 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.”*

Food cart pods, by their nature, offer development flexibility and site adaptability, due to their modular design, relatively low infrastructure demands, and ability to be scaled over time, therefore making them a valuable asset in fostering economic growth and enhancing the local amenities.

The proposal seeks to amend SZCDC Chapter 16.39 – Food Cart Pods and the Industrial Use Table of Section 16.31.020 to conditionally allow for Food Cart Pods in the Light Industrial (LI) Zone District within Sherwood.

The area encapsulated by these amendments is approximately 8.4 developable acres within the Light Industrial zone. These developable areas are dispersed evenly along Tualatin-Sherwood Road, with sites ranging from 0.5 acres to 2.8 acres. These lands would accommodate the establishment of a food cart pod, but not large enough to constitute high employment-industrial use sites.

FINDING: As discussed above, the proposed amendments allow for greater entrepreneurial opportunities that can meet the needs of the Sherwood community including businesses.

Consistency with the Comprehensive Plan

The adopted 2040 Comprehensive Plan, Thriving and Diversified Economy, has specific goals and policies that are applicable to the proposed standards as discussed below:

Thriving and Diversified Economy

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.

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.

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

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

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

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.

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.

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.

FINDING: By allowing Food Cart Pods in the Light Industrial (LI) Zone District under a Conditional Use Permit (CUP) approval, the City retains its ability to determine when the proposed use may be appropriate on certain industrial zoned properties, when carefully reviewed and conditioned against applicable criteria.

The proposed amendments further advance Goal 1 by creating additional opportunities for small-scale business development within the city. Food Cart Pods provide a lower-barrier entry point for entrepreneurs, which accelerates the growth of local businesses and supports economic diversification. Through allowing opportunities along Tualatin-Sherwood Road, a natural transition area between industrial and commercial activity. This is in alignment with Policy 1.1, 1.5-8.

A conditional use process provides a mechanism to address considerations such as traffic circulation, customer intensity, hours of operation, and potential conflicts with nearby industrial uses, thereby preserving the overall function of the area, with consideration to each property's highest and best use; the proposed amendments encourage the efficient use of lands and support appropriate infill and redevelopment of land, while utilizing existing infrastructure more efficiently (Policy 2.6), and explore options for more mixed-use developments and areas (Policy 2.8)

Overall, the proposed text amendments are consistent with the Sherwood 2040 Comprehensive Plan as they further allow an expansion of entrepreneurial opportunities for small businesses while providing a diverse mix of economic activity.

Consistency with the City's Transportation System Plan

The proposed text amendment is consistent with the City's Transportation System Plan (TSP). The TSP integrates the Comprehensive Plan land uses with Sherwood's transportation, as to promote systems that serve statewide, regional and local transportation needs.

Sherwood's approach to developing the TSP placed more value on investments in smaller cost-effective solutions for the transportation system rather than larger, more costly solutions; this included community visions regarding the development of bicycles and pedestrian facilities, reliable convenient transit service, efficient and effective freight transportation infrastructure is developed and maintained, etc.

The proposal would not present any impacts to the existing City transportation system, the Transportation System Plan, or how the City analyzes future transportation impacts. At the time of land use application submittal and review, transportation impacts are analyzed and addressed.

FINDING: The proposed text amendments are consistent with the City's Transportation System Plan.

Consistency with other City Planning Documents

The proposed text amendments impact only Title 16 of the Municipal Code and do not impact any other City Planning documents. Therefore, the proposed text amendments are consistent with other City Planning documents.

FINDING: As noted above, the proposed text amendments are consistent with other City Planning documents since amendments are only to Title 16.

Consistency with Oregon Statewide Planning Goals

Goal 1: Citizen Involvement

It is the purpose of this Goal to develop a citizen involvement program that ensures the opportunity for citizens to be involved in all phases of the planning process.

FINDING: The City's development code ensures the opportunity for public engagement consistent with Statewide Planning Goal 1. The applicant conducted a Neighborhood Meeting on October 30, 2025, in compliance with Section 16.70.020 - *Neighborhood Meeting*, while the Type V process requires a hearing before the Planning Commission and City Council and will be open for public testimony. The applicant submitted a narrative stating:

"Goal 1 broadly requires that local governments have mechanisms in places 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 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 [Attachment A, Appendix C]. 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."

Staff concur with the above analysis. The City of Sherwood's legislative amendment and hearing process provides numerous opportunities for citizens to be involved in all phases of the planning process. The amendments have been developed with the opportunity for public

involvement and have been noticed in accordance with Sherwood Zoning and Community Development Code Chapter 16.72, Procedures for Processing Development Permits.

As presented above, the proposed text amendments are consistent with Goal 1.

Goal 2: Land Use Planning

It is the purpose of this Goal to establish a land use planning process and policy framework as a basis for all decisions and actions related to the use of land and to assure an adequate factual base for such decisions and actions.

FINDING: The development of the proposed amendments has followed the City's established land use planning process and included public meetings, public outreach through information on the city's website, and opportunities for public comment. As stated above, the proposed Food Cart Pod amendments help meet state Goal 2 through the expansion of economic opportunities within the adopted land use regulations and processes. The applicant narrative stated the following:

“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 (DLCDC) 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.”

Staff concur with the above analysis. Compliance with local, regional, and state requirements are addressed throughout this staff report. As presented above, the proposed text amendments are consistent with Goal 2.

Goal 3: Agricultural Lands

The purpose of this Goal is to identify farmland, designate it as such on the comprehensive plan map, and zone it exclusive farm use (EFU).

FINDING: The applicants' narrative stated the following:

“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.”

Staff concur with the above statement. This statewide land use goal is not applicable to the City of Sherwood.

Goal 4: Forest Lands

This Goal requires counties to identify forest land, designate it as such on the comprehensive plan map, and zone it consistently with state rules.

FINDING: This statewide land use goal is not applicable to the City of Sherwood.

Goal 5: Natural Resources, Scenic and Historic Areas, and Open Spaces

It is the purpose of this Goal to protect natural resources and conserve scenic and historic areas and open spaces.

FINDING: The applicant submitted a narrative stating,

“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 [Attachment A, Appendix E] and Statewide Wetlands inventory map [Attachment A, Appendix F] 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 [Attachment A, Appendix G] 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 [Attachment A, Appendix H] and none of them is listed within the Register.

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

Staff concur with the above analysis. The proposed text amendments are not applicable to goals and policies in the City’s Comprehensive Plan pertaining to the protection of natural resources and conservation of scenic and historic areas and open spaces.

As presented, Goal 5 is not applicable to the proposal.

Goal 6: Air, Water and Land Resources Quality

This Goal instructs local governments to consider the protection of air, water, and land resources from pollution and pollutants when developing comprehensive plans.

FINDING: The proposed text amendments are not applicable to goals and policies in the City’s Comprehensive Plan pertaining to the protection of air, water, and land resources from pollution and pollutants. The applicant submitted a narrative stating:

“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.”

Staff concur with the above statement. As presented Goal 6 is not applicable to these amendments.

Goal 7: Natural Hazards:

This Goal requires local comprehensive plans to address Oregon’s natural hazards.

FINDING: The applicant stated within their narrative,

“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.”

Staff concur with the above statement. Staff have attached a National Flood Hazard Layer ‘FIRMette’ (Attachment F) map for additional context. As presented, the proposed text amendments are not applicable to identified natural hazards within the Sherwood community.

Goal 8: Recreational Needs

It is the purpose of this 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.

FINDING: The applicant submitted a narrative stating,

“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.”

Staff concur with the above statement. Recreational needs of Sherwood can be confined to designated Open Spaces or located within a variety of zone districts designated throughout the city. In general, the proposed text amendments are not applicable to the recreational needs within the Sherwood community, as defined within the Sherwood adopted Parks and Recreation Master Plan or outlined within any other adopted master plans.

Goal 9: Economic Development

The purpose of Goal 9 planning is to make sure cities and counties have enough land available to realize economic growth and development opportunities.

FINDING: Food cart pods, by their nature, offer development flexibility and site adaptability, due to their modular design, relatively low infrastructure demands, and ability to be scaled over time. They can meet various community needs, making them a valuable asset in fostering economic growth and enhancing the local culture. The proposed amendments would further extend the development opportunities for Food Cart Pods within Sherwood, creating entrepreneurial opportunities for small businesses while providing a diverse mix of economic activity. In response to the above goal, the applicant submitted a narrative stating,

“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."

Staff concur with the above analysis. The proposed amendments would only be applicable to a narrow section of Light Industrial – LI properties within 500 **550** feet of Tualatin-Sherwood Road. This ensures the continued viability of light industrial development and the associated economic development opportunities of Sherwood's industrial zoning districts. As presented, the proposed amendments meet the intent of Goal 9, Economic Development.

Goal 10: Housing

The purpose of this Goal is to make sure that a community has adequate housing supply for the twenty-year planning period through a range of densities to choose from and serves people at a variety of income levels.

FINDING: The applicant submitted a narrative stating the following:

"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."

Staff concur with the above statements. The proposed text amendments are not applicable to housing needs within the Sherwood community.

Goal 11: Public Facilities and Services

It is the purpose of this Goal is 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.

FINDING: The applicant submitted a narrative stating:

"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.”

Staff concur with the above analysis. Future development within the affected parcels will be evaluated for consistency with adopted plans related to public facilities and services at the time of submittal. No conflicts with this goal are presented with these amendments.

As presented, the intent of Goal 11 is met.

Goal 12: Transportation

This Goal requires cities, counties, and the state to create a transportation system plan that considers all relevant modes of transportation: mass transit, air, water, rail, highway, bicycle and pedestrian.

FINDING: The applicant submitted a narrative stating,

“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 [Attachment A, Appendix I]. 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 [Attachment A, Appendix], 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 [Attachment A, Appendix I], 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.”

Planning staff concur with the above analysis. Staff find the proposed amendments to allow the establishment of Food Cart Pods within the LI zone district to be consistent similar commercial restaurant uses outlined under *Chapter 16.31 – Industrial Land Use Districts*; establishment of a new use would similarly be evaluated for traffic impacts and consistency with the adopted TSP at land use. As presented, the proposed text amendments are consistent with the City’s Transportation System Plan and therefore, this goal.

Goal 13: Energy

This Goal requires local governments to consider the effects of its comprehensive planning decision on energy consumption.

FINDING: The applicant submitted a narrative stating,

“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."

Staff concur with the analysis. As presented the proposed amendments are consistent with the City's Comprehensive Plan and, therefore, this goal.

Goal 14: Urbanization

The purpose of this goal is to ensure land inside a UGB, is considered urbanizable. A city must plan to include a twenty-year supply of land for housing, employment, industry, open space and recreational needs. A UGB should also provide plans for transition from urban to rural land uses to avoid conflicts and encourage efficient use of the land to provide more livable, walkable, and densely built communities.

FINDING: The proposed amendments are consistent with the City's Comprehensive Plan and, therefore, this goal.

The following State Land Use Goals are not applicable to this proposal:

Goal 15: Willamette River Greenway,

Goal 16: Estuarine Resources,

Goal 17: Coastal Shorelands,

Goal 18: Beaches and Dunes; and

Goal 19: Ocean Resources

Metro's Regional Framework Plan

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

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

FINDING: The proposed amendments are consistent with the City's Comprehensive Plan; therefore, the amendment is consistent with the 2040 Growth Concept and regional policies, as described below.

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.

3.07.430 Protection of Industrial Areas

- a. 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.

FINDING: The parcels affected by this amendment are identified within Title 4 - Industrial and other Employment Areas Map (Attachment G) under “Industrial Area,” and therefore subject to the criteria under Sections 3.07.410 & 3.07.430 of the Urban Growth Management Functional Plan (UGMFP).

The proposed amendments would list Food Cart Pods under the parameters of “eating and drinking establishments,” pursuant to Section 16.31.020 – Uses, and would be similar to restaurant uses, conditionally allowed, within the Light Industrial – LI Zone District; however, a key distinguishing feature between multiple restaurants within a single building and a Food Cart Pod is the manner in which each vendor operates, in and of itself. “Eating and drinking

establishments,” specifically restaurants were authorized within the Light Industrial (LI) Zone District prior to July 1, 2004, as mandated above under Section 3.07. 430.c

Furthermore, the proposed amendments will maintain consistency with the established size limitations applicable to restaurant use within the area, as mandated by the UGMFP. Specifically, the amendment does not authorize restaurant development exceeding 5,000 square feet of sales or service area for any individual outlet, nor does it permit multiple outlets within a single building or development project to exceed 20,000 square feet of total sales or service area. As such, the amendment ensures that restaurant uses remain scaled to primarily serve the needs of workers and daily customers in the area and does not result in broader commercial intensification.

As presented, the applicable criteria are met.

SZCDC Review Criteria 16.80.030.C – Transportation Planning Rule Consistency (TPR)

FINDING: This amendment does not substantially impact the state Transportation Planning Rule. New land use applications are reviewed for transportation impacts at the time of submittal. The applicant provided a narrative stating,

“[The]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 [Attachment A, Appendix I], 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. ... This standard is met.”

The applicant provided a Transportation Planning Rule (TPR) Analysis by Lancaster Mobley, dated December 9, 2025, detailing the potential trip generation associated with the proposed amendment and evaluated the criteria under the Oregon Transportation Planning Rule. Their findings concluded the following,

“Based on this comparison of reasonable worst case trip generation, the existing and planned transportation system can accommodate the proposed zoning code amendments and the TPR criteria are satisfied. Therefore, no long-term analysis of traffic operations in the study area is warranted as part of the proposed amendment code.”

Staff concur with above statement and analysis. The proposed amendments and supplemental materials were further reviewed by Sherwood planning and engineering staff for compliance with the Transportation Systems Plan (TSP) and found the proposal does not need to demonstrate additional compliance with the TPR.

As presented this criteria is satisfied.

V. RECOMMENDATION

As proposed, the draft amendments to Title 16 (Zoning and Community Development Code,) supports and meets the intent of City's Comprehensive Plan, and all applicable state and regional criteria.

PLANNING COMMISSION ALTERNATIVES

1. Approve the findings in this staff report and recommend approval to City Council.
2. Modify the findings and approve the staff report as modified in compliance with all applicable criteria and recommend approval to City Council.
3. Modify the findings and deny the proposed amendments based on the Commission's findings, and recommend denial of the proposal to City Council; or
4. Continue the Public Hearing to a date certain if more information is needed.

STAFF RECOMMENDATION

Based on the above findings and applicable code criteria, staff recommend that the Planning Commission forward a recommendation of approval of the proposed Food Cart Pods text amendments to Title 16 of the Municipal Code, Case File LU 2025-018 PA, to the Sherwood City Council.

VI. ATTACHMENTS

A. Applicant Submittal and Narrative*

- Appendix A – Application Form
- Appendix B – Applicants' Narrative and Proposed Amendments
- Appendix C – Neighborhood Meeting Documentation
- Appendix D – Food Cart Conceptual Drawing
- Appendix E – National Wetlands inventory map
- Appendix F – Statewide Wetlands inventory map
- Appendix G – State of Oregon's Historic Sites Map
- Appendix H – Parcels Affected by Text Amendment
- Appendix I – Transportation Planning Rule Analysis

B. Engineering memorandum dated January 23, 2026

C. Pride Disposal and Recycling Company Correspondence dated January 30, 2026

D. Oregon Department of Transportation (ODOT) Correspondence dated January 23, 2026

E. Oregon Department of Transportation (ODOT), Commerce and Compliance Division Correspondence dated January 23, 2026

F. National Flood Hazard Layer 'FIRMette' Map

G. Title 4 - Industrial and other Employment Areas Map

H. Staff Proposed Code Amendments (Track Changes)

I. Staff Proposed Code Amendments (Clean Version)



Home of the Tualatin River National Wildlife Refuge

City of Sherwood Application for Land Use Action

Case No. _____
Fee _____
Receipt # _____
Date _____
TYPE _____

Type of Land Use Action Requested: (check all that apply)

- Annexation
- Plan Amendment (Proposed Zone _____)
- Planned Unit Development
- Site Plan (square footage of building and parking area)
- Variance (list standards to be varied in description)
- Conditional Use
- Partition (# of lots _____)
- Subdivision (# of lots _____)
- Other: Plan Text Amendment

By submitting this form the Owner, or Owner's authorized agent/ representative, acknowledges and agrees that City of Sherwood employees, and appointed or elected City Officials, have authority to enter the project site at all reasonable times for the purpose of inspecting project site conditions and gathering information related specifically to the project site.

Note: See City of Sherwood current Fee Schedule, which includes the "Publication/Distribution of Notice" fee, at www.sherwoodoregon.gov. Click on Government/Finance/Fee Schedule.

Owner/Applicant Information:

Applicant: ORWA Sherwood LLC, Att: Brenda Christina Phone: (360) 513-3593
 Applicant Address: 8320 NE Highway 99, Vancouver, WA 98665-8819 Email: _____
 Owner: Multiple owners of affected properties Phone: _____
 Owner Address: _____ Email: _____
 Contact for Additional Information: Mackenzie, Att: Brian Varricchione, (971) 346-3742, bvarricchione@mcknze.com

Property Information:

Street Location: Light Industrial zoned properties within 500' of Tualatin-Sherwood Road
 Tax Lot and Map No: Map: 02S01W. TLIDs listed in the margin:
 Existing Structures/Use: Various
 Existing Plan/Zone Designation: Light Industrial (LI)
 Size of Property(ies) Approx. 104 acres, of which 50 acres would be affected by the amendment

- 2S129A000400
- 2S129A000500
- 2S129A001100
- 2S129A001652
- 2S129A001800
- 2S129A002400
- 2S129A002500
- 2S129A002600
- 2S129A003300
- 2S129A003400
- 2S129B000900
- 2S129B000901
- 2S129D000150
- 2S129D000151
- 2S129DB00100
- 2S129DB00200
- 2S129DB00300
- 2S129DB00400
- 2S129DB00500

Proposed Action:

Purpose and Description of Proposed Action:

Plan Text Amendment to allow food cart pods as conditional uses within 500' of Tualatin-Sherwood Road.

Proposed Use: No development proposed as part of this text amendment application



Proposed No. of Phases (one year each): N/A

LAND USE APPLICATION FORM

Authorizing Signatures:

I am the owner/authorized agent of the owner empowered to submit this application and affirm that the information submitted with this application is correct to the best of my knowledge.

I further acknowledge that I have read the applicable standards for review of the land use action I am requesting and understand that I must demonstrate to the City review authorities compliance with these standards prior to approval of my request.

Signed by:  _____ Applicant's Signature	11/20/2025 13:09 PST _____ Date
Signed by:  _____ Owner's Signature	11/20/2025 13:09 PST _____ Date

The following materials must be submitted with your application or it will not be accepted at the counter. Once taken at the counter, the City has up to 30 days to review the materials submitted to determine if we have everything we need to complete the review. Applicant can verify submittal includes specific materials necessary for the application per checklist.

- 3 Copies of Application Form*** completely filled out and signed by the property owner (or person with authority to make decisions on the property).
- Copy of Deed** to verify ownership, easements, etc. Not applicable for a text amendment
- At least 3 folded** sets of plans*
- At least 3 copies** of narrative addressing application criteria*
- Fee** (along with calculations utilized to determine fee if applicable)
- Neighborhood Meeting Verification** including affidavit, sign-in sheet and meeting summary (required for Type III, IV and V projects)

* **Note** that the required numbers of copies identified on the checklist are required for completeness; however, upon initial submittal applicants are encouraged to submit only 3 copies for completeness review. Prior to completeness, the required number of copies identified on the checklist and one full electronic copy will be required to be submitted.

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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I. PROJECT SUMMARY

Applicant:

ORWA Sherwood LLC
Att: Brenda Christina
bchristina@mobinv.net
8320 NE Highway 99
Vancouver, WA, 98665-8819

Tax Lot Information:

Tax Lot: 2S129A000400

Owner: Sherwood Pacific LLC Et Al
Mailing Address: PO Box 230968, Tigard, OR 97281
Site Address: 14841 SW Tualatin-Sherwood Road, Sherwood, OR 97140

Tax Lot: 2S129A000500

Owner: Ralston & Ralston LLC
Mailing Address: 2959 SW Bennington Drive, Portland, OR 97205
Site Address: 15025 SW Tualatin-Sherwood Road, Sherwood, OR 97140

Tax Lot: 2S129A001100

Owner: Portland General Electric Co
Mailing Address: 121 SW Salmon Street, Portland, OR 97204
No address assigned

Tax Lot: 2S129A001652

Owner: Portland General Electric Co
Mailing Address: 121 SW Salmon Street, Portland, OR 97204
Site Address: 20520 SW Langer Farms Parkway, Sherwood, OR 97140

Tax Lot: 2S129A001800

Owner: J&J Legacy LLC
Mailing Address: 14130 SW Hargis Road, Beaverton, OR 97008
Site Address: 20833 SW Olds Place, Sherwood, OR 97140

Tax Lot: 2S129A002400

Owner: Arrow Street LLC
Mailing Address: 20746 SW Olds Place, #301, Sherwood, OR 97140
Site Address: 15114 SW Arrow Street, Sherwood, OR 97140

Tax Lot: 2S129A002500

Owner: Daisy & Peach LLC
Mailing Address: 8420 SW Power Court, Portland, OR 97225
Site Address: 20900 SW Olds Place, Sherwood, OR 97140

Tax Lot: 2S129A002600

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 zone¹ 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).² 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.

¹ RC acreage includes sites in Planned Unit Development (PUD) overlays.

² 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	EI¹
RESIDENTIAL			
▪ <i>Single dwelling unit, including a manufactured home, for one (1) security person employed on the premises and their immediate family</i>	<i>P</i>	<i>P</i>	<i>P</i>
CIVIC			
▪ <i>Hospitals</i>	<i>C</i>	<i>N</i>	<i>N</i>
▪ <i>Police and fire stations and other emergency services</i>	<i>C</i>	<i>C</i>	<i>C</i>
▪ <i>Vehicle testing stations</i>	<i>C</i>	<i>C</i>	<i>C</i>
▪ <i>Postal services – Public</i>	<i>C</i>	<i>C</i>	<i>C</i>
▪ <i>Postal substations when located entirely within and incidental to a use permitted outright</i>	<i>C</i>	<i>C</i>	<i>C</i>
▪ <i>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</i>	<i>P</i>	<i>P</i>	<i>C</i>
▪ <i>Small-scale power generation facilities</i>	<i>P</i>	<i>P</i>	<i>P</i>
▪ <i>Large-scale power generation facilities</i>	<i>C</i>	<i>P</i>	<i>C</i>
▪ <i>Public recreational facilities including parks, trails, playfields and sports and racquet courts on publicly owned property or under power line easements</i>	<i>C</i>	<i>C</i>	<i>C</i>
COMMERCIAL			
▪ <i>Commercial Trade Schools, commercial educational services and training facilities</i>	<i>P</i>	<i>P</i>	<i>C</i>
Entertainment/recreation			
▪ <i>Country clubs, sports and racquet clubs and other similar clubs</i>	<i>C</i>	<i>C</i>	<i>C</i>
▪ <i>Indoor recreation facilities such as arcades, mini-golf, or bounce house facilities^{2,3}</i>	<i>C</i>	<i>C</i>	<i>C</i>
Hospitality and lodging			
▪ <i>Hotel/Motel</i>	<i>CU¹²</i>	<i>N</i>	<i>N</i>
Motor vehicle related			
▪ <i>Motorized vehicle and sport craft repairs and service</i>	<i>C</i>	<i>C</i>	<i>N</i>
▪ <i>Motorized vehicle and sport craft repair and service clearly incidental and secondary to and customarily associated with a use permitted outright or conditionally</i>	<i>P</i>	<i>P</i>	<i>P</i>
▪ <i>Automotive, boat, trailer and recreational vehicle storage</i>	<i>C</i>	<i>C</i>	<i>C⁴</i>
▪ <i>Vehicle fueling stations or car wash facilities⁵</i>	<i>C</i>	<i>C</i>	<i>C</i>
▪ <i>Junkyards and salvage yards</i>	<i>N</i>	<i>N</i>	<i>N</i>
▪ <i>Manufactured home sales and display area</i>	<i>N</i>	<i>N</i>	<i>N</i>
Office and professional support services			
▪ <i>Business and professional offices³</i>	<i>P</i>	<i>P</i>	<i>P</i>
▪ <i>Business support services such as duplicating, photocopying, mailing services, fax and computer facilities³</i>	<i>P</i>	<i>P</i>	<i>P</i>
▪ <i>Any incidental business, service, processing, storage or display, not otherwise permitted, that is essential to and customarily associated</i>	<i>P</i>	<i>P</i>	<i>P</i>

<i>with a use permitted outright, provided said incidental use is conducted entirely within an enclosed building</i>			
Childcare			
▪ <i>Day cares, preschools, and kindergartens, when clearly secondary to a permitted use</i>	<i>P</i>	<i>P</i>	<i>P</i>
▪ <i>Day cares, preschools, and kindergartens as a stand-alone use³</i>	<i>C</i>	<i>C</i>	<i>C</i>
General retail – sales oriented			
▪ <i>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 business³</i>	<i>P</i>	<i>P</i>	<i>P</i>
▪ <i>Medical and recreational marijuana facilities</i>	<i>p⁶</i>	<i>p⁶</i>	<i>N</i>
▪ <i>Tool and equipment repair, rental and sales, including truck rental⁷</i>	<i>P</i>	<i>P</i>	<i>P</i>
▪ <i>Retail plant nurseries and garden supply stores (excluding wholesale plant nurseries)</i>	<i>P</i>	<i>P</i>	<i>N</i>
▪ <i>Wholesale building material sales and service</i>	<i>C</i>	<i>P</i>	<i>N</i>
▪ <i>Retail building material sales and lumber yards³</i>	<i>C</i>	<i>P</i>	<i>N</i>
Personal services			
▪ <i>Health clubs and studios less than 5,000 square feet in size</i>	<i>P</i>	<i>P</i>	<i>P</i>
▪ <i>Psilocybin Service Centers</i>	<i>N</i>	<i>p¹³</i>	<i>N</i>
▪ <i>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 services⁸</i>	<i>C</i>	<i>C</i>	<i>C</i>
▪ <i>Public or commercial parking (non-accessory)</i>	<i>N</i>	<i>N</i>	<i>N</i>
▪ <i>Veterinarian offices and animal hospitals</i>	<i>C</i>	<i>C</i>	<i>C</i>
▪ <i>Animal boarding/kennels and pet daycare facilities with outdoor recreation areas⁸</i>	<i>C</i>	<i>C</i>	<i>C</i>
Eating and drinking establishments:			
▪ <i>Restaurants, taverns, and lounges without drive-thru³</i>	<i>C</i>	<i>C</i>	<i>C</i>
▪ <i>Restaurants with drive-thru services</i>	<i>N</i>	<i>N</i>	<i>N</i>
▪ <i>On-site cafeteria that is secondary to, and serving employees of, a permitted use</i>	<i>P</i>	<i>P</i>	<i>P</i>
▪ <i><u>Food Cart Pods</u>^{3, 14}</i>	<u><i>C</i></u>	<u><i>N</i></u>	<u><i>N</i></u>
INDUSTRIAL			
▪ <i>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</i>	<i>P</i>	<i>P</i>	<i>P</i>
▪ <i>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</i>	<i>C</i>	<i>P</i>	<i>C</i>
▪ <i>Manufacture, compounding, processing, assembling, packaging, treatment, or fabrication of acids, paints, dyes, soaps, ammonia, chlorine, sodium compounds, fertilizer, herbicides, insecticides and similar chemicals</i>	<i>N</i>	<i>C</i>	<i>N</i>

▪ <i>Psilocybin Manufacturing Facilities</i>	<i>N</i>	<i>P¹³</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 building⁹</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 building⁹</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>C⁴</i>
▪ <i>Building, heating, plumbing or electrical contractors and suppliers, building maintenance services, and similar uses¹⁰</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>
WIRELESS COMMUNICATION FACILITIES			
▪ <i>Radio, television, and similar communication stations, including associated transmitters</i>	<i>C</i>	<i>C</i>	<i>C</i>
▪ <i>Wireless communication towers¹¹ 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>
OTHER			
<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

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

² 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.

³ 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.

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

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

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

⁷ 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.

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

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

¹⁰ 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.

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

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

¹³ See Special Criteria for Psilocybin Service Centers and manufacturing facilities under Section 16.38.040.

¹⁴ [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

1. 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

1. 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.
2. 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 map³ and Statewide Wetlands inventory map⁴ 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

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

⁴ 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.



PLANNING DEPARTMENT NEIGHBORHOOD MEETING PACKET

(Required for all Type III, IV or V projects)

Submit the following with land use application materials to the City of Sherwood Planning Department, 22560 SW Pine St., Sherwood, OR 97140: (503) 625-5522.

The purpose of the neighborhood meeting is to solicit input and exchange information about the proposed development per Sherwood Zoning and Community Development Code 16.70.020.

The meeting must be held in a public location **prior** to submitting a land use application.

- Affidavits of mailing to adjacent property owners that are within 1,000 feet of the subject application.
- Sign-in sheet(s)
- Summary of the meeting notes


(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.)

Affidavit of Mailing

DATE: 10/14/2025

STATE OF OREGON)
)
Multnomah County)

I, Brian Varricchione, representative for the ORWA Sherwood LLC proposed plan text amendment do hereby certify that the attached notice to adjacent property owners and recognized neighborhood organizations that are within 1,000 feet of the subject project, was placed in a U.S. Postal receptacle on 10/14/2025.



Representatives Name: Brian Varricchione
Name of the Organization: Mackenzie

NOTICE OF NEIGHBORHOOD MEETING

October 14, 2025

Re: Neighborhood Meeting for **Plan Text Amendment to allow Food Cart Pods on a limited basis** in Light Industrial zone

Dear Interested Party:

You are cordially invited to attend a neighborhood meeting to learn about a proposed amendment to the Sherwood Zoning and Community Development Code (SZCDC) that Mackenzie is preparing on behalf of a property owner on SW Century Drive (ORWA Sherwood LLC). The upcoming meeting will be held on **October 30, 2025**, as noted below.

The proposed application would consist of a request that the City of Sherwood amend the SZCDC to allow food cart pods to be developed on properties zoned Light Industrial located within 500 feet of Tualatin-Sherwood Road, as pictured on the attached map. This affected area spans from SW Baler Way at the west to property east of Rock Creek at the east, and is approximately 50 acres combined.

The purpose of this meeting is to provide an opportunity for the applicant team and surrounding property owners to discuss this proposal and for attendees to ask questions.

The meeting is scheduled for:

Thursday, October 30, 2025, at 6:00 PM
Marjorie Stewart Senior Community Center
21907 SW Sherwood Boulevard
Sherwood, OR 97140

The meeting will be held in the large classroom in the Marjorie Stewart Senior Community Center.

Please note that this is an informational meeting only, and the proposal may change before the application is submitted to the City. We look forward to sharing the Plan Text Amendment concept with you and hearing your thoughts. If you have any questions, please feel free to contact me at (503) 224-9560 or bvarricchione@mcknze.com.

Sincerely,



Brian Varricchione
Land Use Planning

Enclosure(s): Attachment A – Summary of Proposal
Attachment B – Preliminary map of affected area

Summary of Proposal

Background Information

- In 2024, the City of Sherwood adopted rules regulating the design and operation of food cart pods, found in [Chapter 16.39](#) of the Sherwood Zoning and Community Development Code (SZCDC).
- This chapter specifies that food cart pods must have at least 5 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 only following Planning Commission approval of a Conditional Use Permit.

Current Proposal

- The applicant (ORWA Sherwood LLC) intends to request that the City amend the SZCDC to allow food cart pods as conditional uses in the Light Industrial zone for sites within 500 feet of Tualatin-Sherwood Road.
- See map in Attachment B for the affected area.

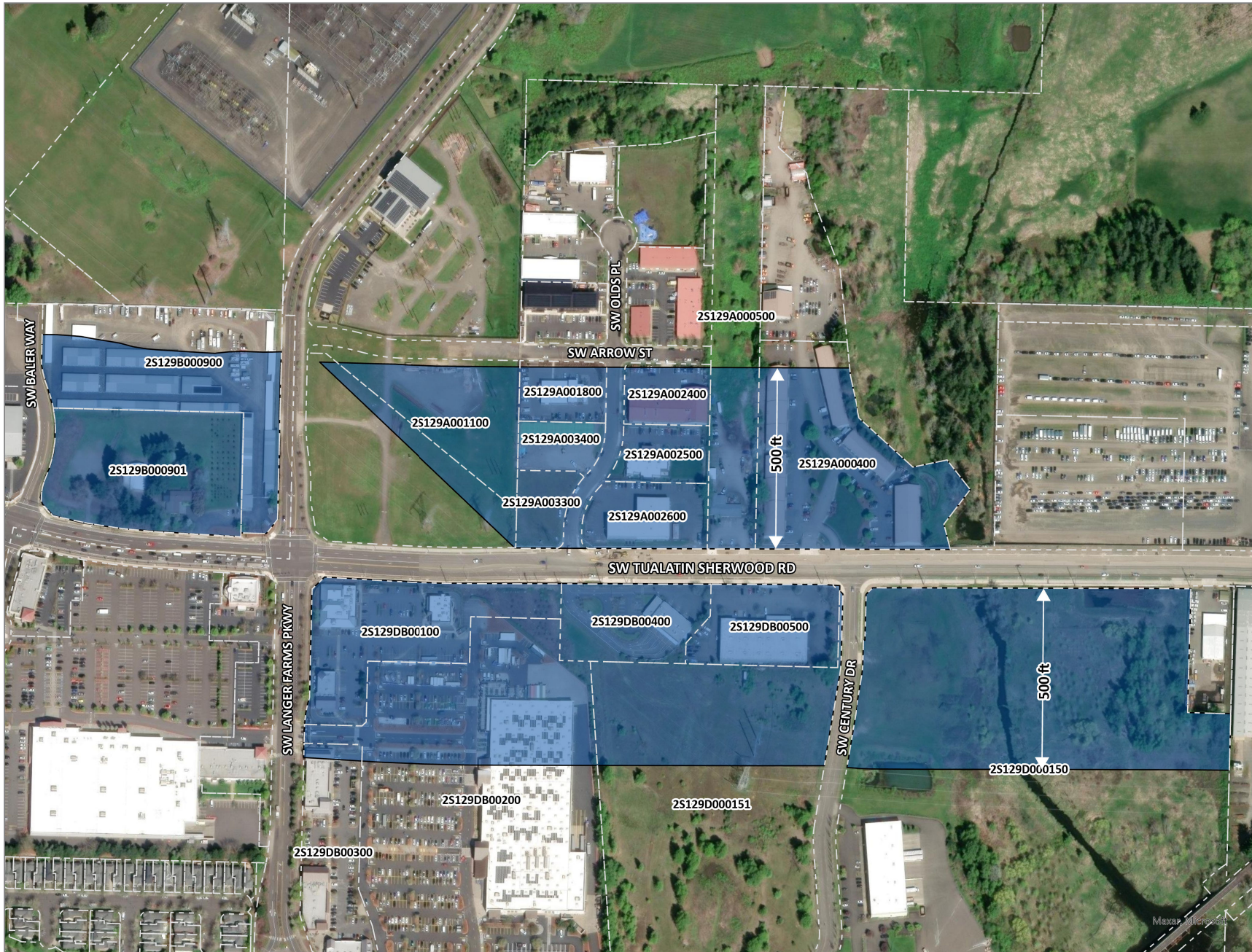
Next Steps

- The applicant will formally submit the request to the Sherwood Planning Department.
- The Sherwood Planning Department will review the application and schedule hearings by the Planning Commission and the City Council.
- The Planning Commission will review the application, hold a public hearing, and make a recommendation to the City Council.
- The City Council will review the application, hold a public hearing, and decide whether to approve or deny the applicant's request.
- If the City Council agrees to amend the SZCDC as requested, property owners in the affected area would then have the ability to seek a Conditional Use Permit and Site Plan Review, which the Planning Commission would review to ensure compliance with the food cart pod rules in Chapter 16.39.

**Plan Text Amendment
Affected Area
Sherwood, Oregon**

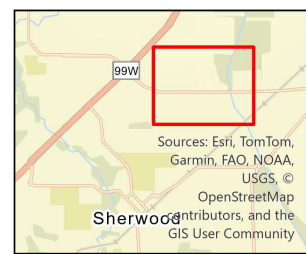
LEGEND

- Light Industrial Zone
- Tax Lots



SOURCE DATA: Metro RUS Life Base Data, June 2025
GEOGRAPHIC PROJECTION: NAD 83 HARN, Oregon North Lambert Conformal Conic

Date: 9/11/2025 Map Created By: AAF
File: SherwoodFoodCartExploratoryMappingv2 Project No: 2250232.00



MACKENZIE.

P 503.224.9560 • F 503.228.1285 • W MCKENZIE.COM
RiverEast Center, 1515 SE Water Avenue, #100, Portland, OR 97214
Portland, Oregon • Vancouver, Washington • Seattle, Washington

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PROJECT NUMBER: 2250232.00 ISSUE DATE: November 3, 2025
PROJECT NAME: Sherwood Food Cart Pod

RECORDED BY: Chelsey Reinoehl, Land Use Planner
TO: City of Sherwood Planning Staff
PRESENT: Chelsey Reinoehl, Brian Varricchione – Mackenzie

SUBJECT: Food Cart Pod Plan Text Amendment Neighborhood Meeting (October 30, 2025)

PURPOSE OF MEETING NOTES

These meeting notes have been prepared to identify discussion topics from the Food Cart Pod Plan Text Amendment neighborhood meeting held on October 30, 2025. Sherwood Zoning and Community Development Code 16.70.020 specifies that the notes shall include a summary of issues raised.

MEETING INFORMATION

Neighborhood Meeting
Thursday, October 30, 2025 (6:00 PM)
Majorie Stewart Senior Community Center
21907 SW Sherwood Boulevard
Sherwood, OR 97140

PRESENTATION TOPIC

This meeting was scheduled with the intention of discussing the proposed text amendment to allow food cart pods within a portion of the Light Industrial zone. None of the notified neighbors opted to attend the meeting.

DISCUSSION

There were no attendees at the meeting.

Enclosure(s): Attachment A – Sign-in sheet
Attachment B – Meeting agenda
Attachment C – Meeting graphics

NEIGHBORHOOD MEETING SIGN IN SHEET

Proposed Project: Food Cart Pod Plan Text Amendment for LI properties within 500 feet of Tualatin-Sherwood Road

Proposed Project Location: LI zone within 500 feet of Tualatin-Sherwood Road

Project Contact: Mackenzie, Att: Brian Varricchione, (503) 224-9560, bvarricchione@mcknze.com

Meeting Location: Marjorie Stewart Senior Community Center

Meeting Date: October 30, 2025

Name	Address	E-Mail	Please identify yourself (check all that apply)			
			Resident	Property owner	Business owner	Other
(No members of the public attended the meeting.)						

MEETING AGENDA

W MACKENZIE.INC

PROJECT NUMBER: 2250232.00

TODAY'S DATE: October 30, 2025

PROJECT NAME: Sherwood Food Cart Pod

MEETING DATE: October 30, 2025

MEETING TIME: 6:00 PM

MEETING PLACE: Marjorie Stewart Senior Community Center
21907 SW Sherwood Blvd
Sherwood, OR 97140

PARTICIPANTS: Affected property owners and interested parties

FACILITATOR: Mackenzie

SUBJECT: Neighborhood Meeting for Plan Text Amendment

I. INTRODUCTIONS

II. DESCRIPTION OF PROPOSAL

III. DISCUSSION & QUESTIONS BY MEETING ATTENDEES

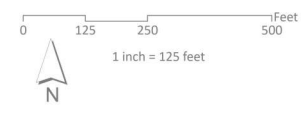
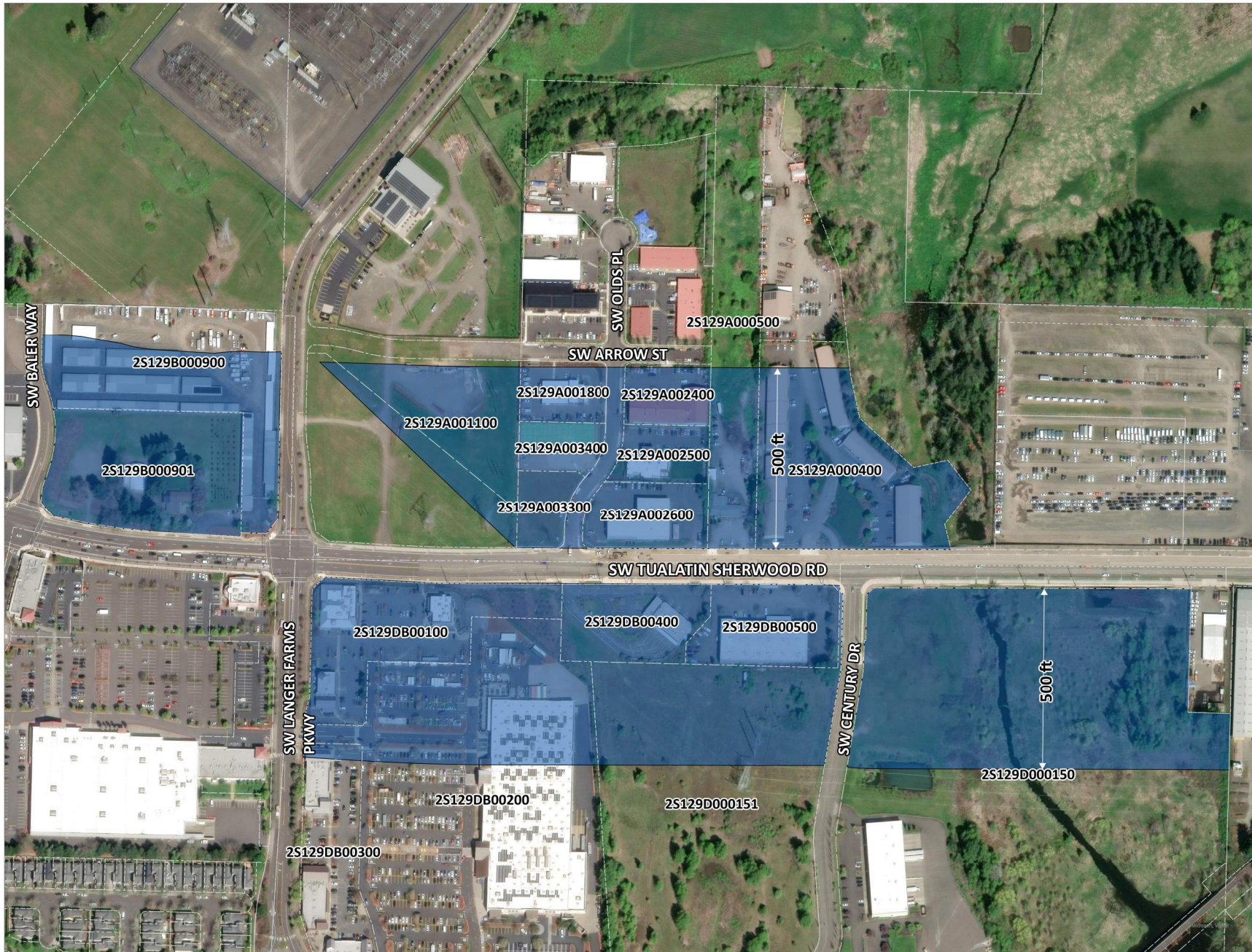
IV. NEXT STEPS

c: Participants

**Plan Text Amendment
Affected Area
Sherwood, Oregon**

LEGEND

- Light Industrial Zone
- Tax Lots

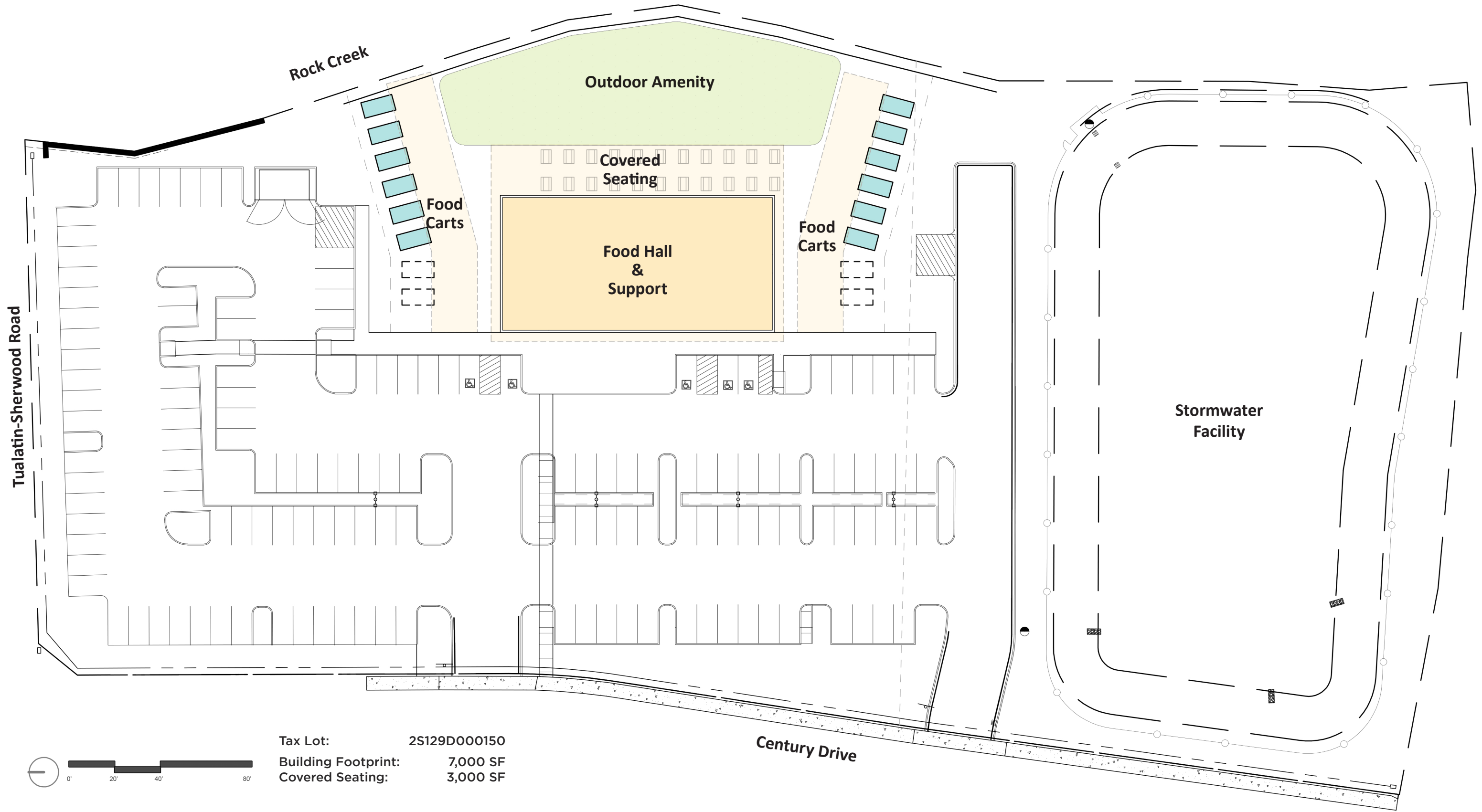


SOURCE DATA: Metro RLS Life Base Data, June 2025
 GEOGRAPHIC PROJECTION: NAD 83 HARN, Oregon North Lambert Conformal Conic
 Date: 9/11/2025 Map Created By: AAF
 File: SherwoodFoodCart Project No: 2250232.00



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Tax Lot: 2S129D000150
 Building Footprint: 7,000 SF
 Covered Seating: 3,000 SF



National Wetlands inventory map



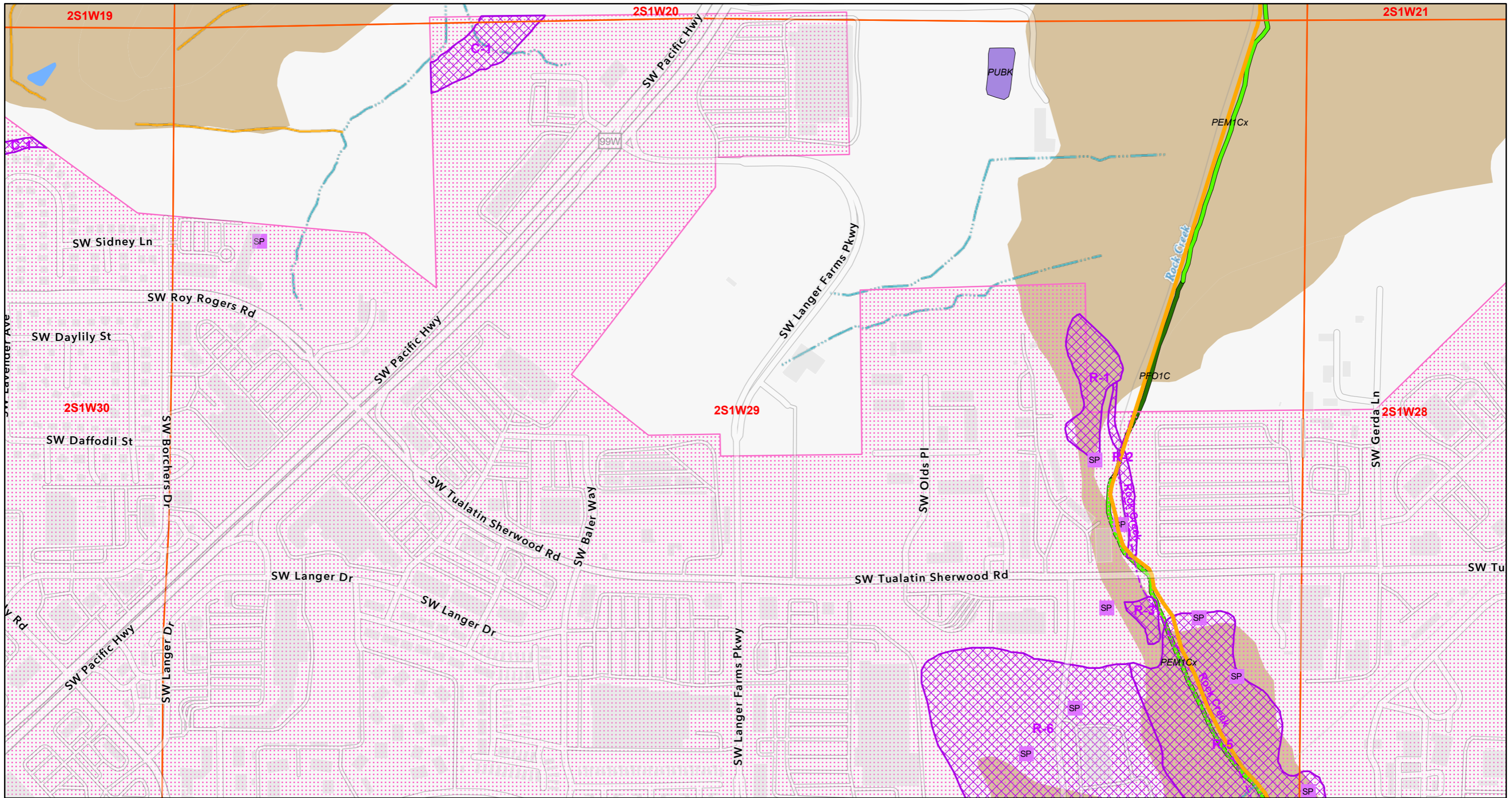
February 17, 2026

Wetlands

- | | | |
|--|---|--|
|  Estuarine and Marine Deepwater |  Freshwater Emergent Wetland |  Lake |
|  Estuarine and Marine Wetland |  Freshwater Forested/Shrub Wetland |  Other |
| |  Freshwater Pond |  Riverine |

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

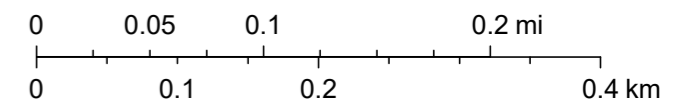
Statewide Wetlands Inventory



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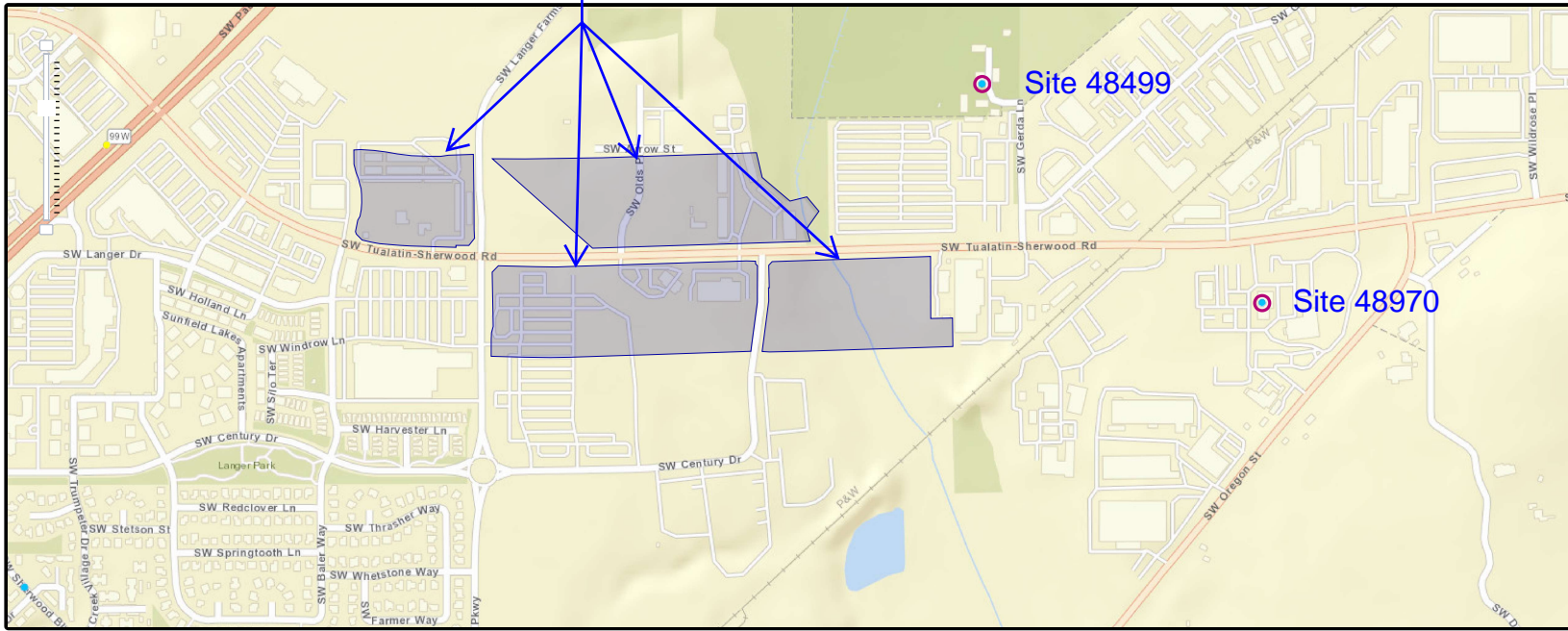
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|---------------------------------|-----------------------|-----------------------------------|------------------------------------|
| Sections | LWI Wetlands polygons | Canal Ditch | Freshwater Pond |
| Essential Salmonid Habitat 2025 | LWI Study Area | NHD Waterbody | SWI Predominantly Hydric Map Units |
| LWI Sample Plot points | Large Scale | Freshwater Emergent Wetland | |
| LWI Stream Lines | Perennial | Freshwater Forested/Shrub Wetland | |
| | Intermittent | | |



Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community, USGS TNM – National Hydrography Dataset. Data Refreshed January, 2026.

Approximate area affected by proposed Plan Text Amendment

Oregon Historic Sites Map



Select Sites / Legend

Select

Legend

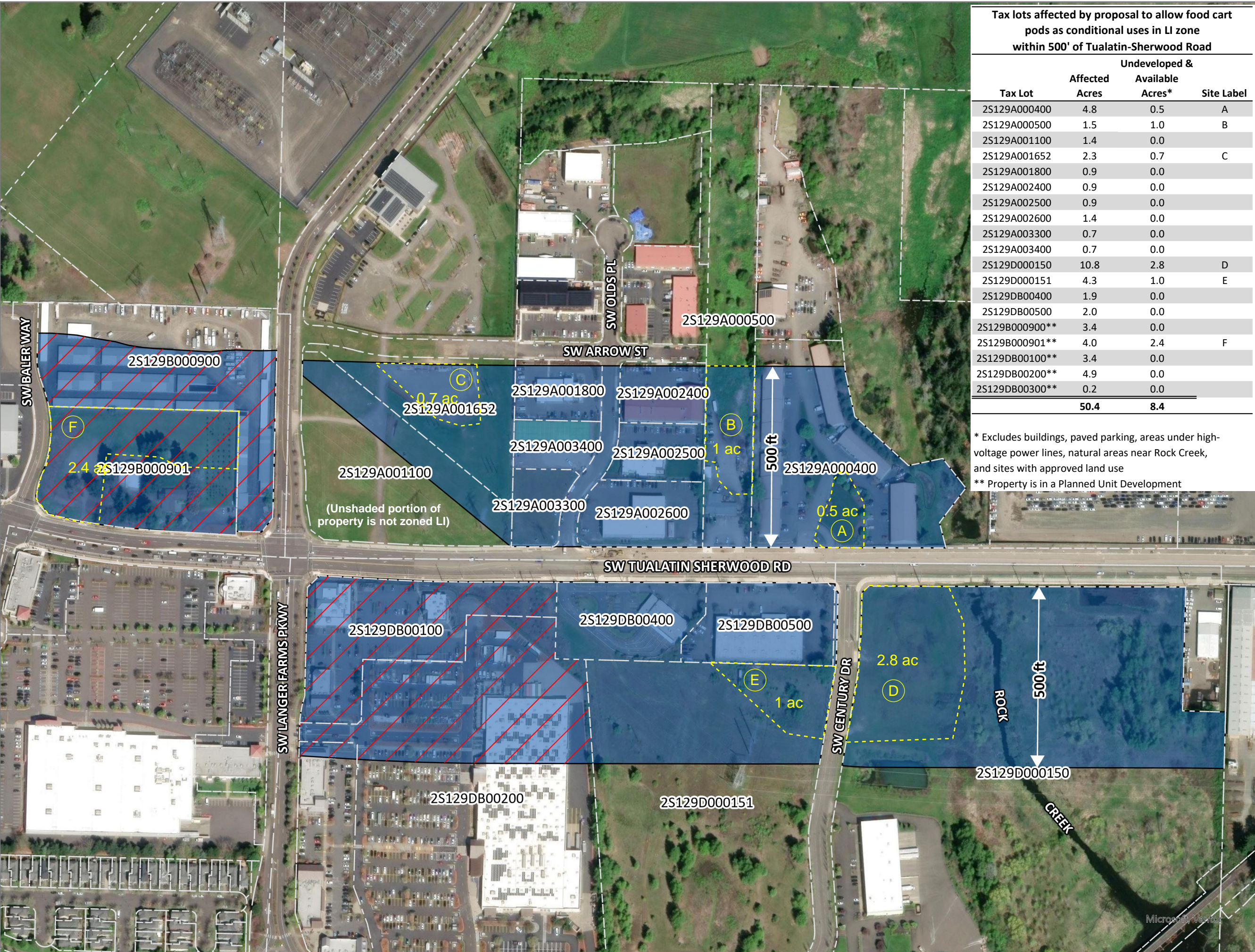
- Eligible/Listed
- Eligible
- Not Eligible/Listed
- Not Eligible
- Undetermined/Listed
- Undetermined
- Demolished/Listed
- Demolished

Measurement

Switch Basemap

	Resource ID	Name	Address	City	County	Eligibility	Nat. Register Status	Yr Built
	48499	Cereghinos Barn	Edy Rd	Sherwood	Washington	eligible/contributing		c.1928
	48970	Eldridge, Fredricka, House	13980 SW Tualatin-Sherwood Rd	Sherwood	Washington	eligible/contributing		c.1875

Plan Text Amendment Affected Area Sherwood, Oregon



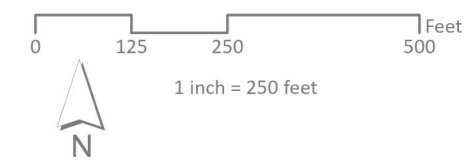
Tax lots affected by proposal to allow food cart pods as conditional uses in LI zone within 500' of Tualatin-Sherwood Road

Tax Lot	Affected Acres	Undeveloped & Available Acres*	Site Label
2S129A000400	4.8	0.5	A
2S129A000500	1.5	1.0	B
2S129A001100	1.4	0.0	
2S129A001652	2.3	0.7	C
2S129A001800	0.9	0.0	
2S129A002400	0.9	0.0	
2S129A002500	0.9	0.0	
2S129A002600	1.4	0.0	
2S129A003300	0.7	0.0	
2S129A003400	0.7	0.0	
2S129D000150	10.8	2.8	D
2S129D000151	4.3	1.0	E
2S129DB00400	1.9	0.0	
2S129DB00500	2.0	0.0	
2S129B000900**	3.4	0.0	
2S129B000901**	4.0	2.4	F
2S129DB00100**	3.4	0.0	
2S129DB00200**	4.9	0.0	
2S129DB00300**	0.2	0.0	
TOTAL	50.4	8.4	

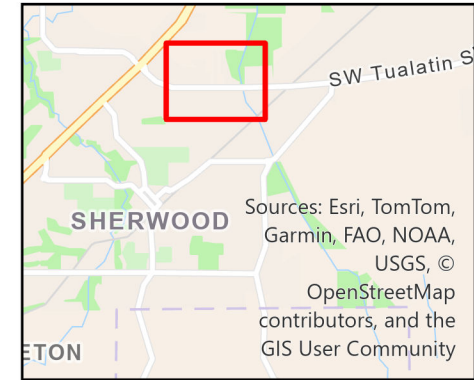
* Excludes buildings, paved parking, areas under high-voltage power lines, natural areas near Rock Creek, and sites with approved land use
 ** Property is in a Planned Unit Development

LEGEND

- Light Industrial Zone
- Sites in Planned Unit Developments
- Tax Lots
- Site with undeveloped area that could potentially accommodate a food cart pod



SOURCE DATA: Metro RLIS Lite Base Data, June 2025
 GEOGRAPHIC PROJECTION: NAD 83 HARN, Oregon North Lambert Conformal Conic
 Date: 11/12/2025
 File: SherwoodFoodCartMapping
 Map Created By: AAF
 Project No: 2250232.00



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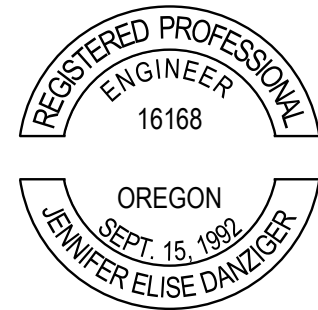
RiverEast Center, 1515 SE Water Avenue, #100, Portland, OR 97214
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Portland, OR 97205
503.248.0313
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Memorandum

To: City of Sherwood
Copy: Mackenzie
From: Jennifer Danziger, PE
Date: December 9, 2025
Subject: Zoning Code Amendment - Food Cart Pods
Transportation Planning Rule Analysis



RENEWS: 12/31/2025

Introduction

A zone code amendment is proposed for Chapter 16.31 – Industrial Land Use Districts of the Sherwood Municipal Code (SMC). The amendment would add Food Cart Pods as a conditional use in the Light Industrial (LI) zone. It includes language consistent with Food Cart Pods in other zones but includes a further restriction that limits the location of the use in LI zones to within 500 feet of Tualatin-Sherwood Road.

This memorandum details the potential trip generation associated with the proposed amendment and evaluates the criteria of the Oregon Transportation Planning Rule. Detailed information on trip generation calculations and are included as attachments to this report.

Location Description

Figure 1 presents an aerial image of the areas where the proposed amendment would apply. The undeveloped available acreage where food cart pods could potentially be developed are outlined with a dashed yellow line.

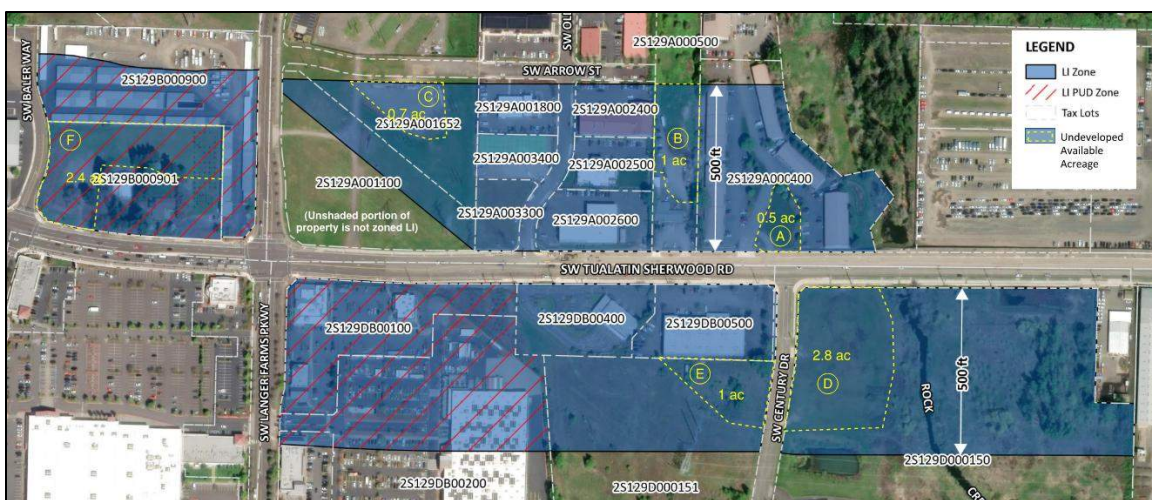


Figure 1: Project Location (Source: Mackenzie)

There are six potential areas where a food cart pod could be sited. Table 1 lists the areas by tax lot number and shows the undeveloped and available acreage for each lot.

Table 1: Potential Areas for Food Cart Pods

Site	Tax Lot	Acres	Zoning
A	2S129A000400	0.5	LI
B	2S129A000500	1.0	LI
C	2S129A001652	0.7	LI
D	2S129D000150	2.8	LI
E	2S129D000151	1.0	LI
F	2S129B000901	2.4	LI-PUD
	Total	8.4	-

Potential Development Assumptions

The Transportation Planning Rule (TPR) is in place to ensure that the transportation system can support possible increases in traffic intensity that could result from changes to adopted plans and land-use regulations. The TPR requires an analysis of a reasonable worst-case development scenario of the site under existing and proposed zoning.

Existing Zoning Code Scenarios

Because the proposed zoning amendments would allow food cart pods as a conditional use, the potential development assumptions for the worst-case development scenarios consider other conditional uses in the LI Zone. Chapter 16.31 of the SMC currently allows Office as a permitted use and Retail (limited options), Personal Services, and Restaurant (no drive-through) as conditional uses in the LI Zone.

Potential development scenarios were developed for each site listed in Table 1 with undeveloped acreage based on the following assumptions:

- 20 percent of the developable area will be dedicated to supporting infrastructure and setbacks
- Potential site development options provide the minimum parking standards required in Table 1 of Chapter 16.94.020 - Off-Street Parking Standards of the SMC
- The average parking space requires 400 square feet (SF), which accounts for the parking space, drive aisles, and landscaping requirements
- Non-industrial uses are limited in size to 5,000 SF in a single outlet and no more than 20,000 SF in multiple outlets in the same development project
- The remainder of the site will be developed as general light industrial land use with a lot coverage of 50 percent and a minimum building size of 5,000 SF



Using these assumptions for potential development scenarios for each site in Table 1 were developed including:

- Office
- Retail strip with a mix of sales and personal services
- Restaurant – assumed to be sit-down with table service
- Mixed use – retail strip with up to 5,000 SF of restaurant assumed to be sit-down with no or limited table service

Table 2 summarizes the development scenarios under existing zoning for each site with developable area based on the assumptions outlined above. Attachment A includes more detailed calculations for each site and development scenario.

Table 2: Potential Development Scenarios Under Existing Zoning

Site	Undeveloped & Available		Building Size (SF)			
	Tax Lot	Acres	Office/ Industrial	Retail/ Industrial	Restaurant/ Industrial	Mixed Use/ Industrial
A	2S129A000400	0.5	8,370 / 0	6,590 / 0	2,440 / 0	3,930 / 0
B	2S129A000500	1.0	16,750 / 0	13,200 / 0	4,890 / 0	7,860 / 0
C	2S129A001652	0.7	11,720 / 0	9,230 / 0	3,420 / 0	5,500 / 0
D	2S129D000150	2.8	20,000 / 34,990	20,000 / 27,990	13,700 / 0	20,000 / 13,990
E	2S129D000151	1.0	16,750 / 0	13,200 / 0	4,890 / 0	7,860 / 0
F	2S129B000901	2.4	20,000 / 26,270	20,000 / 19,270	11,740 / 0	18,860 / 7,950

Proposed Zoning Code Scenarios

The proposed zoning code amendments would allow the development of food cart pods that conform to the standards and criteria for Food Cart Pods in Chapter 16.39 and are limited to a total area of 20,000 SF.

Development of potential scenarios focused on food carts used the same assumptions outlined for the existing zoning code scenarios. Additionally, observations of other food cart pods (Happy Valley Station, BGs Food Cartel in Beaverton, Midtown Beer Garden in Portland, Hawthorne Asylum Food Cart Pod in Portland, Piknik Park in Sellwood, Breakside Food Carts in Beaverton) were used to estimate an average area per cart including shared spaces. The average areas ranged from approximately 900 SF per cart to 1,200 SF per cart. For a conservative estimate in this analysis an average area of 900 SF per cart was assumed with the following breakdown:

- 200 SF per food cart, which assumes cart size of approximate 10 feet x 20 feet.
- 200 SF per food cart dedicated to seating (covered and/or uncovered, rest areas, etc.) assuming a minimum of 5 carts in a pod for a minimum of 1,000 SF
- 500 SF per food cart for storage, circulation, and access



Table 3 presents the development scenarios with the proposed zoning code amendments to allow food carts for each site with developable area based on the assumptions outlined above. Attachment A includes more detailed calculations for each site for the food cart development scenario.

Table 3: Potential Development Scenarios Under Proposed Zoning

Site	Undeveloped & Available		Food Carts	Covered Area (SF)	Industrial Building (SF)
	Tax Lot	Acres			
A	2S129A000400	0.5	10	2,000	0
B	2S129A000500	1.0	20	4,000	0
C	2S129A001652	0.7	14	2,800	0
D	2S129D000150	2.8	22	4,400	37,610
E	2S129D000151	1.0	20	4,000	0
F	2S129B000901	2.4	22	4,400	28,900

Trip Estimates

Assumptions

To compare trips that could be generated by the proposed zoning code amendments versus the current zoning code, trip rates from the *Trip Generation Manual*¹ (TGM) were used based on either square footage of gross floor area or number of food carts. The following land use codes (LUC) were used in the estimates:

- LUC 110 – General Light Industrial – used for industrial buildings in any scenario
- LUC 710 – General Office Building or LUC 712 – Small Office Building – used for Office scenarios
- LUC 822 – Strip Retail Plaza (<40k) – used for Retail scenarios and Mixed-Use scenarios
- LUC 926 – Food Cart Pods – used for Food Cart Scenarios
- LUC 930 – Fast Casual Restaurant – used for Mixed Use scenarios
- LUC 932 – High-Turnover (Sit-Down) Restaurant – used for Restaurant Scenarios

Some of the land uses will have pass-by trips (trips that are already on the adjacent roadway network). The following pass-by rates were used based on the 2025 data in the current TGM or the most similar use with data available:

- LUC 822 – Strip Retail Plaza (<40k) – 40 percent pass-by trips based on closest use - LUC 821 – Shopping Plaza (40-150k)
- LUC 926 – Food Cart Pods – 49 percent pass-by trips based on average of LUC 932- High-Turnover (Sit-Down) Restaurant and LUC 934 – Fast Food Restaurant with Drive-Through Window

¹ Institute of Transportation Engineers (ITE), *Trip Generation Manual*, 12th Edition, 2025.



- LUC 930 – Fast Casual Restaurant – 43 percent pass-by trips based on LUC 932- High-Turnover (Sit-Down) Restaurant
- LUC 932 – High-Turnover (Sit-Down) Restaurant – 43 percent pass-by trips

Trip Comparison

After completing the calculations for all scenarios, the mixed-use retail/restaurant scenario was consistently the highest trip generator following the existing zoning code. Therefore, the mixed-use scenario served as the basis for the comparison with the food cart pod scenario in Table 4. Trip estimates are compared for the PM peak hour and the average weekday. Detailed trip estimates, including the AM peak hour, and comparisons for each potential developable area are included in Attachment B.

Table 4: Trip Generation Comparison for Existing and Proposed Zoning (Sites A-C)

ITE Code	SITE A - Tax Lot 2S129A000400			SITE B - Tax Lot 2S129D000150			SITE C - Tax Lot 2S129A001652		
	Size	PM Trips	Weekday Trips	Size	PM Trips	Weekday Trips	Size	PM Trips	Weekday Trips
Existing Zoning Code									
110 - General Light Industrial	0 SF	0	0	0 SF	0	0	0 SF	0	0
822 - Strip Retail Plaza (<40k)	2,358 SF	15	128	4,716 SF	30	256	3,300 SF	21	180
<i>Pass-By Trips (40%)</i>	-	-6	-52	-	-12	-102	-	-8	-72
Primary Trips	-	9	76	-	18	154	-	13	108
930 - Fast Casual Restaurant	1,572 SF	23	356	3,144 SF	45	710	2,200 SF	32	496
<i>Pass-By Trips (43%)</i>	-	-10	-154	-	-20	-306	-	-14	-214
Primary Trips	-	13	202	-	25	404	-	18	282
Total Primary Trips	-	22	278	-	43	558	-	31	390
Proposed Zoning Code									
110 - General Light Industrial	0 SF	0	0	0 SF	0	0	0 SF	0	0
926 - Food Cart Pods	10 Carts	62	734	20 Carts	123	1,468	14 Carts	86	1,028
<i>Pass-By Trips (43%)</i>	-	-30	-360	-	-60	-720	-	-42	-504
Primary Trips	-	32	374	-	63	748	-	44	524
Total Primary Trips	-	32	374	-	63	748	-	44	524
Net Change									
Proposed - Existing	-	10	96	-	20	190	-	13	134



Table 4: Trip Generation Comparison for Existing and Proposed Zoning (Sites D-F)

ITE Code	SITE D - Tax Lot 2S129D000150			SITE E - Tax Lot 2S129D000151			SITE F - Tax Lot 22S129B000901		
	Size	PM Trips	Weekday Trips	Size	PM Trips	Weekday Trips	Size	PM Trips	Weekday Trips
Existing Zoning Code									
110 - General Light Industrial	11,190 SF	5	40	0 SF	0	0	7,950 SF	4	28
822 - Strip Retail Plaza (<40k)	15,000 SF	94	816	4,716 SF	30	256	14,145 SF	89	770
<i>Pass-By Trips (40%)</i>	-	-38	-326	-	-12	-102	-	-36	-308
Primary Trips	-	56	490	-	18	154	-	53	462
930 - Fast Casual Restaurant	5,000 SF	72	1,130	3,144 SF	45	710	4,715 SF	68	1,066
<i>Pass-By Trips (43%)</i>	-	-30	-486	-	-20	-306	-	-30	-458
Primary Trips	-	42	644	-	25	404	-	38	608
Total Primary Trips	-	103	1,174	-	43	558	-	95	1,098
Proposed Zoning Code									
110 - General Light Industrial	36,710 SF	18	132	0 SF	0	0	28,900 SF	14	104
926 - Food Cart Pods	22 Carts	136	1,614	20 Carts	123	1,468	22 Carts	136	1,614
<i>Pass-By Trips (43%)</i>	-	-66	-790	-	-60	-720	-	-66	-790
Primary Trips	-	70	824	-	63	748	-	70	824
Total Primary Trips	-	88	956	-	63	748	-	84	928
Net Change									
Proposed - Existing	-	-15	-218	-	20	190	-	-11	-170

For each site, the potential trip generation for the reasonable worst-case scenario under the existing zoning code was subtracted from the reasonable worst-case scenario with the proposed zoning code amendments. For the four smaller sites, the scenarios with the proposed zoning code were estimated to generate a greater number of trips than the existing zoning code. For the two larger sites, the trip generation under the existing code was greater than the proposed zoning code.

Worst-Case Scenario

Although there are six sites that could potentially develop with food carts under the proposed zoning code amendments, it is unlikely that more than two sites would concurrently support a food cart pod. Therefore, to develop a worst-case scenario for the TPR evaluation, the net change for two sites, B and E, were combined, as shown in Table 5. The result is a potential net increase of 40 PM peak hour trips and 380 daily trips.



Table 5: Worst-Case Trip Generation Calculation

Undeveloped & Available			Existing Zoning Code		Proposed Zoning Code		Net Change	
Site	Tax Lot	Acres	PM Trips	Weekday Trips	PM Trips	Weekday Trips	PM Trips	Weekday Trips
A	2S129A000400	0.5	22	278	32	374	10	96
B	2S129A000500	1.0	43	558	63	748	20	190
C	2S129A001652	0.7	31	390	44	524	13	134
D	2S129D000150	2.8	103	1,174	88	956	-15	-218
E	2S129D000151	1.0	43	558	63	748	20	190
F	2S129B000901	2.4	95	1,098	84	928	-11	-170
Worst-Case (Sites B + E)							40	380

Transportation Planning Rule Findings

The applicable elements of the TPR are each quoted directly in italics below, with responses following.

OAR 660-012-0060

(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: Subsection (a) is not triggered because the functional classification of an existing or planned transportation facility is not changed by the proposal.

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

Response: Subsection (b) is not triggered because the standards for implementing a functional classification system are not changed by the proposal.

(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:

Regarding paragraph (A), five of the six areas that could potentially accommodate a food cart pod would take access from a Collector Street while the sixth would share an access on SW Tualatin-Sherwood Road with existing development. According to the Sherwood Transportation System Plan (TSP)², “collector streets provide both access and circulation within and between residential and commercial/industrial areas.” As a commercial use, the proposed food cart pods are an appropriate use along a collector street. The potential PM peak hour trip generation with a food cart pod on any of these sites is estimated to be 20 trips or less compared with other conditional uses that could be developed on these sites. Thus, the level of travel will remain consistent with the collector classification of these roadways. Although Site A could share a direct access on SW Tualatin-Sherwood Road, the potential increase of 10 PM peak hour trips and 140 daily trips over other conditional uses that could be developed is nominal compared with the nearly 19,000 vehicles per day that travel in the corridor.

Regarding paragraphs (B) and (C), neither the City of Sherwood nor Washington County have a defined threshold that can be used to determine when a project is likely to degrade the performance of a facility. However, the Oregon Department of Transportation (ODOT) defines a threshold at which a project would “significantly affect” a transportation facility in relation to mobility targets. This threshold is detailed in the Oregon Highway Plan (OHP) Action 1F.5, with the relevant sections quoted below:

If an amendment subject to OAR 660-012-0060 increases the volume to capacity ratio further or degrades the performance of a facility so that it does not meet an adopted mobility target at the planning horizon, it will significantly affect the facility unless it falls within the thresholds listed below for a small increase in traffic.

...

The threshold for a small increase in traffic between the existing plan and the proposed amendment is defined in terms of the increase in total average daily trip volumes as follows:

- Any proposed amendment that does not increase the average daily trips by more than 400.

This volume has been accepted by many agencies as a reasonable threshold for determining whether additional traffic analysis is needed to understand the consequences of the proposed amendment.

As described in the Trip Generation section, the net increase for the worst-case scenario where two potential sites are developed with food cart pods is estimated at 380 trips with the proposed zoning code changes. This daily trip generation is below the 400-trip impact threshold that is considered a small increase in traffic.

² City of Sherwood, 2014 Sherwood Transportation System Plan (Adopted June 17, 2014).



Therefore, the proposed zoning code amendments will not cause further degradation of the nearby transportation facilities.

Based on this assessment, no TPR analysis that includes future-year traffic operations will be required and the proposed text amendment will not significantly affect a transportation facility.

Conclusion

Based on this comparison of reasonable worst case trip generation, the existing and planned transportation system can accommodate the proposed zoning code amendments and the TPR criteria are satisfied. Therefore, no long-term analysis of traffic operations in the study area is warranted as part of the proposed code amendment.



Attachment A

Potential Development Scenarios Detailed Calculations



Potential Sites for Food Cart Development

Undeveloped & Available					20% Misc.	Cart Area Capped at 20,000 SF						Other	
Site	Tax Lot	Acres	Zone	SF		Max Carts	Allowed Carts	Building Size (SF)	Total Cart Area (SF)	Parking Spaces	Total Area (SF)	Available Area	Building Size (SF)
A	2S129A000400	0.5	LI	21,780	4,360	10	10	2,000	9,000	20	21,250	0	0
B	2S129A000500	1.0	LI	43,560	8,710	20	20	4,000	18,000	40	42,500	0	0
C	2S129A001652	0.7	LI	30,490	6,100	14	14	2,800	12,600	28	29,750	0	0
D	2S129D000150	2.8	LI	121,970	24,390	57	22	4,400	19,800	44	46,750	75,220	37,610
E	2S129D000151	1.0	LI	43,560	8,710	20	20	4,000	18,000	40	42,500	0	0
F	2S129B000901	2.4	LI-PUD	104,540	20,910	49	22	4,400	19,800	44	46,750	57,790	28,900
Total		8.4											

Area Assumptions (SF)

- 200 Minimum area per food cart (~10x20)
- 500 Storage + other miscellaneous outdoor space
- 200 Building area per food cart (based on min 1000 per 5 carts)
- 400 Area per parking space
- 1,700 Total per cart

Parking Requirement 2 per cart

Potential Sites for Food Cart Development - Office Use

Undeveloped & Available					20% Misc.	Building Area Capped at 20,000 SF				Other Industrial	
						Max Units	Building Size (SF)	Parking Spaces	Total Area (SF)	Available Area (SF)	Building Size (SF)
Site	Tax Lot	Acres	Zone	SF							
A	2S129A000400	0.5	LI	21,780	4,360	8.37	8,370	23	21,760	0	0
B	2S129A000500	1.0	LI	43,560	8,710	16.75	16,750	46	43,550	0	0
C	2S129A001652	0.7	LI	30,490	6,100	11.72	11,720	32	30,470	0	0
D	2S129D000150	2.8	LI	121,970	24,390	20.00	20,000	54	52,000	69,970	34,990
E	2S129D000151	1.0	LI	43,560	8,710	16.75	16,750	46	43,550	0	0
F	2S129B000901	2.4	LI-PUD	104,540	20,910	20.00	20,000	54	52,000	52,540	26,270
Total		8.4									

Area Assumptions (SF)

- 1,000 Building Unit
- 400 Area per parking space
- 2,080

Parking Requirement 2.7 per KSF

Potential Sites for Food Cart Development - Retail Use

Undeveloped & Available					20% Misc.	Building Area Capped at 20,000 SF				Other Industrial	
						Max Units	Building Size (SF)	Parking Spaces	Total Area (SF)	Available Area (SF)	Building Size (SF)
Site	Tax Lot	Acres	Zone	SF							
A	2S129A000400	0.5	LI	21,780	4,360	6.59	6,590	18	21,750	0	0
B	2S129A000500	1.0	LI	43,560	8,710	13.20	13,200	36	43,560	0	0
C	2S129A001652	0.7	LI	30,490	6,100	9.23	9,230	25	30,460	0	0
D	2S129D000150	2.8	LI	121,970	24,390	20.00	20,000	54	66,000	55,970	27,990
E	2S129D000151	1.0	LI	43,560	8,710	13.20	13,200	36	43,560	0	0
F	2S129B000901	2.4	LI-PUD	104,540	20,910	20.00	20,000	54	66,000	38,540	19,270
Total		8.4									

Area Assumptions (SF)

- 1,000 Building Unit
- 400 Area per parking space
- 2,640

Parking Requirement 4.1 per KSF

Potential Sites for Food Cart Development - Restaurant Use

Undeveloped & Available					20% Misc.	Building Area Capped at 20,000 SF				Other Industrial	
						Max Units	Building Size (SF)	Parking Spaces	Total Area (SF)	Available Area (SF)	Building Size (SF)
Site	Tax Lot	Acres	Zone	SF							
A	2S129A000400	0.5	LI	21,780	4,360	2.44	2,440	7	21,720	0	0
B	2S129A000500	1.0	LI	43,560	8,710	4.89	4,890	14	43,520	0	0
C	2S129A001652	0.7	LI	30,490	6,100	3.42	3,420	10	30,440	0	0
D	2S129D000150	2.8	LI	121,970	24,390	13.70	13,700	37	121,930	0	0
E	2S129D000151	1.0	LI	43,560	8,710	4.89	4,890	14	43,520	0	0
F	2S129B000901	2.4	LI-PUD	104,540	20,910	11.74	11,740	32	104,490	0	0
Total		8.4									

Area Assumptions (SF)

- 1,000 Building Unit
- 400 Area per parking space
- 7,120

Parking Requirement 15.3 per KSF

Potential Sites for Food Cart Development - Mixed Retail/Restaurant

Undeveloped & Available					20% Misc.	Building Area Capped at 20,000 SF				Other Industrial		Rest. % Misc.
Site	Tax Lot	Acres	Zone	SF		Max Units	Building Size (SF)	Parking Spaces	Total Area (SF)	Available Area (SF)	Building Size (SF)	
A	2S129A000400	0.5	LI	21,780	4,360	3.93	3,930	11	18,470	0	0	40%
B	2S129A000500	1.0	LI	43,560	8,710	7.86	7,860	22	36,940	0	0	40%
C	2S129A001652	0.7	LI	30,490	6,100	5.50	5,500	15	25,850	0	0	40%
D	2S129D000150	2.8	LI	121,970	24,390	20.00	20,000	54	94,000	27,970	13,990	25%
E	2S129D000151	1.0	LI	43,560	8,710	7.86	7,860	22	36,940	0	0	40%
F	2S129B000901	2.4	LI-PUD	104,540	20,910	18.86	18,860	51	88,640	15,900	7,950	25%
		8.4										

Area Assumptions (SF)

- 1,000 Building Unit
- 400 Area per parking space
- 3,760 25%
- 3,984 30%
- 4,208 35%
- 4,432 40%

Parking Requirement 15.3 per KSF Restaurant
 Parking Requirement 4.1 per KSF Retail
 Percent Restaurant 25-40%

Attachment B

Trip Generation Estimates Summaries and Detailed Calculations



SITE A
Tax Lot 2S129A000400

ITE Code	Intensity		Morning Peak Hour			Evening Peak Hour			Daily Trips
			In	Out	Total	In	Out	Total	
Existing Zoning									
712 - Small Office Building	8.370	1000 SF GFA	12	2	14	6	12	18	120
822 - Strip Retail Plaza (<40k)	6.590	1000 SF GFA	14	12	26	21	20	41	358
<i>Pass-By Trips</i>	40%		-5	-5	-10	-8	-8	-16	-144
Primary Trips			9	7	16	13	12	25	214
932 - High-Turnover (Sit-Down) Restaurant	2.440	1000 SF GFA	12	10	22	13	9	22	254
<i>Pass-By Trips</i>	43%		-5	-5	-10	-5	-5	-10	-110
Primary Trips			7	5	12	8	4	12	144
822 - Strip Retail Plaza (<40k)	2.358	1000 SF GFA	5	4	9	8	7	15	128
<i>Pass-By Trips</i>	40%		-2	-2	-4	-3	-3	-6	-52
Primary Trips			3	2	5	5	4	9	76
930 - Fast Casual Restaurant	1.572	1000 SF GFA	1	1	2	13	10	23	356
<i>Pass-By Trips</i>	43%		0	0	0	-5	-5	-10	-154
Primary Trips			1	1	2	8	5	13	202
Total Primary Trips			4	3	7	13	9	22	278
Proposed Zoning									
926 - Food Cart Pods	10.000	Food Carts	12	6	18	31	31	62	734
<i>Pass-By Trips</i>	49%		-4	-4	-8	-15	-15	-30	-360
Primary Trips			8	2	10	16	16	32	374

SITE B
Tax Lot 2S129D000150

ITE Code	Intensity		Morning Peak Hour			Evening Peak Hour			Daily Trips
			In	Out	Total	In	Out	Total	
Existing Zoning									
710 - General Office Building	16.750	1000 SF GFA	18	3	21	3	17	20	132
822 - Strip Retail Plaza (<40k)	13.200	1000 SF GFA	29	23	52	42	41	83	718
<i>Pass-By Trips</i>	40%		-10	-10	-20	-17	-17	-34	-288
Primary Trips			19	13	32	25	24	49	430
932 - High-Turnover (Sit-Down) Restaurant	4.890	1000 SF GFA	24	20	44	27	18	45	508
<i>Pass-By Trips</i>	43%		-9	-9	-18	-10	-10	-20	-218
Primary Trips			15	11	26	17	8	25	290
822 - Strip Retail Plaza (<40k)	4.716	1000 SF GFA	10	9	19	15	15	30	256
<i>Pass-By Trips</i>	40%		-4	-4	-8	-6	-6	-12	-102
Primary Trips			6	5	11	9	9	18	154
930 - Fast Casual Restaurant	3.144	1000 SF GFA	3	2	5	26	19	45	710
<i>Pass-By Trips</i>	43%		-1	-1	-2	-10	-10	-20	-306
Primary Trips			2	1	3	16	9	25	404
Total Primary Trips			8	6	14	25	18	43	558
Proposed Zoning									
926 - Food Cart Pods	20.000	Food Carts	22	13	35	62	61	123	1,468
<i>Pass-By Trips</i>	49%		-9	-9	-18	-30	-30	-60	-720
Primary Trips			13	4	17	32	31	63	748

SITE C
Tax Lot 2S129A001652

ITE Code	Intensity		Morning Peak Hour			Evening Peak Hour			Daily Trips
			In	Out	Total	In	Out	Total	
Existing Zoning									
710 - General Office Building	11.720	1000 SF GFA	13	2	15	2	12	14	92
822 - Strip Retail Plaza (<40k)	9.230	1000 SF GFA	20	16	36	29	29	58	502
<i>Pass-By Trips</i>	40%		-7	-7	-14	-12	-12	-24	-200
Primary Trips			13	9	22	17	17	34	302
932 - High-Turnover (Sit-Down) Restaurant	3.420	1000 SF GFA	17	14	31	19	12	31	354
<i>Pass-By Trips</i>	43%		-7	-7	-14	-7	-7	-14	-152
Primary Trips			10	7	17	12	5	17	202
822 - Strip Retail Plaza (<40k)	3.300	1000 SF GFA	7	6	13	11	10	21	180
<i>Pass-By Trips</i>	40%		-3	-3	-6	-4	-4	-8	-72
Primary Trips			4	3	7	7	6	13	108
930 - Fast Casual Restaurant	2.200	1000 SF GFA	2	1	3	19	13	32	496
<i>Pass-By Trips</i>	43%		-1	-1	-2	-7	-7	-14	-214
Primary Trips			1	0	1	12	6	18	282
Total Primary Trips			5	3	8	19	12	31	390
Proposed Zoning									
926 - Food Cart Pods	14.000	Food Carts	16	9	25	43	43	86	1,028
<i>Pass-By Trips</i>	49%		-6	-6	-12	-21	-21	-42	-504
Primary Trips			10	3	13	22	22	44	524

SITE D
Tax Lot 2S129D000150

ITE Code	Intensity		Morning Peak Hour			Evening Peak Hour			Daily Trips
			In	Out	Total	In	Out	Total	
Existing Zoning									
110 - General Light Industrial	34.990	1000 SF GFA	15	2	17	4	13	17	126
710 - General Office Building	20.000	1000 SF GFA	22	3	25	4	20	24	156
Total Primary Trips			37	5	42	8	33	41	282
110 - General Light Industrial	27.990	1000 SF GFA	11	2	13	3	11	14	100
822 - Strip Retail Plaza (<40k)	20.000	1000 SF GFA	43	36	79	63	63	126	1,090
Pass-By Trips	40%		-16	-16	-32	-25	-25	-50	-436
Primary Trips			27	20	47	38	38	76	654
Total Primary Trips			38	22	60	41	49	90	754
932 - High-Turnover (Sit-Down) Restaurant	13.700	1000 SF GFA	68	55	123	77	49	126	1,422
Pass-By Trips	43%		-26	-26	-52	-27	-27	-54	-612
Primary Trips			42	29	71	50	22	72	810
110 - General Light Industrial	11.190	1000 SF GFA	4	1	5	1	4	5	40
822 - Strip Retail Plaza (<40k)	15.000	1000 SF GFA	32	27	59	47	47	94	816
Pass-By Trips	40%		-12	-12	-24	-19	-19	-38	-326
Primary Trips			20	15	35	28	28	56	490
930 - Fast Casual Restaurant	5.000	1000 SF GFA	5	3	8	42	30	72	1,130
Pass-By Trips	43%		-2	-2	-4	-15	-15	-30	-486
Primary Trips			3	1	4	27	15	42	644
Total Primary Trips			27	17	44	56	47	103	1,174
Proposed Zoning									
110 - General Light Industrial	36.710	1000 SF GFA	15	3	18	4	14	18	132
926 - Food Cart Pods	22.000	Food Carts	25	14	39	68	68	136	1,614
Pass-By Trips	49%		-10	-10	-20	-33	-33	-66	-790
Primary Trips			15	4	19	35	35	70	824
Total Primary Trips			30	7	37	39	49	88	956

SITE E
Tax Lot 2S129D000151

ITE Code	Intensity		Morning Peak Hour			Evening Peak Hour			Daily Trips
			In	Out	Total	In	Out	Total	
Existing Zoning									
710 - General Office Building	16.750	1000 SF GFA	18	3	21	3	17	20	132
822 - Strip Retail Plaza (<40k)	13.200	1000 SF GFA	29	23	52	42	41	83	718
<i>Pass-By Trips</i>	40%		-10	-10	-20	-17	-17	-34	-288
Primary Trips			19	13	32	25	24	49	430
932 - High-Turnover (Sit-Down) Restaurant	4.890	1000 SF GFA	24	20	44	27	18	45	508
<i>Pass-By Trips</i>	43%		-9	-9	-18	-10	-10	-20	-218
Primary Trips			15	11	26	17	8	25	290
822 - Strip Retail Plaza (<40k)	4.716	1000 SF GFA	10	9	19	15	15	30	256
<i>Pass-By Trips</i>	40%		-4	-4	-8	-6	-6	-12	-102
Primary Trips			6	5	11	9	9	18	154
930 - Fast Casual Restaurant	3.144	1000 SF GFA	3	2	5	26	19	45	710
<i>Pass-By Trips</i>	43%		-1	-1	-2	-10	-10	-20	-306
Primary Trips			2	1	3	16	9	25	404
Total Primary Trips			8	6	14	25	18	43	558
Proposed Zoning									
926 - Food Cart Pods	20.000	Food Carts	22	13	35	62	61	123	1,468
<i>Pass-By Trips</i>	49%		-9	-9	-18	-30	-30	-60	-720
Primary Trips			13	4	17	32	31	63	748

SITE F
Tax Lot 22S129B000901

ITE Code	Intensity		Morning Peak Hour			Evening Peak Hour			Daily Trips
			In	Out	Total	In	Out	Total	
Existing Zoning									
110 - General Light Industrial	26.270	1000 SF GFA	11	2	13	3	10	13	94
710 - General Office Building	20.000	1000 SF GFA	22	3	25	4	20	24	156
Total Primary Trips			33	5	38	7	30	37	250
110 - General Light Industrial	19.270	1000 SF GFA	8	1	9	2	7	9	70
822 - Strip Retail Plaza (<40k)	20.000	1000 SF GFA	43	36	79	63	63	126	1,090
<i>Pass-By Trips</i>	40%		-16	-16	-32	-25	-25	-50	-436
Primary Trips			27	20	47	38	38	76	654
Total Primary Trips			35	21	56	40	45	85	724
932 - High-Turnover (Sit-Down) Restaurant	11.740	1000 SF GFA	58	47	105	66	42	108	1,218
<i>Pass-By Trips</i>	43%		-23	-23	-46	-23	-23	-46	-524
Primary Trips			35	24	59	43	19	62	694
110 - General Light Industrial	7.950	1000 SF GFA	3	1	4	1	3	4	28
822 - Strip Retail Plaza (<40k)	14.145	1000 SF GFA	31	25	56	45	44	89	770
<i>Pass-By Trips</i>	40%		-11	-11	-22	-18	-18	-36	-308
Primary Trips			20	14	34	27	26	53	462
930 - Fast Casual Restaurant	4.715	1000 SF GFA	4	3	7	39	29	68	1,066
<i>Pass-By Trips</i>	43%		-2	-2	-4	-15	-15	-30	-458
Primary Trips			2	1	3	24	14	38	608
Total Primary Trips			25	16	41	52	43	95	1,098
Proposed Zoning									
110 - General Light Industrial	28.900	1000 SF GFA	12	2	14	3	11	14	104
926 - Food Cart Pods	22.000	Food Carts	25	14	39	68	68	136	1,614
<i>Pass-By Trips</i>	49%		-10	-10	-20	-33	-33	-66	-790
Primary Trips			15	4	19	35	35	70	824
Total Primary Trips			27	6	33	38	46	84	928



TRIP GENERATION CALCULATIONS
 Source: Trip Generation Manual, 12th Edition

<i>Land Use:</i>	Food Cart Pods
<i>Land Use Code:</i>	926
<i>Land Use Subcategory:</i>	All Sites
<i>Setting/Location</i>	General Urban/Suburban
<i>Variable:</i>	Food Carts
<i>Trip Type:</i>	Vehicle
<i>Formula Type:</i>	Rate
<i>Variable Quantity:</i>	10

AM PEAK HOUR

Trip Rate: 1.76

	Enter	Exit	Total
Directional Split	64%	36%	
Trip Ends	12	6	18

Average based on Time of Day Data for LUC 930 & 932

PM PEAK HOUR

Trip Rate: 6.16

	Enter	Exit	Total
Directional Split	50%	50%	
Trip Ends	31	31	62

WEEKDAY

Trip Rate: 73.36

	Enter	Exit	Total
Directional Split	50%	50%	
Trip Ends	367	367	734

Average based on Time of Day Data for LUC 930 & 932



TRIP GENERATION CALCULATIONS
 Source: Trip Generation Manual, 12th Edition

<i>Land Use:</i>	Small Office Building
<i>Land Use Code:</i>	712
<i>Land Use Subcategory:</i>	All Sites
<i>Setting/Location</i>	General Urban/Suburban
<i>Variable:</i>	1000 SF GFA
<i>Trip Type:</i>	Vehicle
<i>Formula Type:</i>	Rate
<i>Variable Quantity:</i>	8.37

AM PEAK HOUR

Trip Rate: 1.64

	Enter	Exit	Total
Directional Split	83%	17%	
Trip Ends	12	2	14

PM PEAK HOUR

Trip Rate: 2.16

	Enter	Exit	Total
Directional Split	34%	66%	
Trip Ends	6	12	18

WEEKDAY

Trip Rate: 14.39

	Enter	Exit	Total
Directional Split	50%	50%	
Trip Ends	60	60	120



TRIP GENERATION CALCULATIONS
 Source: Trip Generation Manual, 12th Edition

<i>Land Use:</i>	Strip Retail Plaza (<40k)
<i>Land Use Code:</i>	822
<i>Land Use Subcategory:</i>	All Sites
<i>Setting/Location</i>	General Urban/Suburban
<i>Variable:</i>	1000 SF GFA
<i>Trip Type:</i>	Vehicle
<i>Formula Type:</i>	Rate
<i>Variable Quantity:</i>	6.59

AM PEAK HOUR

Trip Rate: 3.93

	Enter	Exit	Total
Directional Split	55%	45%	
Trip Ends	14	12	26

PM PEAK HOUR

Trip Rate: 6.29

	Enter	Exit	Total
Directional Split	50%	50%	
Trip Ends	21	20	41

WEEKDAY

Trip Rate: 54.45

	Enter	Exit	Total
Directional Split	50%	50%	
Trip Ends	179	179	358

SATURDAY

Trip Rate: 0.00

	Enter	Exit	Total
Directional Split	50%	50%	
Trip Ends	NA	NA	NA



TRIP GENERATION CALCULATIONS
 Source: Trip Generation Manual, 12th Edition

Land Use: High-Turnover (Sit-Down) Restaurant
Land Use Code: 932
Land Use Subcategory: All Sites
Setting/Location: General Urban/Suburban
Variable: 1000 SF GFA
Trip Type: Vehicle
Formula Type: Rate
Variable Quantity: **2.44**

AM PEAK HOUR

Trip Rate: 8.97

	Enter	Exit	Total
Directional Split	55%	45%	
Trip Ends	12	10	22

PM PEAK HOUR

Trip Rate: 9.18

	Enter	Exit	Total
Directional Split	61%	39%	
Trip Ends	13	9	22

WEEKDAY

Trip Rate: 103.75

	Enter	Exit	Total
Directional Split	50%	50%	
Trip Ends	127	127	254



TRIP GENERATION CALCULATIONS
 Source: Trip Generation Manual, 12th Edition

Land Use: Strip Retail Plaza (<40k)
Land Use Code: 822
Land Use Subcategory: All Sites
Setting/Location: General Urban/Suburban
Variable: 1000 SF GFA
Trip Type: Vehicle
Formula Type: Rate
Variable Quantity: **2.358**

AM PEAK HOUR

Trip Rate: 3.93

	Enter	Exit	Total
Directional Split	55%	45%	
Trip Ends	5	4	9

PM PEAK HOUR

Trip Rate: 6.29

	Enter	Exit	Total
Directional Split	50%	50%	
Trip Ends	8	7	15

WEEKDAY

Trip Rate: 54.45

	Enter	Exit	Total
Directional Split	50%	50%	
Trip Ends	64	64	128

SATURDAY

Trip Rate: 0.00

	Enter	Exit	Total
Directional Split	50%	50%	
Trip Ends	NA	NA	NA



TRIP GENERATION CALCULATIONS
 Source: Trip Generation Manual, 12th Edition

Land Use: Fast Casual Restaurant
Land Use Code: 930
Land Use Subcategory: All Sites
Setting/Location: General Urban/Suburban
Variable: 1000 SF GFA
Trip Type: Vehicle
Formula Type: Rate
Variable Quantity: **1.572**

AM PEAK HOUR

Trip Rate: 1.58

	Enter	Exit	Total
Directional Split	64%	36%	
Trip Ends	1	1	2

PM PEAK HOUR

Trip Rate: 14.35

	Enter	Exit	Total
Directional Split	58%	42%	
Trip Ends	13	10	23

WEEKDAY

Trip Rate: 225.89

	Enter	Exit	Total
Directional Split	50%	50%	
Trip Ends	178	178	356



TRIP GENERATION CALCULATIONS
 Source: Trip Generation Manual, 12th Edition

<i>Land Use:</i>	Food Cart Pods
<i>Land Use Code:</i>	926
<i>Land Use Subcategory:</i>	All Sites
<i>Setting/Location</i>	General Urban/Suburban
<i>Variable:</i>	Food Carts
<i>Trip Type:</i>	Vehicle
<i>Formula Type:</i>	Rate
<i>Variable Quantity:</i>	20

WARNING: Variable Quantity is greater than Maximum Survey Size for Peak Hours

AM PEAK HOUR

Trip Rate: 1.76

	Enter	Exit	Total
Directional Split	64%	36%	
Trip Ends	22	13	35

Average based on Time of Day Data for LUC 930 & 932

PM PEAK HOUR

Trip Rate: 6.16

	Enter	Exit	Total
Directional Split	50%	50%	
Trip Ends	62	61	123

WEEKDAY

Trip Rate: 73.36

	Enter	Exit	Total
Directional Split	50%	50%	
Trip Ends	734	734	1,468

Average based on Time of Day Data for LUC 930 & 932

Although the variable quantity is greater than the maximum survey size, the R-squared value is 0.97, indicating consistent ratios of trips per cart among the sites surveyed. Extrapolating to larger food cart pods using these results appears reasonable.



TRIP GENERATION CALCULATIONS
 Source: Trip Generation Manual, 12th Edition

<i>Land Use:</i>	General Office Building
<i>Land Use Code:</i>	710
<i>Land Use Subcategory:</i>	All Sites
<i>Setting/Location</i>	General Urban/Suburban
<i>Variable:</i>	1000 SF GFA
<i>Trip Type:</i>	Vehicle
<i>Formula Type:</i>	Rate
<i>Variable Quantity:</i>	16.75

AM PEAK HOUR

Trip Rate: 1.24

	Enter	Exit	Total
Directional Split	88%	12%	
Trip Ends	18	3	21

PM PEAK HOUR

Trip Rate: 1.18

	Enter	Exit	Total
Directional Split	16%	84%	
Trip Ends	3	17	20

WEEKDAY

Trip Rate: 7.83

	Enter	Exit	Total
Directional Split	50%	50%	
Trip Ends	66	66	132



TRIP GENERATION CALCULATIONS
 Source: Trip Generation Manual, 12th Edition

<i>Land Use:</i>	Strip Retail Plaza (<40k)
<i>Land Use Code:</i>	822
<i>Land Use Subcategory:</i>	All Sites
<i>Setting/Location</i>	General Urban/Suburban
<i>Variable:</i>	1000 SF GFA
<i>Trip Type:</i>	Vehicle
<i>Formula Type:</i>	Rate
<i>Variable Quantity:</i>	13.2

AM PEAK HOUR

Trip Rate: 3.93

	Enter	Exit	Total
Directional Split	55%	45%	
Trip Ends	29	23	52

PM PEAK HOUR

Trip Rate: 6.29

	Enter	Exit	Total
Directional Split	50%	50%	
Trip Ends	42	41	83

WEEKDAY

Trip Rate: 54.45

	Enter	Exit	Total
Directional Split	50%	50%	
Trip Ends	359	359	718

SATURDAY

Trip Rate: 0.00

	Enter	Exit	Total
Directional Split	50%	50%	
Trip Ends	NA	NA	NA



TRIP GENERATION CALCULATIONS
Source: Trip Generation Manual, 12th Edition

Land Use: High-Turnover (Sit-Down) Restaurant
Land Use Code: 932
Land Use Subcategory: All Sites
Setting/Location: General Urban/Suburban
Variable: 1000 SF GFA
Trip Type: Vehicle
Formula Type: Rate
Variable Quantity: **4.89**

AM PEAK HOUR

Trip Rate: 8.97

	Enter	Exit	Total
Directional Split	55%	45%	
Trip Ends	24	20	44

PM PEAK HOUR

Trip Rate: 9.18

	Enter	Exit	Total
Directional Split	61%	39%	
Trip Ends	27	18	45

WEEKDAY

Trip Rate: 103.75

	Enter	Exit	Total
Directional Split	50%	50%	
Trip Ends	254	254	508



TRIP GENERATION CALCULATIONS
 Source: Trip Generation Manual, 12th Edition

<i>Land Use:</i>	Strip Retail Plaza (<40k)
<i>Land Use Code:</i>	822
<i>Land Use Subcategory:</i>	All Sites
<i>Setting/Location</i>	General Urban/Suburban
<i>Variable:</i>	1000 SF GFA
<i>Trip Type:</i>	Vehicle
<i>Formula Type:</i>	Rate
<i>Variable Quantity:</i>	4.716

AM PEAK HOUR

Trip Rate: 3.93

	Enter	Exit	Total
Directional Split	55%	45%	
Trip Ends	10	9	19

PM PEAK HOUR

Trip Rate: 6.29

	Enter	Exit	Total
Directional Split	50%	50%	
Trip Ends	15	15	30

WEEKDAY

Trip Rate: 54.45

	Enter	Exit	Total
Directional Split	50%	50%	
Trip Ends	128	128	256

SATURDAY

Trip Rate: 0.00

	Enter	Exit	Total
Directional Split	50%	50%	
Trip Ends	NA	NA	NA



TRIP GENERATION CALCULATIONS
 Source: Trip Generation Manual, 12th Edition

Land Use: Fast Casual Restaurant
Land Use Code: 930
Land Use Subcategory: All Sites
Setting/Location: General Urban/Suburban
Variable: 1000 SF GFA
Trip Type: Vehicle
Formula Type: Rate
Variable Quantity: **3.144**

AM PEAK HOUR

Trip Rate: 1.58

	Enter	Exit	Total
Directional Split	64%	36%	
Trip Ends	3	2	5

PM PEAK HOUR

Trip Rate: 14.35

	Enter	Exit	Total
Directional Split	58%	42%	
Trip Ends	26	19	45

WEEKDAY

Trip Rate: 225.89

	Enter	Exit	Total
Directional Split	50%	50%	
Trip Ends	355	355	710



TRIP GENERATION CALCULATIONS
 Source: Trip Generation Manual, 12th Edition

<i>Land Use:</i>	Food Cart Pods
<i>Land Use Code:</i>	926
<i>Land Use Subcategory:</i>	All Sites
<i>Setting/Location</i>	General Urban/Suburban
<i>Variable:</i>	Food Carts
<i>Trip Type:</i>	Vehicle
<i>Formula Type:</i>	Rate
<i>Variable Quantity:</i>	14

AM PEAK HOUR

Trip Rate: 1.76

	Enter	Exit	Total
Directional Split	64%	36%	
Trip Ends	16	9	25

Average based on Time of Day Data for LUC 930 & 932

PM PEAK HOUR

Trip Rate: 6.16

	Enter	Exit	Total
Directional Split	50%	50%	
Trip Ends	43	43	86

WEEKDAY

Trip Rate: 73.36

	Enter	Exit	Total
Directional Split	50%	50%	
Trip Ends	514	514	1,028

Average based on Time of Day Data for LUC 930 & 932



TRIP GENERATION CALCULATIONS
 Source: Trip Generation Manual, 12th Edition

<i>Land Use:</i>	General Office Building
<i>Land Use Code:</i>	710
<i>Land Use Subcategory:</i>	All Sites
<i>Setting/Location</i>	General Urban/Suburban
<i>Variable:</i>	1000 SF GFA
<i>Trip Type:</i>	Vehicle
<i>Formula Type:</i>	Rate
<i>Variable Quantity:</i>	11.72

AM PEAK HOUR

Trip Rate: 1.24

	Enter	Exit	Total
Directional Split	88%	12%	
Trip Ends	13	2	15

PM PEAK HOUR

Trip Rate: 1.18

	Enter	Exit	Total
Directional Split	16%	84%	
Trip Ends	2	12	14

WEEKDAY

Trip Rate: 7.83

	Enter	Exit	Total
Directional Split	50%	50%	
Trip Ends	46	46	92



TRIP GENERATION CALCULATIONS
 Source: Trip Generation Manual, 12th Edition

<i>Land Use:</i>	Strip Retail Plaza (<40k)
<i>Land Use Code:</i>	822
<i>Land Use Subcategory:</i>	All Sites
<i>Setting/Location</i>	General Urban/Suburban
<i>Variable:</i>	1000 SF GFA
<i>Trip Type:</i>	Vehicle
<i>Formula Type:</i>	Rate
<i>Variable Quantity:</i>	9.23

AM PEAK HOUR

Trip Rate: 3.93

	Enter	Exit	Total
Directional Split	55%	45%	
Trip Ends	20	16	36

PM PEAK HOUR

Trip Rate: 6.29

	Enter	Exit	Total
Directional Split	50%	50%	
Trip Ends	29	29	58

WEEKDAY

Trip Rate: 54.45

	Enter	Exit	Total
Directional Split	50%	50%	
Trip Ends	251	251	502

SATURDAY

Trip Rate: 0.00

	Enter	Exit	Total
Directional Split	50%	50%	
Trip Ends	NA	NA	NA



TRIP GENERATION CALCULATIONS
 Source: Trip Generation Manual, 12th Edition

Land Use: High-Turnover (Sit-Down) Restaurant
Land Use Code: 932
Land Use Subcategory: All Sites
Setting/Location: General Urban/Suburban
Variable: 1000 SF GFA
Trip Type: Vehicle
Formula Type: Rate
Variable Quantity: **3.42**

AM PEAK HOUR

Trip Rate: 8.97

	Enter	Exit	Total
Directional Split	55%	45%	
Trip Ends	17	14	31

PM PEAK HOUR

Trip Rate: 9.18

	Enter	Exit	Total
Directional Split	61%	39%	
Trip Ends	19	12	31

WEEKDAY

Trip Rate: 103.75

	Enter	Exit	Total
Directional Split	50%	50%	
Trip Ends	177	177	354



TRIP GENERATION CALCULATIONS
 Source: Trip Generation Manual, 12th Edition

<i>Land Use:</i>	Strip Retail Plaza (<40k)
<i>Land Use Code:</i>	822
<i>Land Use Subcategory:</i>	All Sites
<i>Setting/Location</i>	General Urban/Suburban
<i>Variable:</i>	1000 SF GFA
<i>Trip Type:</i>	Vehicle
<i>Formula Type:</i>	Rate
<i>Variable Quantity:</i>	3.3

AM PEAK HOUR

Trip Rate: 3.93

	Enter	Exit	Total
Directional Split	55%	45%	
Trip Ends	7	6	13

PM PEAK HOUR

Trip Rate: 6.29

	Enter	Exit	Total
Directional Split	50%	50%	
Trip Ends	11	10	21

WEEKDAY

Trip Rate: 54.45

	Enter	Exit	Total
Directional Split	50%	50%	
Trip Ends	90	90	180

SATURDAY

Trip Rate: 0.00

	Enter	Exit	Total
Directional Split	50%	50%	
Trip Ends	NA	NA	NA



TRIP GENERATION CALCULATIONS
 Source: Trip Generation Manual, 12th Edition

Land Use: Fast Casual Restaurant
Land Use Code: 930
Land Use Subcategory: All Sites
Setting/Location: General Urban/Suburban
Variable: 1000 SF GFA
Trip Type: Vehicle
Formula Type: Rate
Variable Quantity: 2.2

AM PEAK HOUR

Trip Rate: 1.58

	Enter	Exit	Total
Directional Split	64%	36%	
Trip Ends	2	1	3

PM PEAK HOUR

Trip Rate: 14.35

	Enter	Exit	Total
Directional Split	58%	42%	
Trip Ends	19	13	32

WEEKDAY

Trip Rate: 225.89

	Enter	Exit	Total
Directional Split	50%	50%	
Trip Ends	248	248	496



TRIP GENERATION CALCULATIONS
 Source: Trip Generation Manual, 12th Edition

<i>Land Use:</i>	General Light Industrial
<i>Land Use Code:</i>	110
<i>Land Use Subcategory:</i>	All Sites
<i>Setting/Location</i>	General Urban/Suburban
<i>Variable:</i>	1000 SF GFA
<i>Trip Type:</i>	Vehicle
<i>Formula Type:</i>	Rate
<i>Variable Quantity:</i>	36.71

AM PEAK HOUR

Trip Rate: 0.48

	Enter	Exit	Total
Directional Split	86%	14%	
Trip Ends	15	3	18

PM PEAK HOUR

Trip Rate: 0.49

	Enter	Exit	Total
Directional Split	24%	76%	
Trip Ends	4	14	18

WEEKDAY

Trip Rate: 3.6

	Enter	Exit	Total
Directional Split	50%	50%	
Trip Ends	66	66	132

SATURDAY

Trip Rate: 0

	Enter	Exit	Total
Directional Split	50%	50%	
Trip Ends	NA	NA	NA



TRIP GENERATION CALCULATIONS
 Source: Trip Generation Manual, 12th Edition

<i>Land Use:</i>	Food Cart Pods
<i>Land Use Code:</i>	926
<i>Land Use Subcategory:</i>	All Sites
<i>Setting/Location</i>	General Urban/Suburban
<i>Variable:</i>	Food Carts
<i>Trip Type:</i>	Vehicle
<i>Formula Type:</i>	Rate
<i>Variable Quantity:</i>	22

WARNING: Variable Quantity is greater than Maximum Survey Size for Peak Hours

AM PEAK HOUR

Trip Rate: 1.76

	Enter	Exit	Total
Directional Split	64%	36%	
Trip Ends	25	14	39

Average based on Time of Day Data for LUC 930 & 932

PM PEAK HOUR

Trip Rate: 6.16

	Enter	Exit	Total
Directional Split	50%	50%	
Trip Ends	68	68	136

WEEKDAY

Trip Rate: 73.36

	Enter	Exit	Total
Directional Split	50%	50%	
Trip Ends	807	807	1,614

Average based on Time of Day Data for LUC 930 & 932

Although the variable quantity is greater than the maximum survey size, the R-squared value is 0.97, indicating consistent ratios of trips per cart among the sites surveyed. Extrapolating to larger food cart pods using these results appears reasonable.



TRIP GENERATION CALCULATIONS
 Source: Trip Generation Manual, 12th Edition

Land Use: General Light Industrial
Land Use Code: 110
Land Use Subcategory: All Sites
Setting/Location: General Urban/Suburban
Variable: 1000 SF GFA
Trip Type: Vehicle
Formula Type: Rate
Variable Quantity: **34.99**

AM PEAK HOUR

Trip Rate: 0.48

	Enter	Exit	Total
Directional Split	86%	14%	
Trip Ends	15	2	17

PM PEAK HOUR

Trip Rate: 0.49

	Enter	Exit	Total
Directional Split	24%	76%	
Trip Ends	4	13	17

WEEKDAY

Trip Rate: 3.6

	Enter	Exit	Total
Directional Split	50%	50%	
Trip Ends	63	63	126

SATURDAY

Trip Rate: 0

	Enter	Exit	Total
Directional Split	50%	50%	
Trip Ends	NA	NA	NA



TRIP GENERATION CALCULATIONS
 Source: Trip Generation Manual, 12th Edition

Land Use: General Office Building
Land Use Code: 710
Land Use Subcategory: All Sites
Setting/Location: General Urban/Suburban
Variable: 1000 SF GFA
Trip Type: Vehicle
Formula Type: Rate
Variable Quantity: 20

AM PEAK HOUR

Trip Rate: 1.24

	Enter	Exit	Total
Directional Split	88%	12%	
Trip Ends	22	3	25

PM PEAK HOUR

Trip Rate: 1.18

	Enter	Exit	Total
Directional Split	16%	84%	
Trip Ends	4	20	24

WEEKDAY

Trip Rate: 7.83

	Enter	Exit	Total
Directional Split	50%	50%	
Trip Ends	78	78	156



TRIP GENERATION CALCULATIONS
 Source: Trip Generation Manual, 12th Edition

Land Use: General Light Industrial
 Land Use Code: 110
 Land Use Subcategory: All Sites
 Setting/Location: General Urban/Suburban
 Variable: 1000 SF GFA
 Trip Type: Vehicle
 Formula Type: Rate
 Variable Quantity: **27.99**

AM PEAK HOUR

Trip Rate: 0.48

	Enter	Exit	Total
Directional Split	86%	14%	
Trip Ends	11	2	13

PM PEAK HOUR

Trip Rate: 0.49

	Enter	Exit	Total
Directional Split	24%	76%	
Trip Ends	3	11	14

WEEKDAY

Trip Rate: 3.6

	Enter	Exit	Total
Directional Split	50%	50%	
Trip Ends	50	50	100

SATURDAY

Trip Rate: 0

	Enter	Exit	Total
Directional Split	50%	50%	
Trip Ends	NA	NA	NA



TRIP GENERATION CALCULATIONS
 Source: Trip Generation Manual, 12th Edition

Land Use: Strip Retail Plaza (<40k)
Land Use Code: 822
Land Use Subcategory: All Sites
Setting/Location: General Urban/Suburban
Variable: 1000 SF GFA
Trip Type: Vehicle
Formula Type: Rate
Variable Quantity: 20

AM PEAK HOUR

Trip Rate: 3.93

	Enter	Exit	Total
Directional Split	55%	45%	
Trip Ends	43	36	79

PM PEAK HOUR

Trip Rate: 6.29

	Enter	Exit	Total
Directional Split	50%	50%	
Trip Ends	63	63	126

WEEKDAY

Trip Rate: 54.45

	Enter	Exit	Total
Directional Split	50%	50%	
Trip Ends	545	545	1,090

SATURDAY

Trip Rate: 0.00

	Enter	Exit	Total
Directional Split	50%	50%	
Trip Ends	NA	NA	NA



TRIP GENERATION CALCULATIONS
 Source: Trip Generation Manual, 12th Edition

<i>Land Use:</i>	High-Turnover (Sit-Down) Restaurant
<i>Land Use Code:</i>	932
<i>Land Use Subcategory:</i>	All Sites
<i>Setting/Location</i>	General Urban/Suburban
<i>Variable:</i>	1000 SF GFA
<i>Trip Type:</i>	Vehicle
<i>Formula Type:</i>	Rate
<i>Variable Quantity:</i>	13.7

WARNING: Variable Quantity is greater than Maximum Survey Size for Peak Hours

AM PEAK HOUR

Trip Rate: 8.97

	Enter	Exit	Total
Directional Split	55%	45%	
Trip Ends	68	55	123

PM PEAK HOUR

Trip Rate: 9.18

	Enter	Exit	Total
Directional Split	61%	39%	
Trip Ends	77	49	126

WEEKDAY

Trip Rate: 103.75

	Enter	Exit	Total
Directional Split	50%	50%	
Trip Ends	711	711	1,422



TRIP GENERATION CALCULATIONS
 Source: Trip Generation Manual, 12th Edition

<i>Land Use:</i>	General Light Industrial
<i>Land Use Code:</i>	110
<i>Land Use Subcategory:</i>	All Sites
<i>Setting/Location</i>	General Urban/Suburban
<i>Variable:</i>	1000 SF GFA
<i>Trip Type:</i>	Vehicle
<i>Formula Type:</i>	Rate
<i>Variable Quantity:</i>	11.19

AM PEAK HOUR

Trip Rate: 0.48

	Enter	Exit	Total
Directional Split	86%	14%	
Trip Ends	4	1	5

PM PEAK HOUR

Trip Rate: 0.49

	Enter	Exit	Total
Directional Split	24%	76%	
Trip Ends	1	4	5

WEEKDAY

Trip Rate: 3.6

	Enter	Exit	Total
Directional Split	50%	50%	
Trip Ends	20	20	40

SATURDAY

Trip Rate: 0

	Enter	Exit	Total
Directional Split	50%	50%	
Trip Ends	NA	NA	NA



TRIP GENERATION CALCULATIONS
 Source: Trip Generation Manual, 12th Edition

Land Use: Strip Retail Plaza (<40k)
Land Use Code: 822
Land Use Subcategory: All Sites
Setting/Location: General Urban/Suburban
Variable: 1000 SF GFA
Trip Type: Vehicle
Formula Type: Rate
Variable Quantity: 15

AM PEAK HOUR

Trip Rate: 3.93

	Enter	Exit	Total
Directional Split	55%	45%	
Trip Ends	32	27	59

PM PEAK HOUR

Trip Rate: 6.29

	Enter	Exit	Total
Directional Split	50%	50%	
Trip Ends	47	47	94

WEEKDAY

Trip Rate: 54.45

	Enter	Exit	Total
Directional Split	50%	50%	
Trip Ends	408	408	816

SATURDAY

Trip Rate: 0.00

	Enter	Exit	Total
Directional Split	50%	50%	
Trip Ends	NA	NA	NA



TRIP GENERATION CALCULATIONS
 Source: Trip Generation Manual, 12th Edition

Land Use: Fast Casual Restaurant
Land Use Code: 930
Land Use Subcategory: All Sites
Setting/Location: General Urban/Suburban
Variable: 1000 SF GFA
Trip Type: Vehicle
Formula Type: Rate
Variable Quantity: 5

AM PEAK HOUR

Trip Rate: 1.58

	Enter	Exit	Total
Directional Split	64%	36%	
Trip Ends	5	3	8

PM PEAK HOUR

Trip Rate: 14.35

	Enter	Exit	Total
Directional Split	58%	42%	
Trip Ends	42	30	72

WEEKDAY

Trip Rate: 225.89

	Enter	Exit	Total
Directional Split	50%	50%	
Trip Ends	565	565	1,130



TRIP GENERATION CALCULATIONS
 Source: Trip Generation Manual, 12th Edition

<i>Land Use:</i>	Food Cart Pods
<i>Land Use Code:</i>	926
<i>Land Use Subcategory:</i>	All Sites
<i>Setting/Location</i>	General Urban/Suburban
<i>Variable:</i>	Food Carts
<i>Trip Type:</i>	Vehicle
<i>Formula Type:</i>	Rate
<i>Variable Quantity:</i>	20

WARNING: Variable Quantity is greater than Maximum Survey Size for Peak Hours

AM PEAK HOUR

Trip Rate: 1.76

	Enter	Exit	Total
Directional Split	64%	36%	
Trip Ends	22	13	35

Average based on Time of Day Data for LUC 930 & 932

PM PEAK HOUR

Trip Rate: 6.16

	Enter	Exit	Total
Directional Split	50%	50%	
Trip Ends	62	61	123

WEEKDAY

Trip Rate: 73.36

	Enter	Exit	Total
Directional Split	50%	50%	
Trip Ends	734	734	1,468

Average based on Time of Day Data for LUC 930 & 932

Although the variable quantity is greater than the maximum survey size, the R-squared value is 0.97, indicating consistent ratios of trips per cart among the sites surveyed. Extrapolating to larger food cart pods using these results appears reasonable.



TRIP GENERATION CALCULATIONS
 Source: Trip Generation Manual, 12th Edition

Land Use: General Office Building
Land Use Code: 710
Land Use Subcategory: All Sites
Setting/Location: General Urban/Suburban
Variable: 1000 SF GFA
Trip Type: Vehicle
Formula Type: Rate
Variable Quantity: **16.75**

AM PEAK HOUR

Trip Rate: 1.24

	Enter	Exit	Total
Directional Split	88%	12%	
Trip Ends	18	3	21

PM PEAK HOUR

Trip Rate: 1.18

	Enter	Exit	Total
Directional Split	16%	84%	
Trip Ends	3	17	20

WEEKDAY

Trip Rate: 7.83

	Enter	Exit	Total
Directional Split	50%	50%	
Trip Ends	66	66	132



TRIP GENERATION CALCULATIONS
 Source: Trip Generation Manual, 12th Edition

Land Use: Strip Retail Plaza (<40k)
Land Use Code: 822
Land Use Subcategory: All Sites
Setting/Location: General Urban/Suburban
Variable: 1000 SF GFA
Trip Type: Vehicle
Formula Type: Rate
Variable Quantity: 13.2

AM PEAK HOUR

Trip Rate: 3.93

	Enter	Exit	Total
Directional Split	55%	45%	
Trip Ends	29	23	52

PM PEAK HOUR

Trip Rate: 6.29

	Enter	Exit	Total
Directional Split	50%	50%	
Trip Ends	42	41	83

WEEKDAY

Trip Rate: 54.45

	Enter	Exit	Total
Directional Split	50%	50%	
Trip Ends	359	359	718

SATURDAY

Trip Rate: 0.00

	Enter	Exit	Total
Directional Split	50%	50%	
Trip Ends	NA	NA	NA



TRIP GENERATION CALCULATIONS
 Source: Trip Generation Manual, 12th Edition

Land Use: High-Turnover (Sit-Down) Restaurant
Land Use Code: 932
Land Use Subcategory: All Sites
Setting/Location: General Urban/Suburban
Variable: 1000 SF GFA
Trip Type: Vehicle
Formula Type: Rate
Variable Quantity: **4.89**

AM PEAK HOUR

Trip Rate: 8.97

	Enter	Exit	Total
Directional Split	55%	45%	
Trip Ends	24	20	44

PM PEAK HOUR

Trip Rate: 9.18

	Enter	Exit	Total
Directional Split	61%	39%	
Trip Ends	27	18	45

WEEKDAY

Trip Rate: 103.75

	Enter	Exit	Total
Directional Split	50%	50%	
Trip Ends	254	254	508



TRIP GENERATION CALCULATIONS
 Source: Trip Generation Manual, 12th Edition

Land Use: Strip Retail Plaza (<40k)
Land Use Code: 822
Land Use Subcategory: All Sites
Setting/Location: General Urban/Suburban
Variable: 1000 SF GFA
Trip Type: Vehicle
Formula Type: Rate
Variable Quantity: **4.716**

AM PEAK HOUR

Trip Rate: 3.93

	Enter	Exit	Total
Directional Split	55%	45%	
Trip Ends	10	9	19

PM PEAK HOUR

Trip Rate: 6.29

	Enter	Exit	Total
Directional Split	50%	50%	
Trip Ends	15	15	30

WEEKDAY

Trip Rate: 54.45

	Enter	Exit	Total
Directional Split	50%	50%	
Trip Ends	128	128	256

SATURDAY

Trip Rate: 0.00

	Enter	Exit	Total
Directional Split	50%	50%	
Trip Ends	NA	NA	NA



TRIP GENERATION CALCULATIONS
 Source: Trip Generation Manual, 12th Edition

Land Use: Fast Casual Restaurant
Land Use Code: 930
Land Use Subcategory: All Sites
Setting/Location: General Urban/Suburban
Variable: 1000 SF GFA
Trip Type: Vehicle
Formula Type: Rate
Variable Quantity: **3.144**

AM PEAK HOUR

Trip Rate: 1.58

	Enter	Exit	Total
Directional Split	64%	36%	
Trip Ends	3	2	5

PM PEAK HOUR

Trip Rate: 14.35

	Enter	Exit	Total
Directional Split	58%	42%	
Trip Ends	26	19	45

WEEKDAY

Trip Rate: 225.89

	Enter	Exit	Total
Directional Split	50%	50%	
Trip Ends	355	355	710



TRIP GENERATION CALCULATIONS
 Source: Trip Generation Manual, 12th Edition

Land Use: General Light Industrial
Land Use Code: 110
Land Use Subcategory: All Sites
Setting/Location: General Urban/Suburban
Variable: 1000 SF GFA
Trip Type: Vehicle
Formula Type: Rate
Variable Quantity: **28.9**

AM PEAK HOUR

Trip Rate: 0.48

	Enter	Exit	Total
Directional Split	86%	14%	
Trip Ends	12	2	14

PM PEAK HOUR

Trip Rate: 0.49

	Enter	Exit	Total
Directional Split	24%	76%	
Trip Ends	3	11	14

WEEKDAY

Trip Rate: 3.6

	Enter	Exit	Total
Directional Split	50%	50%	
Trip Ends	52	52	104

SATURDAY

Trip Rate: 0

	Enter	Exit	Total
Directional Split	50%	50%	
Trip Ends	NA	NA	NA



TRIP GENERATION CALCULATIONS
 Source: Trip Generation Manual, 12th Edition

<i>Land Use:</i>	Food Cart Pods
<i>Land Use Code:</i>	926
<i>Land Use Subcategory:</i>	All Sites
<i>Setting/Location</i>	General Urban/Suburban
<i>Variable:</i>	Food Carts
<i>Trip Type:</i>	Vehicle
<i>Formula Type:</i>	Rate
<i>Variable Quantity:</i>	22

WARNING: Variable Quantity is greater than Maximum Survey Size for Peak Hours

AM PEAK HOUR

Trip Rate: 1.76

	Enter	Exit	Total
Directional Split	64%	36%	
Trip Ends	25	14	39

Average based on Time of Day Data for LUC 930 & 932

PM PEAK HOUR

Trip Rate: 6.16

	Enter	Exit	Total
Directional Split	50%	50%	
Trip Ends	68	68	136

WEEKDAY

Trip Rate: 73.36

	Enter	Exit	Total
Directional Split	50%	50%	
Trip Ends	807	807	1,614

Average based on Time of Day Data for LUC 930 & 932

Although the variable quantity is greater than the maximum survey size, the R-squared value is 0.97, indicating consistent ratios of trips per cart among the sites surveyed. Extrapolating to larger food cart pods using these results appears reasonable.



TRIP GENERATION CALCULATIONS
 Source: Trip Generation Manual, 12th Edition

Land Use: General Light Industrial
Land Use Code: 110
Land Use Subcategory: All Sites
Setting/Location: General Urban/Suburban
Variable: 1000 SF GFA
Trip Type: Vehicle
Formula Type: Rate
Variable Quantity: **26.27**

AM PEAK HOUR

Trip Rate: 0.48

	Enter	Exit	Total
Directional Split	86%	14%	
Trip Ends	11	2	13

PM PEAK HOUR

Trip Rate: 0.49

	Enter	Exit	Total
Directional Split	24%	76%	
Trip Ends	3	10	13

WEEKDAY

Trip Rate: 3.6

	Enter	Exit	Total
Directional Split	50%	50%	
Trip Ends	47	47	94

SATURDAY

Trip Rate: 0

	Enter	Exit	Total
Directional Split	50%	50%	
Trip Ends	NA	NA	NA



TRIP GENERATION CALCULATIONS
 Source: Trip Generation Manual, 12th Edition

Land Use: General Office Building
Land Use Code: 710
Land Use Subcategory: All Sites
Setting/Location: General Urban/Suburban
Variable: 1000 SF GFA
Trip Type: Vehicle
Formula Type: Rate
Variable Quantity: 20

AM PEAK HOUR

Trip Rate: 1.24

	Enter	Exit	Total
Directional Split	88%	12%	
Trip Ends	22	3	25

PM PEAK HOUR

Trip Rate: 1.18

	Enter	Exit	Total
Directional Split	16%	84%	
Trip Ends	4	20	24

WEEKDAY

Trip Rate: 7.83

	Enter	Exit	Total
Directional Split	50%	50%	
Trip Ends	78	78	156



TRIP GENERATION CALCULATIONS
 Source: Trip Generation Manual, 12th Edition

Land Use: General Light Industrial
Land Use Code: 110
Land Use Subcategory: All Sites
Setting/Location: General Urban/Suburban
Variable: 1000 SF GFA
Trip Type: Vehicle
Formula Type: Rate
Variable Quantity: **19.27**

AM PEAK HOUR

Trip Rate: 0.48

	Enter	Exit	Total
Directional Split	86%	14%	
Trip Ends	8	1	9

PM PEAK HOUR

Trip Rate: 0.49

	Enter	Exit	Total
Directional Split	24%	76%	
Trip Ends	2	7	9

WEEKDAY

Trip Rate: 3.6

	Enter	Exit	Total
Directional Split	50%	50%	
Trip Ends	35	35	70

SATURDAY

Trip Rate: 0

	Enter	Exit	Total
Directional Split	50%	50%	
Trip Ends	NA	NA	NA



TRIP GENERATION CALCULATIONS
 Source: Trip Generation Manual, 12th Edition

Land Use: Strip Retail Plaza (<40k)
Land Use Code: 822
Land Use Subcategory: All Sites
Setting/Location: General Urban/Suburban
Variable: 1000 SF GFA
Trip Type: Vehicle
Formula Type: Rate
Variable Quantity: **20**

AM PEAK HOUR

Trip Rate: 3.93

	Enter	Exit	Total
Directional Split	55%	45%	
Trip Ends	43	36	79

PM PEAK HOUR

Trip Rate: 6.29

	Enter	Exit	Total
Directional Split	50%	50%	
Trip Ends	63	63	126

WEEKDAY

Trip Rate: 54.45

	Enter	Exit	Total
Directional Split	50%	50%	
Trip Ends	545	545	1,090

SATURDAY

Trip Rate: 0.00

	Enter	Exit	Total
Directional Split	50%	50%	
Trip Ends	NA	NA	NA



TRIP GENERATION CALCULATIONS
 Source: Trip Generation Manual, 12th Edition

Land Use: High-Turnover (Sit-Down) Restaurant
Land Use Code: 932
Land Use Subcategory: All Sites
Setting/Location: General Urban/Suburban
Variable: 1000 SF GFA
Trip Type: Vehicle
Formula Type: Rate
Variable Quantity: **11.74**

AM PEAK HOUR

Trip Rate: 8.97

	Enter	Exit	Total
Directional Split	55%	45%	
Trip Ends	58	47	105

PM PEAK HOUR

Trip Rate: 9.18

	Enter	Exit	Total
Directional Split	61%	39%	
Trip Ends	66	42	108

WEEKDAY

Trip Rate: 103.75

	Enter	Exit	Total
Directional Split	50%	50%	
Trip Ends	609	609	1,218



TRIP GENERATION CALCULATIONS
 Source: Trip Generation Manual, 12th Edition

<i>Land Use:</i>	General Light Industrial
<i>Land Use Code:</i>	110
<i>Land Use Subcategory:</i>	All Sites
<i>Setting/Location</i>	General Urban/Suburban
<i>Variable:</i>	1000 SF GFA
<i>Trip Type:</i>	Vehicle
<i>Formula Type:</i>	Rate
<i>Variable Quantity:</i>	7.95

AM PEAK HOUR

Trip Rate: 0.48

	Enter	Exit	Total
Directional Split	86%	14%	
Trip Ends	3	1	4

PM PEAK HOUR

Trip Rate: 0.49

	Enter	Exit	Total
Directional Split	24%	76%	
Trip Ends	1	3	4

WEEKDAY

Trip Rate: 3.6

	Enter	Exit	Total
Directional Split	50%	50%	
Trip Ends	14	14	28

SATURDAY

Trip Rate: 0

	Enter	Exit	Total
Directional Split	50%	50%	
Trip Ends	NA	NA	NA



TRIP GENERATION CALCULATIONS
 Source: Trip Generation Manual, 12th Edition

<i>Land Use:</i>	Strip Retail Plaza (<40k)
<i>Land Use Code:</i>	822
<i>Land Use Subcategory:</i>	All Sites
<i>Setting/Location</i>	General Urban/Suburban
<i>Variable:</i>	1000 SF GFA
<i>Trip Type:</i>	Vehicle
<i>Formula Type:</i>	Rate
<i>Variable Quantity:</i>	14.145

AM PEAK HOUR

Trip Rate: 3.93

	Enter	Exit	Total
Directional Split	55%	45%	
Trip Ends	31	25	56

PM PEAK HOUR

Trip Rate: 6.29

	Enter	Exit	Total
Directional Split	50%	50%	
Trip Ends	45	44	89

WEEKDAY

Trip Rate: 54.45

	Enter	Exit	Total
Directional Split	50%	50%	
Trip Ends	385	385	770

SATURDAY

Trip Rate: 0.00

	Enter	Exit	Total
Directional Split	50%	50%	
Trip Ends	NA	NA	NA



TRIP GENERATION CALCULATIONS
 Source: Trip Generation Manual, 12th Edition

Land Use: Fast Casual Restaurant
Land Use Code: 930
Land Use Subcategory: All Sites
Setting/Location: General Urban/Suburban
Variable: 1000 SF GFA
Trip Type: Vehicle
Formula Type: Rate
Variable Quantity: **4.715**

AM PEAK HOUR

Trip Rate: 1.58

	Enter	Exit	Total
Directional Split	64%	36%	
Trip Ends	4	3	7

PM PEAK HOUR

Trip Rate: 14.35

	Enter	Exit	Total
Directional Split	58%	42%	
Trip Ends	39	29	68

WEEKDAY

Trip Rate: 225.89

	Enter	Exit	Total
Directional Split	50%	50%	
Trip Ends	533	533	1,066

Hourly Distribution of Entering and Exiting Vehicle Trips by Land Use

Source: ITE *Trip Generation Manual*, 12th Edition

Land Use Code	930		
Land Use	Fast Casual Restaurant		
Setting	General Urban/Suburban		
Time Period	Weekday		
# Data Sites	4		
	% of 24-Hour Vehicle Trips		
Time	Total	Entering	Exiting
12:00 - 1:00 AM	Food Carts Not Open		
1:00 - 2:00 AM			
2:00 - 3:00 AM			
3:00 - 4:00 AM			
4:00 - 5:00 AM			
5:00 - 6:00 AM			
6:00 - 7:00 AM			
7:00 - 8:00 AM	0.0%	0.0%	0.0%
8:00 - 9:00 AM	1.5%	1.5%	1.5%
9:00 - 10:00 AM	2.9%	2.9%	2.9%
10:00 - 11:00 AM	0.7%	1.5%	0.0%
11:00 - 12:00 PM	5.9%	7.4%	4.4%
12:00 - 1:00 PM	14.7%	19.1%	10.3%
1:00 - 2:00 PM	14.7%	13.2%	16.2%
2:00 - 3:00 PM	6.6%	5.9%	7.4%
3:00 - 4:00 PM	4.4%	1.5%	7.4%
4:00 - 5:00 PM	2.9%	2.9%	2.9%
5:00 - 6:00 PM	7.4%	7.4%	7.4%
6:00 - 7:00 PM	9.6%	14.7%	4.4%
7:00 - 8:00 PM	12.5%	8.8%	16.2%
8:00 - 9:00 PM	14.0%	13.2%	14.7%
9:00 - 10:00 PM	Food Carts Not Open		
10:00 - 11:00 PM			
11:00 - 12:00 AM			
	97.8%	100.0%	95.6%
AM vs PM	0.20		
Daily vs PM	13.30		

Hourly Distribution of Entering and Exiting Vehicle Trips by Land Use

Source: ITE *Trip Generation Manual*, 12th Edition

Land Use Code	932		
Land Use	High-Turnover (Sit-Down) Restaurant		
Setting	General Urban/Suburban		
Time Period	Weekday		
# Data Sites	38		
	% of 24-Hour Vehicle Trips		
Time	Total	Entering	Exiting
12:00 - 1:00 AM	Food Carts Not Open		
1:00 - 2:00 AM			
2:00 - 3:00 AM			
3:00 - 4:00 AM			
4:00 - 5:00 AM			
5:00 - 6:00 AM			
6:00 - 7:00 AM			
7:00 - 8:00 AM	2.2%	2.7%	1.8%
8:00 - 9:00 AM	3.2%	3.4%	3.0%
9:00 - 10:00 AM	3.6%	3.9%	3.3%
10:00 - 11:00 AM	4.9%	5.6%	4.3%
11:00 - 12:00 PM	9.5%	12.1%	6.8%
12:00 - 1:00 PM	12.3%	12.3%	12.2%
1:00 - 2:00 PM	8.8%	6.6%	11.2%
2:00 - 3:00 PM	4.7%	4.1%	5.3%
3:00 - 4:00 PM	3.8%	3.6%	4.1%
4:00 - 5:00 PM	5.2%	6.3%	4.0%
5:00 - 6:00 PM	8.6%	10.1%	7.0%
6:00 - 7:00 PM	9.4%	10.1%	8.8%
7:00 - 8:00 PM	8.2%	7.1%	9.3%
8:00 - 9:00 PM	5.6%	4.2%	7.1%
9:00 - 10:00 PM	Food Carts Not Open		
10:00 - 11:00 PM			
11:00 - 12:00 AM			
	90.1%	92.0%	88.2%
AM vs PM	0.37		
Daily vs PM	10.52		

Engineering Department Land Use Application Review Comments & Conditions



Home of the Tualatin River National Wildlife Refuge

To: Hugo Agosto, Associate Planner
From: Craig Christensen P.E., Senior Civil Engineer
Project: Food Cart Text Amendment (LU 2025-018)
Date: February 9, 2026

Engineering staff has reviewed the information provided for the above referenced private development project. Final construction plans will need to meet the standards established by the City of Sherwood Engineering Department and Public Works Department, Clean Water Services (CWS) and Tualatin Valley Fire & Rescue (TVF&R), in addition to requirements established by other jurisdictional agencies providing land use comments. City of Sherwood Engineering Department comments are as follows:

General Information

The land use application is for a text amendment to the Sherwood Municipal Code to allow food cart pods (SMC 16.39) in light industrial zones (SMC 16.31) within 500 feet of SW Tualatin-Sherwood Road with a conditional use permit.

Engineering Summary

The land use application only modifies Sherwood Municipal Code sections 16.31 and 16.39 to accommodate allowing for the development of food cart pods within 500 feet of SW Tualatin-Sherwood Road with a conditional use permit. None of the other language within the food cart pod section of the Sherwood Municipal Code will be changed. Thereby the submittal requirements for the application of and site standards for the development of a food cart pod are unchanged except for the addition of a conditional use permit being required.

Therefore, the Sherwood Engineering Department has no conditions in relation to this Sherwood Municipal Code text amendment.

END OF ENGINEERING CONDITIONS OF APPROVAL

Hugo Hamblin-Agosto

From: Kristen Tabscott <kTabscott@pridedisposal.com>
Sent: Friday, January 30, 2026 9:54 AM
To: Hugo Hamblin-Agosto
Subject: RE: [FINAL COMMENTS]_LU 2025-018 PA [Food Cart Pod - Text Amendment (785-25-000124-PLNG)]_Type V – Plan Text Amendment.

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

I realize this is just a concept drawing so we don't have any comments on that. But we would need to approve any garbage/recycling enclosures prior to an actual site plan being submitted.

Kristen Tabscott
 EXECUTIVE ASSISTANT

—

Pride Disposal & Recycling Company

503-625-6177

pridedisposal.com

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From: Hugo Hamblin-Agosto <hamblinagostoh@sherwoodoregon.gov>
Sent: Tuesday, January 27, 2026 8:51 AM
To: Ryan Winfree <Ryan.Winfree@nwnatural.com>; Henry English <henry.english@pgn.com>; Travis Smallwood <Travis.Smallwood@pgn.com>; Jose Marquez <Jose.Marquez@pgn.com>; Jackie Humphreys <humphreysj@CleanWaterServices.org>; Marvin Spiering <spieringm@CleanWaterServices.org>; CWS Comments <LUComments@cleanwaterservices.org>; Kinder Morgan <kmenroachmentspacific@kindermorgan.com>; Kristen Tabscott <kTabscott@pridedisposal.com>; Emily McBride <raindrops2refuge@gmail.com>; Eva Kristofik <eva_kristofik@fws.gov>; Mark Werner <mwerner@pwrr.com>; Darin Smith <dxsmith@bpa.gov>; bstrutz@sherwood.k12.or.us; Gary Bennett <gbennett@sherwood.k12.or.us>; Jessica Tump <tumpj@trimet.org>; ben Baldwin <baldwinb@trimet.org>; Trimet Review <DevelopmentReview@trimet.org>; Metro Notification <landusenotifications@oregonmetro.gov>; CCDRailCrossingLUR@odot.oregon.gov; Jill Hendrickson <Jill.M.HENDRICKSON@odot.state.or.us>; ODOT_R1_DevRev@odot.state.or.us; tony Mills <anthony_mills@washingtoncountyor.gov>; Naomi Vogel <Naomi_Vogel@co.washington.or.us>; LUT Transportation <lutdevtransportation@Washingtoncountyor.gov>; Stephen Roberts <stephen_roberts@co.washington.or.us>; Theresa Cherniak <Theresa_Cherniak@co.washington.or.us>; Bryan Robb <Bryan_Robb@co.washington.or.us>; jason.arn@tvfr.com; Brad Crawford <CrawfordB@SherwoodOregon.gov>; Richard Sattler <SattlerR@SherwoodOregon.gov>; Jason Waters <WatersJ@SherwoodOregon.gov>; Craig Christensen <ChristensenC@SherwoodOregon.gov>; Katie Corgan <CorganK@SherwoodOregon.gov>; Andrew Stirling <StirlingA@SherwoodOregon.gov>; Colleen Resch <ReschC@SherwoodOregon.gov>; Jared Bradbury <BradburyJ@sherwoodoregon.gov>; Ty Hanlon <HanlonT@SherwoodOregon.gov>; Hoon Choe <hoon.choe@USPS.gov>; isaaca@hbapdx.org; Land Use Notice <mlrr.info@oregon.gov>
Subject: RE: [FINAL COMMENTS]_LU 2025-018 PA [Food Cart Pod - Text Amendment (785-25-000124-PLNG)]_Type V – Plan Text Amendment.

Morning,

Hugo Hamblin-Agosto

From: DANIELSON Marah B <Marah.B.DANIELSON@odot.oregon.gov>
Sent: Friday, January 23, 2026 1:28 PM
To: ODOT Region 1; Hugo Hamblin-Agosto
Subject: RE: [FINAL COMMENTS]_LU 2025-018 PA [Food Cart Pod - Text Amendment (785-25-000124-PLNG)]_Type V – Plan Text Amendment.

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Hi Hugo,
 Thanks for providing ODOT the opportunity to review and comment. It looks like minor code changes not near the State highway, so we do not plan to submit comments.

Have a good weekend 😊

Marah Danielson, Senior Planner

Development Review Program
 Oregon Department of Transportation, Region 1
Marah.b.danielson@odot.oregon.gov
 503.731.8258
 Cell: 503.979.7628

Please note: This email, related attachments and any response may be subject to public disclosure under state law.

From: ODOT_R1_DevRev <ODOT_R1_DevRev@odot.oregon.gov>
Sent: Friday, January 23, 2026 1:10 PM
To: DANIELSON Marah B <Marah.B.DANIELSON@odot.oregon.gov>
Subject: FW: [FINAL COMMENTS]_LU 2025-018 PA [Food Cart Pod - Text Amendment (785-25-000124-PLNG)]_Type V – Plan Text Amendment.

Hi Marah,

City of Sherwood is going through a text amendment to add in food cart pod language. Can you review and let me know if there are any concerns/comments?

Thanks!

Melissa Gonzalez-Gabriel (she/her)
 Associate Transportation Planner, ODOT Region 1
 C: (971) 337-6681

Please note: This email, related attachments and any response may be subject to public disclosure under state law.

From: Hugo Hamblin-Agosto <hamblinagostoh@sherwoodoregon.gov>
Sent: Wednesday, January 21, 2026 9:36 AM
To: Ryan Winfree <Ryan.Winfree@nwnatural.com>; Henry English <henry.english@pgn.com>; Travis Smallwood <Travis.Smallwood@pgn.com>; Jose Marquez <Jose.Marquez@pgn.com>; Jackie Humphreys <humphreysj@CleanWaterServices.org>; Marvin Spiering <spieringm@CleanWaterServices.org>; CWS Comments <LUComments@cleanwaterservices.org>; Kinder Morgan <kmenroachmentspacific@kindermorgan.com>; Kristin Tabscott <kTabscott@pridedisposal.com>; Emily McBride <raindrops2refuge@gmail.com>; Eva Kristofik

Hugo Hamblin-Agosto

From: CCD Rail Crossing LUR <CCDRailCrossingLUR@odot.oregon.gov>
Sent: Friday, January 23, 2026 12:20 PM
To: Hugo Hamblin-Agosto
Cc: CCD Rail Crossing LUR
Subject: RE: [FINAL COMMENTS]_LU 2025-018 PA [Food Cart Pod - Text Amendment (785-25-000124-PLNG)]_Type V – Plan Text Amendment.

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

Hello Hugo,

ODOT Rail Crossing does not have any concerns/comments. Thank you for the opportunity to review.

Have a good day,

Ruth Price

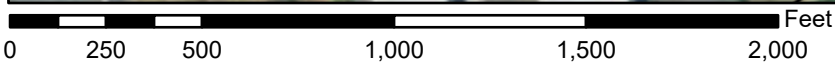
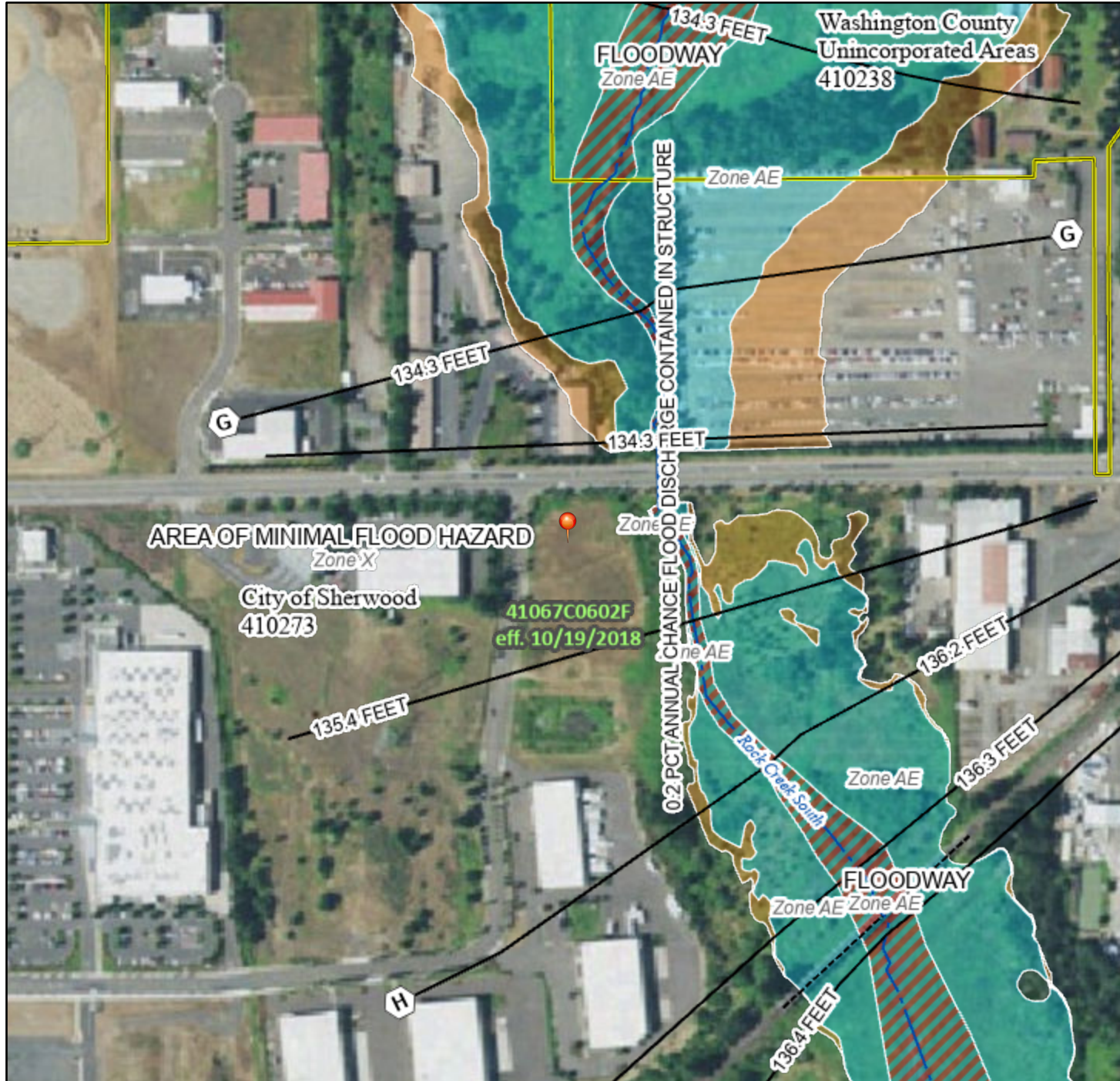
Rail Crossing Program Coordinator
 ODOT | Commerce and Compliance Division
 455 Airport Rd SE, Building A | Salem, OR 97301
 C: 541-250-6788

From: Hugo Hamblin-Agosto <hamblinagostoh@sherwoodoregon.gov>
Sent: Wednesday, January 21, 2026 9:36 AM
To: Ryan Winfree <Ryan.Winfree@nwnatural.com>; Henry English <henry.english@pgn.com>; Travis Smallwood <Travis.Smallwood@pgn.com>; Jose Marquez <Jose.Marquez@pgn.com>; Jackie Humphreys <humphreysj@CleanWaterServices.org>; Marvin Spiering <spieringm@CleanWaterServices.org>; CWS Comments <LUComments@cleanwaterservices.org>; Kinder Morgan <kmenroachmentspacific@kindermorgan.com>; Kristin Tabscott <kTabscott@pridedisposal.com>; Emily McBride <raindrops2refuge@gmail.com>; Eva Kristofik <eva_kristofik@fws.gov>; Mark Werner <mwerner@pwrr.com>; Darin Smith <dxsmith@bpa.gov>; bstrutz@sherwood.k12.or.us; Gary Bennett <gbennett@sherwood.k12.or.us>; Jessica Tump <tumpj@trimet.org>; ben Baldwin <baldwinb@trimet.org>; Trimet Review <DevelopmentReview@trimet.org>; Metro Notification <landusenotifications@oregonmetro.gov>; CCD Rail Crossing LUR <CCDRailCrossingLUR@odot.oregon.gov>; HENDRICKSON Jill M <Jill.M.HENDRICKSON@odot.oregon.gov>; ODOT_R1_DevRev <ODOT_R1_DevRev@odot.oregon.gov>; tony Mills <anthony_mills@washingtoncountyor.gov>; Naomi Vogel <Naomi_Vogel@co.washington.or.us>; LUT Transportation <lutdevtransportation@Washingtoncountyor.gov>; Stephen Roberts <stephen_roberts@co.washington.or.us>; Theresa Cherniak <Theresa_Cherniak@co.washington.or.us>; Bryan Robb <Bryan_Robb@co.washington.or.us>; jason.arn@tvfr.com; Brad Crawford <CrawfordB@SherwoodOregon.gov>; Richard Sattler <SattlerR@SherwoodOregon.gov>; Jason Waters <WatersJ@SherwoodOregon.gov>; Craig Christensen <ChristensenC@SherwoodOregon.gov>; Katie Corgan <CorganK@SherwoodOregon.gov>; Andrew Stirling <StirlingA@SherwoodOregon.gov>; Colleen Resch <ReschC@SherwoodOregon.gov>; Jared Bradbury <BradburyJ@sherwoodoregon.gov>; Ty Hanlon <HanlonT@SherwoodOregon.gov>; Hoon Choe <hoon.choe@USPS.gov>; isaaca@hbapdx.org; Land Use Notice <mlrr.info@oregon.gov>
Subject: [FINAL COMMENTS]_LU 2025-018 PA [Food Cart Pod - Text Amendment (785-25-000124-PLNG)]_Type V – Plan Text Amendment.

National Flood Hazard Layer FIRMette



122°50'6"W 45°22'15"N



1:6,000 122°49'28"W 45°21'50"N

Basemap Imagery Source: USGS National Map 2023

Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

- | | | |
|------------------------------------|--|---|
| SPECIAL FLOOD HAZARD AREAS | | Without Base Flood Elevation (BFE)
Zone A, V, A99 |
| | | With BFE or Depth Zone AE, AO, AH, VE, AR |
| | | Regulatory Floodway |
| OTHER AREAS OF FLOOD HAZARD | | 0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X |
| | | Future Conditions 1% Annual Chance Flood Hazard Zone X |
| | | Area with Reduced Flood Risk due to Levee. See Notes. Zone X |
| | | Area with Flood Risk due to Levee Zone D |
| OTHER AREAS | | NO SCREEN Area of Minimal Flood Hazard Zone X |
| | | Effective LOMRs |
| GENERAL STRUCTURES | | Area of Undetermined Flood Hazard Zone D |
| | | Channel, Culvert, or Storm Sewer |
| | | Levee, Dike, or Floodwall |
| OTHER FEATURES | | 20.2 Cross Sections with 1% Annual Chance Water Surface Elevation |
| | | 17.5 Water Surface Elevation |
| | | Coastal Transect |
| | | Base Flood Elevation Line (BFE) |
| | | Limit of Study |
| | | Jurisdiction Boundary |
| | | Coastal Transect Baseline |
| | | Profile Baseline |
| | | Hydrographic Feature |
| MAP PANELS | | Digital Data Available |
| | | No Digital Data Available |
| | | Unmapped |

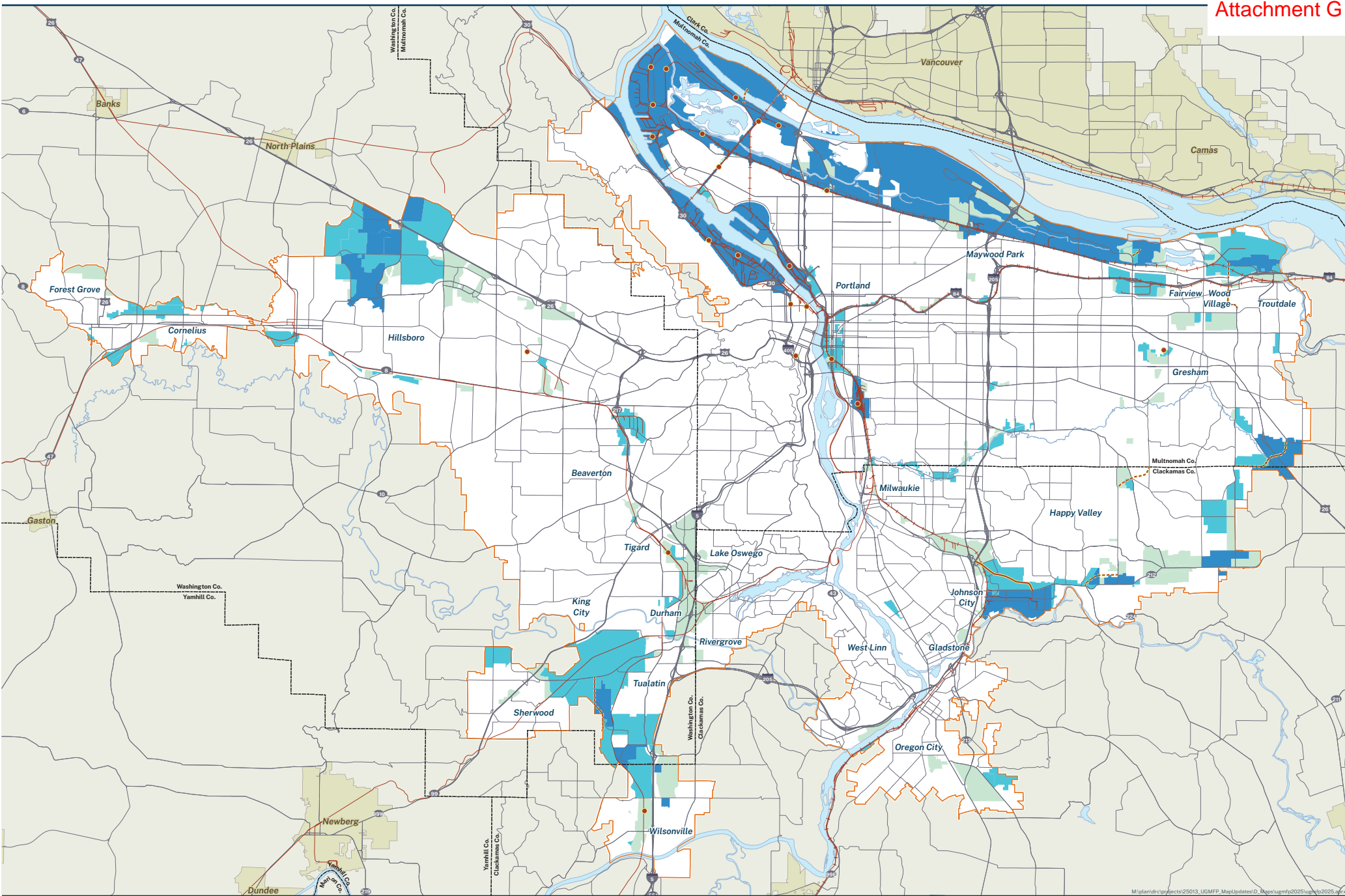


The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 2/17/2026 at 9:17 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

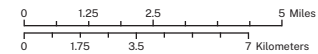


Title 4

Industrial and other Employment Areas

April 2025

- Employment area
- Industrial area
- Regionally significant industrial area
- Proposed main roadway route
- Proposed road connector
- Mainline freight
- Branch line freight
- Rail yard
- County boundary
- Metro urban growth boundary
- Neighbor city



The information on this map was derived from digital databases on Metro's GIS. Care was taken in the creation of this map. Metro cannot accept any responsibility for errors, omissions, or positional accuracy. There are no warranties, expressed or implied, including the warranty of merchantability or fitness for a particular purpose, accompanying this product. However, notification of any errors are appreciated.

Title 16 - ZONING AND COMMUNITY DEVELOPMENT CODE
 Division II. - LAND USE AND DEVELOPMENT
 Chapter 16.31 INDUSTRIAL LAND USE DISTRICTS

Chapter 16.31 INDUSTRIAL LAND USE DISTRICTS¹

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.

(Ord. No. 2020-006, § 2, 7-21-2020; Ord. No. 2016-008, § 2, 6-21-2016; Ord. No. 2012-011, § 2, 8-7-2012)

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.

¹Editor's note(s)—Ord. No. 2012-011, adopted August 7, 2012, amended the Code by consolidating the provisions of Chs. 16.31, 16.32 and 16.34. Former Ch. 16.31, §§ 16.31.010—16.31.100, pertained to the Employment Industrial district, and derived from Ord. 2010-014, adopted October 5, 2010. See Chs. 16.32 and 16.34 for specific derivation.

- 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	LI	GI	EI ¹
RESIDENTIAL			
• Single dwelling unit, including a manufactured home, for one (1) security person employed on the premises and their immediate family	P	P	P
CIVIC			
• 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
COMMERCIAL			
• Commercial Trade Schools, commercial educational services and training facilities	P	P	C
Entertainment/recreation			
• 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 ^{2,3}	C	C	C
Hospitality and lodging			
• Hotel/Motel	CJ ¹²	N	N
Motor vehicle related			
• 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 ⁴
• Vehicle fueling stations or car wash facilities ⁵	C	C	C
• Junkyards and salvage yards	N	N	N
• Manufactured home sales and display area	N	N	N
Office and professional support services			
• Business and professional offices ³	P	P	P
• Business support services such as duplicating, photocopying, mailing services, fax and computer facilities ³	P	P	P
• Any incidental business, service, processing, storage or display, not otherwise permitted, that is essential to and customarily associated with a use permitted outright, provided said incidental use is conducted entirely within an enclosed building	P	P	P
Childcare			
• 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 ³	C	C	C
General retail - sales oriented			

Created: 2025-12-07 12:26:14 [EST]

(Supp. No. 24, Update 2)

• 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 ³	P	P	P
• Medical and recreational marijuana facilities	p ⁶	p ⁶	N
• Tool and equipment repair, rental and sales, including truck rental ⁷	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 ³	C	P	N
Personal services			
• Health clubs and studios less than 5,000 square feet in size	P	P	P
• Psilocybin Service Centers	N	p ¹³	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 ⁸	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 ⁸	C	C	C
Eating and drinking establishments:			
• Restaurants, taverns, and lounges without drive-thru ³	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
• Food Cart Pods ^{3,14, 15}	<u>C</u>	<u>N</u>	<u>N</u>
INDUSTRIAL			
• 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
• Psilocybin Manufacturing Facilities	N	p ¹³	N
• Distribution, warehousing and storage associated with a permitted use operating on the same site	P	P	P
• Distribution and warehousing up to 150,000 square feet, provided product(s) are stored within an enclosed building ⁹	P	P	P
• Distribution and warehousing greater than 150,000 square feet provided product(s) are stored within an enclosed building ⁹	N	P	C
• Mini-warehousing or self-storage	N	P	N
• Medical or dental laboratories, including biomedical compounding	P	P	P
• Laboratories (not medical or dental)	P	P	P
• Research and development and associated manufacturing	P	P	P
• Contractors' storage and equipment yards	C	P	C ⁴
• Building, heating, plumbing or electrical contractors and suppliers, building maintenance services, and similar uses ¹⁰	P	P	P
• Industrial laundry, dry cleaning, dyeing, or rug cleaning plants	C	P	N
• Sawmills	C	C	N

• Sand and gravel pits, rock crushing facilities, aggregate storage and distribution facilities or concrete or asphalt batch plants	N	C	N
• Solid waste transfer stations	N	C	N
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			
• 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	N	N	N
• Pulp and paper mills	N	N	N
• Distillation of oil, coal, wood or tar compounds and the creosote treatment of any products	N	N	N
• Metal rolling and extraction mills, forge plants, smelters and blast furnaces	N	N	N
• Meat, fish, poultry and tannery processing	N	N	N
• General purpose solid waste landfills, incinerators, and other solid waste facilities not otherwise permitted in this Code	N	N	N
WIRELESS COMMUNICATION FACILITIES			
• Radio, television, and similar communication stations, including associated transmitters	C	C	C
• Wireless communication towers ¹¹ and transmitters	C	C	C
• Wireless communication facilities on City-owned property	C	C	C
• Wireless communication antennas co-located on an existing tower or on an existing building or structure not exceeding the roof of the structure	P	P	P
OTHER			
Agricultural uses including but not limited to:			
• Farm equipment sales and rentals	N	N	N
• Farming and horticulture	P	P	P
• Raising of animals other than household pets	N	N	N
• Truck and bus yards	N	P	N

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

² 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.

³ 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.

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

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

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

⁷ 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.

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

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

¹⁰ 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.

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

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

¹³ See Special Criteria for Psilocybin Service Centers and manufacturing facilities under Section 16.38.040.

¹⁴ [See criteria for Food Cart Pods in Chapter 16.39.](#)

¹⁵ [Food Cart Pod developments \(including structures, seating, parking, driveways, vehicular maneuvering areas, and trash receptacles and enclosures\) within the light industrial zone must be entirely sited within 500 feet of Tualatin-Sherwood Road.](#)

(Ord. No. 2023-002, § 2, 3-7-2023; Ord. No. 2022-002, § 2, 3-15-2022; Ord. No. 2020-006, § 2, 7-21-2020; Ord. No. 2016-008, § 2, 6-21-2016; Ord. No. 2015-005, § 2, 5-5-2015; Ord. No. 2015-003, § 2, 3-17-2015; Ord. No. 2012-011, § 2, 8-7-2012)

16.31.030 Development Standards

A. Generally

No lot area, setback, yard, landscaped area, open space, off-street parking or loading area, or other site dimension or requirement, existing on, or after, the effective date of this Code shall be reduced below the minimum required by this Code. Nor shall the conveyance of any portion of a lot, for other than a public use or right-of-way, leave a lot or structure on the remainder of said lot with less than minimum Code dimensions, area, setbacks or other requirements, except as permitted by Chapter 16.84 (Variances and Adjustments).

B. Development Standards

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

Development Standards by Zone	LI	GI	EI
Lot area - industrial uses:	10,000 SF	20,000 SF	3 acres ⁹
Lot area - commercial uses (subject to Section 16.31.050):	10,000 SF	20,000 SF	10,000 SF
Lot width at front property line:	100 feet		
Lot width at building line:	100 feet		
Front yard setback ¹¹	20 feet	None	20 feet
Side yard setback ¹⁰	None	None	None
Rear yard setback ¹¹	None	None	None
Corner lot street side ¹¹	20 feet	None	20 feet
Height ¹¹	50 feet		

⁹ Lots within the EI zone that were legal lots of record prior to October 5, 2010 and smaller than the minimum lot size required in the table below may be developed if found consistent with other applicable requirements of Chapter 16.31 and this Code. Further subdivision of lots smaller than three acres shall be prohibited unless Section 16.31.050 applies.

¹⁰ When a yard is abutting a residential zone or public park, there shall be a minimum setback of forty (40) feet provided for properties zoned Employment Industrial and Light Industrial zones, and a minimum setback of fifty (50) feet provided for properties zoned General Industrial.

¹¹ Structures located within one hundred (100) feet of a residential zone shall be limited to the height requirements of that residential zone.

(Ord. No. 2020-006, § 2, 7-21-2020; Ord. No. 2016-008, § 2, 6-21-2016)

16.31.040 Special Standards Hospitality and Lodging Uses Within the Light Industrial Zone

A. Siting

1. 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

1. 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.
2. 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.

(Ord. No. 2020-006, § 2, 7-21-2020)

Editor's note(s)—Ord. No. 2020-006, § 2, adopted July 21, 2020, amended the Code by renumbering former §§ 16.31.040—16.31.070 as §§ 16.31.050—16.31.080, and adding a new § 16.31.040.

16.31.050 Employment Industrial (EI) Restrictions

A. Use Restrictions

1. Retail and professional services that cater to daily customers, such as restaurants and financial, insurance, real estate, legal, medical and dental offices, shall be limited in the EI zone.
 - a. New buildings for stores, branches, agencies or other retail uses and services shall not occupy more than five thousand (5,000) square feet of sales or service area in a single outlet and no more than twenty thousand (20,000) square feet of sales or service area in multiple outlets in the same development project, and
 - b. New buildings for stores, branches, agencies or other retail uses and services shall not be located on lots or parcels smaller than five acres in size. A "development project" includes all improvements proposed through a site plan application.
2. Notwithstanding the provisions of Section 16.31.050 "Commercial Nodes Use Restrictions," commercial development permitted under 16.31.050(1)(a) may only be proposed concurrent with or after

industrial development on the same parcel. Commercial development may not occur prior to industrial development on the same parcel.

B. Land Division Restrictions

1. Lots of record prior to October 5, 2010 that are smaller than the minimum lot size required in the EI zone may be developed if found consistent with other applicable requirements of Chapter 16.31 and this Code. Further subdivision of lots smaller than three acres shall be prohibited unless Section 16.31.050 applies.
2. Lots or parcels larger than fifty (50) acres may be divided into smaller lots and parcels pursuant to a planned unit development approved by the city so long as the resulting division yields at least one lot or parcel of at least fifty (50) acres in size.
3. Lots or parcels fifty (50) acres or larger, including those created pursuant to subsection (2) above, may be divided into any number of smaller lots or parcels pursuant to a planned unit development approved by the city so long as at least forty (40) percent of the area of the lot or parcel has been developed with industrial uses or uses accessory to industrial use.

(Ord. No. 2020-006, § 2, 7-21-2020; Ord. No. 2016-008, § 2, 6-21-2016; Ord. No. 2012-011, § 2, 8-7-2012)

Note(s)—Former § 16.31.040. See editor's note, § 16.31.040.

16.31.060 Tonquin Employment Area (TEA) Commercial Nodes Use Restrictions

- A. Within the Tonquin Employment Area (TEA), only commercial uses that directly support industrial uses located within the TEA are permitted as conditional uses.
- B. Commercial development, not to exceed a total of five contiguous acres in size, may be permitted.
- C. Commercial development may not be located within three hundred (300) feet of SW 124th Avenue or SW Oregon Street, and must be adjacent to the proposed east-west collector street.

(Ord. No. 2020-006, § 2, 7-21-2020; Ord. No. 2016-008, § 2, 6-21-2016; Ord. No. 2012-011, § 2, 8-7-2012)

Note(s)—Former § 16.31.050. See editor's note, § 16.31.040.

16.31.070 Community Design

For standards relating to off-street parking and loading, energy conservation, historic resources, environmental resources, landscaping, access and egress, signs, parks and open space, on-site storage, and site design, the applicable provisions of Divisions V, VIII and IX will apply.

(Ord. No. 2020-006, § 2, 7-21-2020; Ord. No. 2016-008, § 2, 6-21-2016; Ord. No. 2012-011, § 2, 8-7-2012)

Note(s)—Former § 16.31.060. See editor's note, § 16.31.040.

16.31.080 Floodplain

Except as otherwise provided, Section 16.134.020 shall apply.

(Ord. No. 2020-006, § 2, 7-21-2020; Ord. No. 2016-008, § 2, 6-21-2016; Ord. No. 2012-011, § 2, 8-7-2012)

Note(s)—Former § 16.31.070. See editor's note, § 16.31.040.

Chapter 16.39 FOOD CART PODS

16.39.010 Purpose and Definitions

- A. **Purpose.** Mobile food units can provide opportunities for small scale entrepreneurship and provide unique eating establishments and community gathering spaces for the public. The purpose of this section is to allow for mobile food unit sites or "food cart pod" sites where mobile food units or "food carts" can be parked on a long-term basis. As defined below, a minimum of five (5) food carts are required in a food cart pod.

The standards in this section are intended to ensure that food carts and food cart pods are developed and operated as lawful uses and in a manner that is not detrimental or disruptive in terms of appearance or operation to neighboring properties and residents.

B. **Exemptions.**

1. Mobile food units operated as part of an approved special event permit application.

C. **Definitions.**

1. Mobile Food Unit (Food Cart) - any vehicle that is self-propelled or that can be pulled or pushed down a sidewalk, street, highway or waterway, on which food is prepared, processed or converted or which is used in selling and dispensing food to the ultimate consumer.
2. Mobile Food Unit Site (Food Cart Pod) - a site that consists of 5 or more mobile food units anchored by a permanent covered dining pavilion and restroom facilities.

(Ord. No. 2024-004, § 2, 10-15-2024)

16.39.020 Food Cart Pod Permit Procedures

- A. Mobile food cart pod site permits will be processed as follows:

1. **Site Plan Review and Conditional Use Permit.** All mobile food cart pod sites are required to be reviewed as a Type IV Site Plan and Type III Conditional Use Permit in accordance with Chapter 16.72 of this code.
2. **Submittal Requirements.** An application for a mobile food cart pod shall include the following:
 - a. A completed land use application form and supplemental documentation as required by the form. Supplemental documentation may include:
 - i. Clean Water Services Service Provider Letter
 - ii. Tualatin Valley Fire and Rescue Service Provider Letter
 - iii. Preliminary Stormwater Report
 - iv. Traffic Impact Analysis
 - v. Written narrative describing the project and addressing the applicable code standards and criteria.

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- b. Information and plan details described in the Site Plan Review checklist provided by the City, including existing conditions and proposed development plans. In addition to the information listed in the Site Plan.

Review checklist, the following information is required for review of a Food Cart Pod:

- i. Within the boundaries of the mobile food cart pod site, the location of all mobile food units, seating areas, on-site utilities and any accessory items or structures.
- ii. The proposed distance between the mobile food units and adjacent lot lines, other mobile food units and other on-site structures.
- iii. The orientation of service windows and doors on the mobile food units and the location of queuing areas.

(Ord. No. 2024-004, § 2, 10-15-2024)

16.39.030 Food Cart Pod Development Standards.

The following standards apply to food cart pod sites.

- A. **Optional Storage Structures** - a maximum of two enclosed accessory storage buildings or structures are permitted per site, provided that the combined square footage does not exceed four hundred (400) square feet and the height of each does not exceed 10 ft. Outdoor storage of equipment and material for the site and/or for individual food carts is prohibited.
- B. **Required Trash Receptacles and Enclosures**
 - 1. Individual trash receptacles (i.e. not a shared enclosure) are required and shall be dispersed throughout the food cart pod for customer use.
 - 2. A minimum of one screened trash enclosure for the site is required meeting the approval of Pride Disposal.
- C. **Required Structures**
 - 1. ~~All required structures shall meet setback requirements of the Retail Commercial (RC) and General Commercial zones, as well as the separation and setback requirements of the Building Code.~~ All structures shall comply with the applicable setback standards of the underlying zoning district.
 - 2. A minimum of one permanent indoor restroom adequately sized to serve the site is required. Portable toilets are not permitted. The design of a detached restroom structure shall meet the design standards in subsection (4) of this section.
 - 3. Existing Structures may be utilized as the dining building or pavilion. The structure shall meet the design standards in subsection (4 a-d) of this section.
 - 4. Food Cart Pod Dining Building or Pavilion. A site shall have a pavilion or building of no less than 1,000 square feet to provide weather protection and comfort to dining customers. Proposed structures located on lots within the Old Town Overlay District shall meet the design standards of Section 16.162 of this code. The following design standards apply to dining building or pavilion:
 - a. **Primary Exterior Finish Materials** - The purpose of this standard is to encourage high-quality materials that are complementary to the traditional materials used in Sherwood. Natural building materials are preferred, such as wood, cedar shake, brick, and stone. Composite boards manufactured from wood in combination with other products, such as

hardboard or fiber cement board (i.e. HardiPlank) may be used when the board product is less than six (6) inches wide.

- b. **Secondary Exterior Finish Materials** - These materials may include plain or painted concrete block, plain concrete, corrugated metal, full-sheet plywood, fiberboard or sheet pressboard (i.e., T-111), vinyl and aluminum siding, and synthetic stucco (i.e. DryVit and stucco board). Secondary materials shall cover no more than ten percent (10%) of a surface area of each facade and shall not be visible from the public right-of-way.
- c. **Color of Structures** - The color of all painted or colored exterior materials shall be earth tone. A color palette shall be submitted and reviewed as part of the land use application review process and approved by the hearing authority.
- d. **Roof-Mounted Equipment.** The purpose of this standard is to minimize the visual impact of roof-mounted equipment. All roof-mounted equipment, including satellite dishes and other communications equipment, must be screened using at least one of the methods listed below. Solar heating panels are exempt from this standard.
 - 1. A parapet as tall as the tallest part of the equipment.
 - 2. A screen around the equipment that is as tall as the tallest part of the equipment.
 - 3. The equipment is set back from the street-facing perimeters of the building, 3 feet for each foot of height of the equipment. On corner lots with two street-facing areas, all equipment shall be centered.
- e. **Roof.** The purpose of this standard is to encourage traditional roof forms consistent with existing development patterns in Sherwood. Roofs should have significant pitch, or if flat, be designed with a cornice or parapet. Buildings must have either:
 - 1. A sloped roof with a pitch no flatter than 6/12; or
 - 2. A roof with a pitch of less than 6/12 and a cornice or parapet that meets the following:
 - a) There must be two parts to the cornice or parapet. The top part must project at least six (6) inches from the face of the building and be at least two (2) inches further from the face of the building than the bottom part of the cornice or parapet.
 - b) The height of the cornice or parapet is based on the height of the building as follows:
 - 1. Buildings sixteen (16) to twenty (20) feet in height must have a cornice or parapet at least twelve (12) inches high.
 - 2. Buildings greater than twenty (20) feet and less than thirty (30) feet in height must have a cornice or parapet at least eighteen (18) inches high.
 - 3. Buildings thirty (30) feet or greater in height must have a cornice or parapet at least twenty-four (24) inches high.
- f. **Base of Buildings.** Buildings must have a base on all street-facing elevations. The base must be at least two (2) feet above grade and be distinguished from the rest of the building by a different color and material.

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- D. **Minimum Setbacks and Separation Distance of Food Carts.** Food Carts on the site shall be located at a minimum of:
1. Ten (10) feet from any front lot line
 2. Five (5) feet from any side or rear lot line, except if a site abuts a residential district the minimum setback of mobile food units to the side and rear lot line shall be twenty (20) feet.
 3. Windows and doors used for service to customers shall be located a minimum of ten (10) feet from loading areas, driveways, and on-site circulation drives, and a minimum of five (5) feet from bicycle parking spaces.
- E. **Screening from residential properties**
1. If the food cart pod site is adjacent to a residentially zoned property, the food cart pod shall be screened from the property. Screening shall be provided by a continuous, sight-obscuring fence. Fences shall be constructed of wood, metal, brick, concrete, or other appropriate material as determined by the Hearing Authority. Chain-link fencing with slats shall not be accepted. Hedges may be used in addition to fencing but shall not replace the fence requirement.
- F. **Obstruction of Vehicular and Pedestrian Use Areas and Landscape Areas.** No mobile food unit or associated elements, such as aboveground power cords, seating areas, trash receptacles, signs, and customer queuing areas, shall occupy bicycle parking spaces, loading areas, or walkways. Mobile food units shall not occupy landscaping areas.
- G. **Surfacing.** All mobile food units shall be placed on hard-surfaced area and all walkways within the site shall be hard surfaced as determined by the Hearing Authority. Parking, loading, and maneuvering areas for vehicles shall be constructed of concrete or asphalt.
- H. **Driveway access and drive aisles providing off-street parking and loading for vehicles shall meet the requirements of Chapter 16.94, Off-Street Parking Standards.**
- I. **Signs.**
1. Signs shall comply with the requirements of Section 16.101 Permanent Signs and 16.102 Temporary, Portable, and Banner Signs of this code.
 2. Additional portable signs within a food cart pod site are permitted but shall not be located within pedestrian walkways and shall not be visible from the public right of way.
- J. **Intersection Sight Distance and Clear Vision Areas.** The mobile food unit and any attachments or accessory items shall comply with the intersection sight distance and clear vision areas.
- K. **Lighting.** Exterior site lighting shall be provided to ensure safety for businesses and customers but shall be designed to minimize impacts to adjacent properties. Heat and light glare associated with a Food Cart Pod shall also meet the requirements of Section 16.152 Heat and Glare of this code.
- L. **Required Vehicular and Bicycle Parking.**
1. Minimum two (2) vehicle parking spaces per food cart, for lots or parcels not within the CFEC parking Delineated Area.
 2. Minimum 0.5 bike parking spaces per food cart.
 3. For every five (5) food carts a site, provide one (1) long-term bicycle space with weather protection.
- M. **Landscaping, Visual Corridor, Street Trees.** All sites shall be required to meet the requirements in Chapter 16.92 Landscaping, 16.140.040, Visual Corridors, and 16.140.060 Street Trees.

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- N. **Hours of Operation.** A food cart pod site abutting a residential zone may operate during day hours between 7:00 a.m. and 9:00 p.m. Monday through Friday and 8:00 a.m. and 9:00 p.m. Saturday and Sunday. The Hearing Authority may further limit hours of operation to ensure compatibility with abutting residential uses.

(Ord. No. 2024-004, § 2, 10-15-2024)

16.39.040 Food Cart Pod Utility Standards

- A. Food Cart Pods sites are subject to the following utility standards:
1. All permanent utilities shall be placed underground.
 2. Food carts and restrooms shall connect to a permanent sanitary sewer system in conformance with state plumbing code.
 3. Food carts shall provide an approved grease interceptor for the disposal of fats, oils, and grease.
 4. Food carts shall connect to a permanent water source in conformance with state plumbing code.
 5. Food carts and on-site structures (i.e. restrooms and pavilion) shall connect to a permanent power source. Power connections must be undergrounded. Generators are prohibited.
 6. All utilities shall be placed or otherwise screened, covered, or hidden from view of the right-of-way as to minimize visual impacts and prevent tripping hazards or other unsafe conditions.

(Ord. No. 2024-004, § 2, 10-15-2024)

16.39.050 Food Cart Design Standards

The following standards apply to each mobile food unit on the site.

- A. **Attachments.** Attachments to the food cart, such as awnings or canopies, are permitted only if they are supported entirely by the unit and do not touch the ground. Neither the food cart nor any item relating to the unit shall lean against or hang from any structure or pole. No structures such as decks shall be attached to the mobile food unit.
- B. **Accessory Storage.** Items relating to the food cart shall be stored in or under the unit.
- C. **Interior Seating or Vending.** Customer seating or vending inside the mobile food unit is prohibited.
- D. **Accessory items.** Food carts shall enclose or screen from view of the right of way and abutting residentially zoned property all accessory items not used by customers, including but not limited to, tanks, barrels, grills, smokers, and other accessory items.
- E. **Skirting.** Skirting shall be placed around the entire perimeter of the food cart.
- F. **Drive-Thru Service.** Drive-thru service or sales at a mobile food unit is prohibited.
- G. **Other Licenses Required.** In addition to the requirements of this section, the operator of a mobile food unit must have an active City and State business license and must comply with the permit requirements of the Washington County Environmental Health Department, Tualatin Valley Fire and Rescue, and the Oregon Liquor and Cannabis Commission.

(Ord. No. 2024-004, § 2, 10-15-2024)

16.39.060 Food Cart Pod Conditions of Approval

- A. A conditional use permit is required for a food cart pod site, and shall meet the requirements of Chapter 16.82, Conditional Uses. The applicant is required to meet the approval criteria in Section 16.82.020(C). The Hearing Authority may impose conditions of approval pursuant to Section 16.82.020(D) to protect the best interests of the surrounding properties and neighborhood.

(Ord. No. 2024-004, § 2, 10-15-2024)

16.39.070 Food Cart Pod Approval Period and Time Extension

- A. A food cart pod site approval is valid for two years from the date of the final Notice of Decision. An extension of the Site Plan approval may be granted pursuant to Section 16.90.020(F) of this code.
- B. Upon approval for a Mobile Food Cart Pod development by the Hearing Authority, the applicant shall prepare a final site plan for review and approval pursuant to Chapter 16.72, Procedures for Processing Development Permits. The final site plan shall include any revisions or other features, or conditions required by the Hearing Authority at the time of the approval of the Food Cart Pod development.

(Ord. No. 2024-004, § 2, 10-15-2024)

16.39.080 Food Cart Pod Code Compliance

- A. After reviewing a complaint, the Community Development Director or designee shall compel measures to ensure compliance with the land use approval, compatibility with the neighborhood, and conformance with this section. Complaints may be originated by the City of Sherwood or the public. Complaints from the public shall clearly state the objection to the mobile food cart site, such as:
 - 1. Generation of excessive traffic;
 - 2. Generation of excessive noise or litter;
 - 3. Other offensive activities not compatible with the surrounding area.

(Ord. No. 2024-004, § 2, 10-15-2024)

Title 16 - ZONING AND COMMUNITY DEVELOPMENT CODE
 Division II. - LAND USE AND DEVELOPMENT
 Chapter 16.31 INDUSTRIAL LAND USE DISTRICTS

Chapter 16.31 INDUSTRIAL LAND USE DISTRICTS¹

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.

(Ord. No. 2020-006, § 2, 7-21-2020; Ord. No. 2016-008, § 2, 6-21-2016; Ord. No. 2012-011, § 2, 8-7-2012)

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.

¹Editor's note(s)—Ord. No. 2012-011, adopted August 7, 2012, amended the Code by consolidating the provisions of Chs. 16.31, 16.32 and 16.34. Former Ch. 16.31, §§ 16.31.010—16.31.100, pertained to the Employment Industrial district, and derived from Ord. 2010-014, adopted October 5, 2010. See Chs. 16.32 and 16.34 for specific derivation.

- 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	LI	GI	EI ¹
RESIDENTIAL			
• Single dwelling unit, including a manufactured home, for one (1) security person employed on the premises and their immediate family	P	P	P
CIVIC			
• 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
COMMERCIAL			
• Commercial Trade Schools, commercial educational services and training facilities	P	P	C
Entertainment/recreation			
• 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 ^{2,3}	C	C	C
Hospitality and lodging			
• Hotel/Motel	CJ ¹²	N	N
Motor vehicle related			
• 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 ⁴
• Vehicle fueling stations or car wash facilities ⁵	C	C	C
• Junkyards and salvage yards	N	N	N
• Manufactured home sales and display area	N	N	N
Office and professional support services			
• Business and professional offices ³	P	P	P
• Business support services such as duplicating, photocopying, mailing services, fax and computer facilities ³	P	P	P
• Any incidental business, service, processing, storage or display, not otherwise permitted, that is essential to and customarily associated with a use permitted outright, provided said incidental use is conducted entirely within an enclosed building	P	P	P
Childcare			
• 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 ³	C	C	C
General retail - sales oriented			

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(Supp. No. 24, Update 2)

• 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 ³	P	P	P
• Medical and recreational marijuana facilities	p ⁶	p ⁶	N
• Tool and equipment repair, rental and sales, including truck rental ⁷	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 ³	C	P	N
Personal services			
• Health clubs and studios less than 5,000 square feet in size	P	P	P
• Psilocybin Service Centers	N	p ¹³	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 ⁸	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 ⁸	C	C	C
Eating and drinking establishments:			
• Restaurants, taverns, and lounges without drive-thru ³	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
• Food Cart Pods ^{3,14, 15}	C	N	N
INDUSTRIAL			
• 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
• Psilocybin Manufacturing Facilities	N	p ¹³	N
• Distribution, warehousing and storage associated with a permitted use operating on the same site	P	P	P
• Distribution and warehousing up to 150,000 square feet, provided product(s) are stored within an enclosed building ⁹	P	P	P
• Distribution and warehousing greater than 150,000 square feet provided product(s) are stored within an enclosed building ⁹	N	P	C
• Mini-warehousing or self-storage	N	P	N
• Medical or dental laboratories, including biomedical compounding	P	P	P
• Laboratories (not medical or dental)	P	P	P
• Research and development and associated manufacturing	P	P	P
• Contractors' storage and equipment yards	C	P	C ⁴
• Building, heating, plumbing or electrical contractors and suppliers, building maintenance services, and similar uses ¹⁰	P	P	P
• Industrial laundry, dry cleaning, dyeing, or rug cleaning plants	C	P	N
• Sawmills	C	C	N

• Sand and gravel pits, rock crushing facilities, aggregate storage and distribution facilities or concrete or asphalt batch plants	N	C	N
• Solid waste transfer stations	N	C	N
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			
• 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	N	N	N
• Pulp and paper mills	N	N	N
• Distillation of oil, coal, wood or tar compounds and the creosote treatment of any products	N	N	N
• Metal rolling and extraction mills, forge plants, smelters and blast furnaces	N	N	N
• Meat, fish, poultry and tannery processing	N	N	N
• General purpose solid waste landfills, incinerators, and other solid waste facilities not otherwise permitted in this Code	N	N	N
WIRELESS COMMUNICATION FACILITIES			
• Radio, television, and similar communication stations, including associated transmitters	C	C	C
• Wireless communication towers ¹¹ and transmitters	C	C	C
• Wireless communication facilities on City-owned property	C	C	C
• Wireless communication antennas co-located on an existing tower or on an existing building or structure not exceeding the roof of the structure	P	P	P
OTHER			
Agricultural uses including but not limited to:			
• Farm equipment sales and rentals	N	N	N
• Farming and horticulture	P	P	P
• Raising of animals other than household pets	N	N	N
• Truck and bus yards	N	P	N

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

² 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.

³ 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.

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

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

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

⁷ 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.

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

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

¹⁰ 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.

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

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

¹³ See Special Criteria for Psilocybin Service Centers and manufacturing facilities under Section 16.38.040.

¹⁴ See criteria for Food Cart Pods in Chapter 16.39.

¹⁵ Food Cart Pod developments (including structures, seating, parking, driveways, vehicular maneuvering areas, and trash receptacles and enclosures) within the light industrial zone must be entirely sited within 500 feet of Tualatin-Sherwood Road.

(Ord. No. 2023-002, § 2, 3-7-2023; Ord. No. 2022-002, § 2, 3-15-2022; Ord. No. 2020-006, § 2, 7-21-2020; Ord. No. 2016-008, § 2, 6-21-2016; Ord. No. 2015-005, § 2, 5-5-2015; Ord. No. 2015-003, § 2, 3-17-2015; Ord. No. 2012-011, § 2, 8-7-2012)

16.31.030 Development Standards

A. Generally

No lot area, setback, yard, landscaped area, open space, off-street parking or loading area, or other site dimension or requirement, existing on, or after, the effective date of this Code shall be reduced below the minimum required by this Code. Nor shall the conveyance of any portion of a lot, for other than a public use or right-of-way, leave a lot or structure on the remainder of said lot with less than minimum Code dimensions, area, setbacks or other requirements, except as permitted by Chapter 16.84 (Variances and Adjustments).

B. Development Standards

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

Development Standards by Zone	LI	GI	EI
Lot area - industrial uses:	10,000 SF	20,000 SF	3 acres ⁹
Lot area - commercial uses (subject to Section 16.31.050):	10,000 SF	20,000 SF	10,000 SF
Lot width at front property line:	100 feet		
Lot width at building line:	100 feet		
Front yard setback ¹¹	20 feet	None	20 feet
Side yard setback ¹⁰	None	None	None
Rear yard setback ¹¹	None	None	None
Corner lot street side ¹¹	20 feet	None	20 feet
Height ¹¹	50 feet		

⁹ Lots within the EI zone that were legal lots of record prior to October 5, 2010 and smaller than the minimum lot size required in the table below may be developed if found consistent with other applicable requirements of Chapter 16.31 and this Code. Further subdivision of lots smaller than three acres shall be prohibited unless Section 16.31.050 applies.

¹⁰ When a yard is abutting a residential zone or public park, there shall be a minimum setback of forty (40) feet provided for properties zoned Employment Industrial and Light Industrial zones, and a minimum setback of fifty (50) feet provided for properties zoned General Industrial.

¹¹ Structures located within one hundred (100) feet of a residential zone shall be limited to the height requirements of that residential zone.

(Ord. No. 2020-006, § 2, 7-21-2020; Ord. No. 2016-008, § 2, 6-21-2016)

16.31.040 Special Standards Hospitality and Lodging Uses Within the Light Industrial Zone

A. Siting

1. 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

1. 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.
2. 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.

(Ord. No. 2020-006, § 2, 7-21-2020)

Editor's note(s)—Ord. No. 2020-006, § 2, adopted July 21, 2020, amended the Code by renumbering former §§ 16.31.040—16.31.070 as §§ 16.31.050—16.31.080, and adding a new § 16.31.040.

16.31.050 Employment Industrial (EI) Restrictions

A. Use Restrictions

1. Retail and professional services that cater to daily customers, such as restaurants and financial, insurance, real estate, legal, medical and dental offices, shall be limited in the EI zone.
 - a. New buildings for stores, branches, agencies or other retail uses and services shall not occupy more than five thousand (5,000) square feet of sales or service area in a single outlet and no more than twenty thousand (20,000) square feet of sales or service area in multiple outlets in the same development project, and
 - b. New buildings for stores, branches, agencies or other retail uses and services shall not be located on lots or parcels smaller than five acres in size. A "development project" includes all improvements proposed through a site plan application.
2. Notwithstanding the provisions of Section 16.31.050 "Commercial Nodes Use Restrictions," commercial development permitted under 16.31.050(1)(a) may only be proposed concurrent with or after

industrial development on the same parcel. Commercial development may not occur prior to industrial development on the same parcel.

B. Land Division Restrictions

1. Lots of record prior to October 5, 2010 that are smaller than the minimum lot size required in the EI zone may be developed if found consistent with other applicable requirements of Chapter 16.31 and this Code. Further subdivision of lots smaller than three acres shall be prohibited unless Section 16.31.050 applies.
2. Lots or parcels larger than fifty (50) acres may be divided into smaller lots and parcels pursuant to a planned unit development approved by the city so long as the resulting division yields at least one lot or parcel of at least fifty (50) acres in size.
3. Lots or parcels fifty (50) acres or larger, including those created pursuant to subsection (2) above, may be divided into any number of smaller lots or parcels pursuant to a planned unit development approved by the city so long as at least forty (40) percent of the area of the lot or parcel has been developed with industrial uses or uses accessory to industrial use.

(Ord. No. 2020-006, § 2, 7-21-2020; Ord. No. 2016-008, § 2, 6-21-2016; Ord. No. 2012-011, § 2, 8-7-2012)

Note(s)—Former § 16.31.040. See editor's note, § 16.31.040.

16.31.060 Tonquin Employment Area (TEA) Commercial Nodes Use Restrictions

- A. Within the Tonquin Employment Area (TEA), only commercial uses that directly support industrial uses located within the TEA are permitted as conditional uses.
- B. Commercial development, not to exceed a total of five contiguous acres in size, may be permitted.
- C. Commercial development may not be located within three hundred (300) feet of SW 124th Avenue or SW Oregon Street, and must be adjacent to the proposed east-west collector street.

(Ord. No. 2020-006, § 2, 7-21-2020; Ord. No. 2016-008, § 2, 6-21-2016; Ord. No. 2012-011, § 2, 8-7-2012)

Note(s)—Former § 16.31.050. See editor's note, § 16.31.040.

16.31.070 Community Design

For standards relating to off-street parking and loading, energy conservation, historic resources, environmental resources, landscaping, access and egress, signs, parks and open space, on-site storage, and site design, the applicable provisions of Divisions V, VIII and IX will apply.

(Ord. No. 2020-006, § 2, 7-21-2020; Ord. No. 2016-008, § 2, 6-21-2016; Ord. No. 2012-011, § 2, 8-7-2012)

Note(s)—Former § 16.31.060. See editor's note, § 16.31.040.

16.31.080 Floodplain

Except as otherwise provided, Section 16.134.020 shall apply.

(Ord. No. 2020-006, § 2, 7-21-2020; Ord. No. 2016-008, § 2, 6-21-2016; Ord. No. 2012-011, § 2, 8-7-2012)

Note(s)—Former § 16.31.070. See editor's note, § 16.31.040.

Chapter 16.39 FOOD CART PODS

16.39.010 Purpose and Definitions

- A. **Purpose.** Mobile food units can provide opportunities for small scale entrepreneurship and provide unique eating establishments and community gathering spaces for the public. The purpose of this section is to allow for mobile food unit sites or "food cart pod" sites where mobile food units or "food carts" can be parked on a long-term basis. As defined below, a minimum of five (5) food carts are required in a food cart pod.

The standards in this section are intended to ensure that food carts and food cart pods are developed and operated as lawful uses and in a manner that is not detrimental or disruptive in terms of appearance or operation to neighboring properties and residents.

B. **Exemptions.**

1. Mobile food units operated as part of an approved special event permit application.

C. **Definitions.**

1. Mobile Food Unit (Food Cart) - any vehicle that is self-propelled or that can be pulled or pushed down a sidewalk, street, highway or waterway, on which food is prepared, processed or converted or which is used in selling and dispensing food to the ultimate consumer.
2. Mobile Food Unit Site (Food Cart Pod) - a site that consists of 5 or more mobile food units anchored by a permanent covered dining pavilion and restroom facilities.

(Ord. No. 2024-004, § 2, 10-15-2024)

16.39.020 Food Cart Pod Permit Procedures

- A. Mobile food cart pod site permits will be processed as follows:

1. **Site Plan Review and Conditional Use Permit.** All mobile food cart pod sites are required to be reviewed as a Type IV Site Plan and Type III Conditional Use Permit in accordance with Chapter 16.72 of this code.
2. **Submittal Requirements.** An application for a mobile food cart pod shall include the following:
 - a. A completed land use application form and supplemental documentation as required by the form. Supplemental documentation may include:
 - i. Clean Water Services Service Provider Letter
 - ii. Tualatin Valley Fire and Rescue Service Provider Letter
 - iii. Preliminary Stormwater Report
 - iv. Traffic Impact Analysis
 - v. Written narrative describing the project and addressing the applicable code standards and criteria.

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- b. Information and plan details described in the Site Plan Review checklist provided by the City, including existing conditions and proposed development plans. In addition to the information listed in the Site Plan.

Review checklist, the following information is required for review of a Food Cart Pod:

- i. Within the boundaries of the mobile food cart pod site, the location of all mobile food units, seating areas, on-site utilities and any accessory items or structures.
- ii. The proposed distance between the mobile food units and adjacent lot lines, other mobile food units and other on-site structures.
- iii. The orientation of service windows and doors on the mobile food units and the location of queuing areas.

(Ord. No. 2024-004, § 2, 10-15-2024)

16.39.030 Food Cart Pod Development Standards.

The following standards apply to food cart pod sites.

- A. **Optional Storage Structures** - a maximum of two enclosed accessory storage buildings or structures are permitted per site, provided that the combined square footage does not exceed four hundred (400) square feet and the height of each does not exceed 10 ft. Outdoor storage of equipment and material for the site and/or for individual food carts is prohibited.
- B. **Required Trash Receptacles and Enclosures**
 - 1. Individual trash receptacles (i.e. not a shared enclosure) are required and shall be dispersed throughout the food cart pod for customer use.
 - 2. A minimum of one screened trash enclosure for the site is required meeting the approval of Pride Disposal.
- C. **Required Structures**
 - 1. All structures shall comply with the applicable setback standards of the underlying zoning district.
 - 2. A minimum of one permanent indoor restroom adequately sized to serve the site is required. Portable toilets are not permitted. The design of a detached restroom structure shall meet the design standards in subsection (4) of this section.
 - 3. Existing Structures may be utilized as the dining building or pavilion. The structure shall meet the design standards in subsection (4 a-d) of this section.
 - 4. Food Cart Pod Dining Building or Pavilion. A site shall have a pavilion or building of no less than 1,000 square feet to provide weather protection and comfort to dining customers. Proposed structures located on lots within the Old Town Overlay District shall meet the design standards of Section 16.162 of this code. The following design standards apply to dining building or pavilion:
 - a. **Primary Exterior Finish Materials** - The purpose of this standard is to encourage high-quality materials that are complementary to the traditional materials used in Sherwood. Natural building materials are preferred, such as wood, cedar shake, brick, and stone. Composite boards manufactured from wood in combination with other products, such as hardboard or fiber cement board (i.e. HardiPlank) may be used when the board product is less than six (6) inches wide.

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- b. **Secondary Exterior Finish Materials** - These materials may include plain or painted concrete block, plain concrete, corrugated metal, full-sheet plywood, fiberboard or sheet pressboard (i.e., T-111), vinyl and aluminum siding, and synthetic stucco (i.e. DryVit and stucco board). Secondary materials shall cover no more than ten percent (10%) of a surface area of each facade and shall not be visible from the public right-of-way.
 - c. **Color of Structures** - The color of all painted or colored exterior materials shall be earth tone. A color palette shall be submitted and reviewed as part of the land use application review process and approved by the hearing authority.
 - d. **Roof-Mounted Equipment.** The purpose of this standard is to minimize the visual impact of roof-mounted equipment. All roof-mounted equipment, including satellite dishes and other communications equipment, must be screened using at least one of the methods listed below. Solar heating panels are exempt from this standard.
 - 1. A parapet as tall as the tallest part of the equipment.
 - 2. A screen around the equipment that is as tall as the tallest part of the equipment.
 - 3. The equipment is set back from the street-facing perimeters of the building, 3 feet for each foot of height of the equipment. On corner lots with two street-facing areas, all equipment shall be centered.
 - e. **Roof.** The purpose of this standard is to encourage traditional roof forms consistent with existing development patterns in Sherwood. Roofs should have significant pitch, or if flat, be designed with a cornice or parapet. Buildings must have either:
 - 1. A sloped roof with a pitch no flatter than 6/12; or
 - 2. A roof with a pitch of less than 6/12 and a cornice or parapet that meets the following:
 - a) There must be two parts to the cornice or parapet. The top part must project at least six (6) inches from the face of the building and be at least two (2) inches further from the face of the building than the bottom part of the cornice or parapet.
 - b) The height of the cornice or parapet is based on the height of the building as follows:
 - 1. Buildings sixteen (16) to twenty (20) feet in height must have a cornice or parapet at least twelve (12) inches high.
 - 2. Buildings greater than twenty (20) feet and less than thirty (30) feet in height must have a cornice or parapet at least eighteen (18) inches high.
 - 3. Buildings thirty (30) feet or greater in height must have a cornice or parapet at least twenty-four (24) inches high.
 - f. **Base of Buildings.** Buildings must have a base on all street-facing elevations. The base must be at least two (2) feet above grade and be distinguished from the rest of the building by a different color and material.
- D. **Minimum Setbacks and Separation Distance of Food Carts.** Food Carts on the site shall be located at a minimum of:
- 1. Ten (10) feet from any front lot line

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2. Five (5) feet from any side or rear lot line, except if a site abuts a residential district the minimum setback of mobile food units to the side and rear lot line shall be twenty (20) feet.
 3. Windows and doors used for service to customers shall be located a minimum of ten (10) feet from loading areas, driveways, and on-site circulation drives, and a minimum of five (5) feet from bicycle parking spaces.
- E. **Screening from residential properties**
1. If the food cart pod site is adjacent to a residentially zoned property, the food cart pod shall be screened from the property. Screening shall be provided by a continuous, sight-obscuring fence. Fences shall be constructed of wood, metal, brick, concrete, or other appropriate material as determined by the Hearing Authority. Chain-link fencing with slats shall not be accepted. Hedges may be used in addition to fencing but shall not replace the fence requirement.
- F. **Obstruction of Vehicular and Pedestrian Use Areas and Landscape Areas.** No mobile food unit or associated elements, such as aboveground power cords, seating areas, trash receptacles, signs, and customer queuing areas, shall occupy bicycle parking spaces, loading areas, or walkways. Mobile food units shall not occupy landscaping areas.
- G. **Surfacing.** All mobile food units shall be placed on hard-surfaced area and all walkways within the site shall be hard surfaced as determined by the Hearing Authority. Parking, loading, and maneuvering areas for vehicles shall be constructed of concrete or asphalt.
- H. **Driveway access and drive aisles providing off-street parking and loading for vehicles shall meet the requirements of Chapter 16.94, Off-Street Parking Standards.**
- I. **Signs.**
1. Signs shall comply with the requirements of Section 16.101 Permanent Signs and 16.102 Temporary, Portable, and Banner Signs of this code.
 2. Additional portable signs within a food cart pod site are permitted but shall not be located within pedestrian walkways and shall not be visible from the public right of way.
- J. **Intersection Sight Distance and Clear Vision Areas.** The mobile food unit and any attachments or accessory items shall comply with the intersection sight distance and clear vision areas.
- K. **Lighting.** Exterior site lighting shall be provided to ensure safety for businesses and customers but shall be designed to minimize impacts to adjacent properties. Heat and light glare associated with a Food Cart Pod shall also meet the requirements of Section 16.152 Heat and Glare of this code.
- L. **Required Vehicular and Bicycle Parking.**
1. Minimum two (2) vehicle parking spaces per food cart, for lots or parcels not within the CFEC parking Delineated Area.
 2. Minimum 0.5 bike parking spaces per food cart.
 3. For every five (5) food carts a site, provide one (1) long-term bicycle space with weather protection.
- M. **Landscaping, Visual Corridor, Street Trees.** All sites shall be required to meet the requirements in Chapter 16.92 Landscaping, 16.140.040, Visual Corridors, and 16.140.060 Street Trees.
- N. **Hours of Operation.** A food cart pod site abutting a residential zone may operate during day hours between 7:00 a.m. and 9:00 p.m. Monday through Friday and 8:00 a.m. and 9:00 p.m. Saturday and Sunday. The Hearing Authority may further limit hours of operation to ensure compatibility with abutting residential uses.

(Ord. No. 2024-004, § 2, 10-15-2024)

16.39.040 Food Cart Pod Utility Standards

- A. Food Cart Pods sites are subject to the following utility standards:
1. All permanent utilities shall be placed underground.
 2. Food carts and restrooms shall connect to a permanent sanitary sewer system in conformance with state plumbing code.
 3. Food carts shall provide an approved grease interceptor for the disposal of fats, oils, and grease.
 4. Food carts shall connect to a permanent water source in conformance with state plumbing code.
 5. Food carts and on-site structures (i.e. restrooms and pavilion) shall connect to a permanent power source. Power connections must be undergrounded. Generators are prohibited.
 6. All utilities shall be placed or otherwise screened, covered, or hidden from view of the right-of-way as to minimize visual impacts and prevent tripping hazards or other unsafe conditions.

(Ord. No. 2024-004, § 2, 10-15-2024)

16.39.050 Food Cart Design Standards

The following standards apply to each mobile food unit on the site.

- A. **Attachments.** Attachments to the food cart, such as awnings or canopies, are permitted only if they are supported entirely by the unit and do not touch the ground. Neither the food cart nor any item relating to the unit shall lean against or hang from any structure or pole. No structures such as decks shall be attached to the mobile food unit.
- B. **Accessory Storage.** Items relating to the food cart shall be stored in or under the unit.
- C. **Interior Seating or Vending.** Customer seating or vending inside the mobile food unit is prohibited.
- D. **Accessory items.** Food carts shall enclose or screen from view of the right of way and abutting residentially zoned property all accessory items not used by customers, including but not limited to, tanks, barrels, grills, smokers, and other accessory items.
- E. **Skirting.** Skirting shall be placed around the entire perimeter of the food cart.
- F. **Drive-Thru Service.** Drive-thru service or sales at a mobile food unit is prohibited.
- G. **Other Licenses Required.** In addition to the requirements of this section, the operator of a mobile food unit must have an active City and State business license and must comply with the permit requirements of the Washington County Environmental Health Department, Tualatin Valley Fire and Rescue, and the Oregon Liquor and Cannabis Commission.

(Ord. No. 2024-004, § 2, 10-15-2024)

16.39.060 Food Cart Pod Conditions of Approval

- A. A conditional use permit is required for a food cart pod site, and shall meet the requirements of Chapter 16.82, Conditional Uses. The applicant is required to meet the approval criteria in Section 16.82.020(C). The

Hearing Authority may impose conditions of approval pursuant to Section 16.82.020(D) to protect the best interests of the surrounding properties and neighborhood.

(Ord. No. 2024-004, § 2, 10-15-2024)

16.39.070 Food Cart Pod Approval Period and Time Extension

- A. A food cart pod site approval is valid for two years from the date of the final Notice of Decision. An extension of the Site Plan approval may be granted pursuant to Section 16.90.020(F) of this code.
- B. Upon approval for a Mobile Food Cart Pod development by the Hearing Authority, the applicant shall prepare a final site plan for review and approval pursuant to Chapter 16.72, Procedures for Processing Development Permits. The final site plan shall include any revisions or other features, or conditions required by the Hearing Authority at the time of the approval of the Food Cart Pod development.

(Ord. No. 2024-004, § 2, 10-15-2024)

16.39.080 Food Cart Pod Code Compliance

- A. After reviewing a complaint, the Community Development Director or designee shall compel measures to ensure compliance with the land use approval, compatibility with the neighborhood, and conformance with this section. Complaints may be originated by the City of Sherwood or the public. Complaints from the public shall clearly state the objection to the mobile food cart site, such as:
 - 1. Generation of excessive traffic;
 - 2. Generation of excessive noise or litter;
 - 3. Other offensive activities not compatible with the surrounding area.

(Ord. No. 2024-004, § 2, 10-15-2024)



ORDINANCE 2026-003

AMENDING SECTIONS OF THE SHERWOOD ZONING AND COMMUNITY DEVELOPMENT CODE TO CONDITIONALLY ALLOW FOOD CART PODS WITHIN THE LIGHT INDUSTRIAL ZONE DISTRICT

WHEREAS, on December 19, 2025 the City received a property owner-initiated application for a text amendment to the Sherwood Zoning and Community Development Code Chapter 16.31 Industrial Land Use Districts and Chapter 16.39 Food Cart Pods regulations; and

WHEREAS, the proposed amendments would allow Food Cart Pods in the Light Industrial Zone under a Conditional Use Permit; and

WHEREAS, the proposed amendments would limit Food Cart Pods within the Light Industrial Zone to areas sited entirely within 550 feet of Tualatin-Sherwood Road; and

WHEREAS, the City has acknowledged a need to allow Food Cart Pods within a zone district that serves as a transition between General Industrial and Employment Industrial zoned lands and commercial uses; and

WHEREAS, the proposed amendments are consistent with the adopted Sherwood Comprehensive Plan, Transportation Systems Plan and the Community Development Code; and

WHEREAS, at its meeting on February 24, 2026, the Planning Commission conducted a public hearing and recommended that the City Council adopt the proposed amendments with minor modifications; and

WHEREAS, the City Council held the first public hearing on the proposed amendments on April 7, 2026, and a second hearing on April 21, 2026.

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

Section 1. After full and due consideration of the application, the Planning Commission recommendation, the record, and evidence presented at the public hearing, the City Council adopts the findings of fact contained in the Planning Commission recommendation, which is included as Attachment 1 to the staff report for this Ordinance, finding that the text of the indicated sections of the Sherwood Zoning and Community Development Code, Chapter 16.31 – Industrial Land Use Districts & Chapter 16.39 Food Cart Pods, shall be amended to read as documented in Exhibit 1, attached to this Ordinance.

Section 2. The amendments to the Sherwood Zoning and Community Development Code, Chapter 16.31 – Industrial Land Use Districts and Chapter 16.39 – Food Cart Pods, as described in Exhibit 1, attached to this Ordinance, are hereby **APPROVED**.

Section 3. This ordinance shall become effective the 30th day after its enactment by the City Council and approval by the Mayor.

Duly passed by the City Council this April 21, 2026.

Tim Rosener, Mayor

Date

Attest:

Sylvia Murphy, MMC, City Recorder

	<u>AYE</u>	<u>NAY</u>
Giles	_____	_____
Scott	_____	_____
Mays	_____	_____
Standke	_____	_____
Brouse	_____	_____
Young	_____	_____
Rosener	_____	_____

Chapter 16.31 INDUSTRIAL LAND USE DISTRICTS¹

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.

(Ord. No. 2020-006, § 2, 7-21-2020; Ord. No. 2016-008, § 2, 6-21-2016; Ord. No. 2012-011, § 2, 8-7-2012)

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.

¹Editor's note(s)—Ord. No. 2012-011, adopted August 7, 2012, amended the Code by consolidating the provisions of Chs. 16.31, 16.32 and 16.34. Former Ch. 16.31, §§ 16.31.010—16.31.100, pertained to the Employment Industrial district, and derived from Ord. 2010-014, adopted October 5, 2010. See Chs. 16.32 and 16.34 for specific derivation.

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	LI	GI	EI ¹
RESIDENTIAL			
• Single dwelling unit, including a manufactured home, for one (1) security person employed on the premises and their immediate family	P	P	P
CIVIC			
• 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
COMMERCIAL			
• Commercial Trade Schools, commercial educational services and training facilities	P	P	C
Entertainment/recreation			
• 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 ^{2,3}	C	C	C
Hospitality and lodging			
• Hotel/Motel	CJ ¹²	N	N
Motor vehicle related			
• 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 ⁴
• Vehicle fueling stations or car wash facilities ⁵	C	C	C
• Junkyards and salvage yards	N	N	N
• Manufactured home sales and display area	N	N	N
Office and professional support services			
• Business and professional offices ³	P	P	P
• Business support services such as duplicating, photocopying, mailing services, fax and computer facilities ³	P	P	P
• Any incidental business, service, processing, storage or display, not otherwise permitted, that is essential to and customarily associated with a use permitted outright, provided said incidental use is conducted entirely within an enclosed building	P	P	P
Childcare			
• 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 ³	C	C	C
General retail - sales oriented			

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• 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 ³	P	P	P
• Medical and recreational marijuana facilities	p ⁶	p ⁶	N
• Tool and equipment repair, rental and sales, including truck rental ⁷	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 ³	C	P	N
Personal services			
• Health clubs and studios less than 5,000 square feet in size	P	P	P
• Psilocybin Service Centers	N	p ¹³	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 ⁸	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 ⁸	C	C	C
Eating and drinking establishments:			
• Restaurants, taverns, and lounges without drive-thru ³	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
• Food Cart Pods ^{3,14, 15}	C	N	N
INDUSTRIAL			
• 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
• Psilocybin Manufacturing Facilities	N	p ¹³	N
• Distribution, warehousing and storage associated with a permitted use operating on the same site	P	P	P
• Distribution and warehousing up to 150,000 square feet, provided product(s) are stored within an enclosed building ⁹	P	P	P
• Distribution and warehousing greater than 150,000 square feet provided product(s) are stored within an enclosed building ⁹	N	P	C
• Mini-warehousing or self-storage	N	P	N
• Medical or dental laboratories, including biomedical compounding	P	P	P
• Laboratories (not medical or dental)	P	P	P
• Research and development and associated manufacturing	P	P	P
• Contractors' storage and equipment yards	C	P	C ⁴
• Building, heating, plumbing or electrical contractors and suppliers, building maintenance services, and similar uses ¹⁰	P	P	P
• Industrial laundry, dry cleaning, dyeing, or rug cleaning plants	C	P	N
• Sawmills	C	C	N

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• Sand and gravel pits, rock crushing facilities, aggregate storage and distribution facilities or concrete or asphalt batch plants	N	C	N
• Solid waste transfer stations	N	C	N
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			
• 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	N	N	N
• Pulp and paper mills	N	N	N
• Distillation of oil, coal, wood or tar compounds and the creosote treatment of any products	N	N	N
• Metal rolling and extraction mills, forge plants, smelters and blast furnaces	N	N	N
• Meat, fish, poultry and tannery processing	N	N	N
• General purpose solid waste landfills, incinerators, and other solid waste facilities not otherwise permitted in this Code	N	N	N
WIRELESS COMMUNICATION FACILITIES			
• Radio, television, and similar communication stations, including associated transmitters	C	C	C
• Wireless communication towers ¹¹ and transmitters	C	C	C
• Wireless communication facilities on City-owned property	C	C	C
• Wireless communication antennas co-located on an existing tower or on an existing building or structure not exceeding the roof of the structure	P	P	P
OTHER			
Agricultural uses including but not limited to:			
• Farm equipment sales and rentals	N	N	N
• Farming and horticulture	P	P	P
• Raising of animals other than household pets	N	N	N
• Truck and bus yards	N	P	N

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

² 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.

³ 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.

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

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

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

⁷ 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.

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

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

¹⁰ 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.

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

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

¹³ See Special Criteria for Psilocybin Service Centers and manufacturing facilities under Section 16.38.040.

¹⁴ See criteria for Food Cart Pods in Chapter 16.39.

¹⁵ Food Cart Pod developments (including structures, seating, parking, driveways, vehicular maneuvering areas, and trash receptacles and enclosures) within the light industrial zone must be entirely sited within 550 feet of Tualatin-Sherwood Road.

(Ord. No. 2023-002, § 2, 3-7-2023; Ord. No. 2022-002, § 2, 3-15-2022; Ord. No. 2020-006, § 2, 7-21-2020; Ord. No. 2016-008, § 2, 6-21-2016; Ord. No. 2015-005, § 2, 5-5-2015; Ord. No. 2015-003, § 2, 3-17-2015; Ord. No. 2012-011, § 2, 8-7-2012)

16.31.030 Development Standards

A. Generally

No lot area, setback, yard, landscaped area, open space, off-street parking or loading area, or other site dimension or requirement, existing on, or after, the effective date of this Code shall be reduced below the minimum required by this Code. Nor shall the conveyance of any portion of a lot, for other than a public use or right-of-way, leave a lot or structure on the remainder of said lot with less than minimum Code dimensions, area, setbacks or other requirements, except as permitted by Chapter 16.84 (Variances and Adjustments).

B. Development Standards

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

Development Standards by Zone	LI	GI	EI
Lot area - industrial uses:	10,000 SF	20,000 SF	3 acres ⁹
Lot area - commercial uses (subject to Section 16.31.050):	10,000 SF	20,000 SF	10,000 SF
Lot width at front property line:	100 feet		
Lot width at building line:	100 feet		
Front yard setback ¹¹	20 feet	None	20 feet
Side yard setback ¹⁰	None	None	None
Rear yard setback ¹¹	None	None	None
Corner lot street side ¹¹	20 feet	None	20 feet
Height ¹¹	50 feet		

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⁹ Lots within the EI zone that were legal lots of record prior to October 5, 2010 and smaller than the minimum lot size required in the table below may be developed if found consistent with other applicable requirements of Chapter 16.31 and this Code. Further subdivision of lots smaller than three acres shall be prohibited unless Section 16.31.050 applies.

¹⁰ When a yard is abutting a residential zone or public park, there shall be a minimum setback of forty (40) feet provided for properties zoned Employment Industrial and Light Industrial zones, and a minimum setback of fifty (50) feet provided for properties zoned General Industrial.

¹¹ Structures located within one hundred (100) feet of a residential zone shall be limited to the height requirements of that residential zone.

(Ord. No. 2020-006, § 2, 7-21-2020; Ord. No. 2016-008, § 2, 6-21-2016)

16.31.040 Special Standards Hospitality and Lodging Uses Within the Light Industrial Zone

A. Siting

1. 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

1. 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.
2. 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.

(Ord. No. 2020-006, § 2, 7-21-2020)

Editor's note(s)—Ord. No. 2020-006, § 2, adopted July 21, 2020, amended the Code by renumbering former §§ 16.31.040—16.31.070 as §§ 16.31.050—16.31.080, and adding a new § 16.31.040.

16.31.050 Employment Industrial (EI) Restrictions

A. Use Restrictions

1. Retail and professional services that cater to daily customers, such as restaurants and financial, insurance, real estate, legal, medical and dental offices, shall be limited in the EI zone.
 - a. New buildings for stores, branches, agencies or other retail uses and services shall not occupy more than five thousand (5,000) square feet of sales or service area in a single outlet and no more than twenty thousand (20,000) square feet of sales or service area in multiple outlets in the same development project, and
 - b. New buildings for stores, branches, agencies or other retail uses and services shall not be located on lots or parcels smaller than five acres in size. A "development project" includes all improvements proposed through a site plan application.
2. Notwithstanding the provisions of Section 16.31.050 "Commercial Nodes Use Restrictions," commercial development permitted under 16.31.050(1)(a) may only be proposed concurrent with or after

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industrial development on the same parcel. Commercial development may not occur prior to industrial development on the same parcel.

B. Land Division Restrictions

1. Lots of record prior to October 5, 2010 that are smaller than the minimum lot size required in the EI zone may be developed if found consistent with other applicable requirements of Chapter 16.31 and this Code. Further subdivision of lots smaller than three acres shall be prohibited unless Section 16.31.050 applies.
2. Lots or parcels larger than fifty (50) acres may be divided into smaller lots and parcels pursuant to a planned unit development approved by the city so long as the resulting division yields at least one lot or parcel of at least fifty (50) acres in size.
3. Lots or parcels fifty (50) acres or larger, including those created pursuant to subsection (2) above, may be divided into any number of smaller lots or parcels pursuant to a planned unit development approved by the city so long as at least forty (40) percent of the area of the lot or parcel has been developed with industrial uses or uses accessory to industrial use.

(Ord. No. 2020-006, § 2, 7-21-2020; Ord. No. 2016-008, § 2, 6-21-2016; Ord. No. 2012-011, § 2, 8-7-2012)

Note(s)—Former § 16.31.040. See editor's note, § 16.31.040.

16.31.060 Tonquin Employment Area (TEA) Commercial Nodes Use Restrictions

- A. Within the Tonquin Employment Area (TEA), only commercial uses that directly support industrial uses located within the TEA are permitted as conditional uses.
- B. Commercial development, not to exceed a total of five contiguous acres in size, may be permitted.
- C. Commercial development may not be located within three hundred (300) feet of SW 124th Avenue or SW Oregon Street, and must be adjacent to the proposed east-west collector street.

(Ord. No. 2020-006, § 2, 7-21-2020; Ord. No. 2016-008, § 2, 6-21-2016; Ord. No. 2012-011, § 2, 8-7-2012)

Note(s)—Former § 16.31.050. See editor's note, § 16.31.040.

16.31.070 Community Design

For standards relating to off-street parking and loading, energy conservation, historic resources, environmental resources, landscaping, access and egress, signs, parks and open space, on-site storage, and site design, the applicable provisions of Divisions V, VIII and IX will apply.

(Ord. No. 2020-006, § 2, 7-21-2020; Ord. No. 2016-008, § 2, 6-21-2016; Ord. No. 2012-011, § 2, 8-7-2012)

Note(s)—Former § 16.31.060. See editor's note, § 16.31.040.

16.31.080 Floodplain

Except as otherwise provided, Section 16.134.020 shall apply.

(Ord. No. 2020-006, § 2, 7-21-2020; Ord. No. 2016-008, § 2, 6-21-2016; Ord. No. 2012-011, § 2, 8-7-2012)

Note(s)—Former § 16.31.070. See editor's note, § 16.31.040.

Chapter 16.39 FOOD CART PODS

16.39.010 Purpose and Definitions

- A. **Purpose.** Mobile food units can provide opportunities for small scale entrepreneurship and provide unique eating establishments and community gathering spaces for the public. The purpose of this section is to allow for mobile food unit sites or "food cart pod" sites where mobile food units or "food carts" can be parked on a long-term basis. As defined below, a minimum of five (5) food carts are required in a food cart pod.

The standards in this section are intended to ensure that food carts and food cart pods are developed and operated as lawful uses and in a manner that is not detrimental or disruptive in terms of appearance or operation to neighboring properties and residents.

B. **Exemptions.**

1. Mobile food units operated as part of an approved special event permit application.

C. **Definitions.**

1. Mobile Food Unit (Food Cart) - any vehicle that is self-propelled or that can be pulled or pushed down a sidewalk, street, highway or waterway, on which food is prepared, processed or converted or which is used in selling and dispensing food to the ultimate consumer.
2. Mobile Food Unit Site (Food Cart Pod) - a site that consists of 5 or more mobile food units anchored by a permanent covered dining pavilion and restroom facilities.

(Ord. No. 2024-004, § 2, 10-15-2024)

16.39.020 Food Cart Pod Permit Procedures

- A. Mobile food cart pod site permits will be processed as follows:

1. **Site Plan Review and Conditional Use Permit.** All mobile food cart pod sites are required to be reviewed as a Type IV Site Plan and Type III Conditional Use Permit in accordance with Chapter 16.72 of this code.
2. **Submittal Requirements.** An application for a mobile food cart pod shall include the following:
 - a. A completed land use application form and supplemental documentation as required by the form. Supplemental documentation may include:
 - i. Clean Water Services Service Provider Letter
 - ii. Tualatin Valley Fire and Rescue Service Provider Letter
 - iii. Preliminary Stormwater Report
 - iv. Traffic Impact Analysis
 - v. Written narrative describing the project and addressing the applicable code standards and criteria.

-
- b. Information and plan details described in the Site Plan Review checklist provided by the City, including existing conditions and proposed development plans. In addition to the information listed in the Site Plan.

Review checklist, the following information is required for review of a Food Cart Pod:

- i. Within the boundaries of the mobile food cart pod site, the location of all mobile food units, seating areas, on-site utilities and any accessory items or structures.
- ii. The proposed distance between the mobile food units and adjacent lot lines, other mobile food units and other on-site structures.
- iii. The orientation of service windows and doors on the mobile food units and the location of queuing areas.

(Ord. No. 2024-004, § 2, 10-15-2024)

16.39.030 Food Cart Pod Development Standards.

The following standards apply to food cart pod sites.

- A. **Optional Storage Structures** - a maximum of two enclosed accessory storage buildings or structures are permitted per site, provided that the combined square footage does not exceed four hundred (400) square feet and the height of each does not exceed 10 ft. Outdoor storage of equipment and material for the site and/or for individual food carts is prohibited.
- B. **Required Trash Receptacles and Enclosures**
 - 1. Individual trash receptacles (i.e. not a shared enclosure) are required and shall be dispersed throughout the food cart pod for customer use.
 - 2. A minimum of one screened trash enclosure for the site is required meeting the approval of Pride Disposal.
- C. **Required Structures**
 - 1. All structures shall comply with the applicable setback standards of the underlying zoning district.
 - 2. A minimum of one permanent indoor restroom adequately sized to serve the site is required. Portable toilets are not permitted. The design of a detached restroom structure shall meet the design standards in subsection (4) of this section.
 - 3. Existing Structures may be utilized as the dining building or pavilion. The structure shall meet the design standards in subsection (4 a-d) of this section.
 - 4. Food Cart Pod Dining Building or Pavilion. A site shall have a pavilion or building of no less than 1,000 square feet to provide weather protection and comfort to dining customers. Proposed structures located on lots within the Old Town Overlay District shall meet the design standards of Section 16.162 of this code. The following design standards apply to dining building or pavilion:
 - a. **Primary Exterior Finish Materials** - The purpose of this standard is to encourage high-quality materials that are complementary to the traditional materials used in Sherwood. Natural building materials are preferred, such as wood, cedar shake, brick, and stone. Composite boards manufactured from wood in combination with other products, such as hardboard or fiber cement board (i.e. HardiPlank) may be used when the board product is less than six (6) inches wide.

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- b. **Secondary Exterior Finish Materials** - These materials may include plain or painted concrete block, plain concrete, corrugated metal, full-sheet plywood, fiberboard or sheet pressboard (i.e., T-111), vinyl and aluminum siding, and synthetic stucco (i.e. DryVit and stucco board). Secondary materials shall cover no more than ten percent (10%) of a surface area of each facade and shall not be visible from the public right-of-way.
 - c. **Color of Structures** - The color of all painted or colored exterior materials shall be earth tone. A color palette shall be submitted and reviewed as part of the land use application review process and approved by the hearing authority.
 - d. **Roof-Mounted Equipment.** The purpose of this standard is to minimize the visual impact of roof-mounted equipment. All roof-mounted equipment, including satellite dishes and other communications equipment, must be screened using at least one of the methods listed below. Solar heating panels are exempt from this standard.
 - 1. A parapet as tall as the tallest part of the equipment.
 - 2. A screen around the equipment that is as tall as the tallest part of the equipment.
 - 3. The equipment is set back from the street-facing perimeters of the building, 3 feet for each foot of height of the equipment. On corner lots with two street-facing areas, all equipment shall be centered.
 - e. **Roof.** The purpose of this standard is to encourage traditional roof forms consistent with existing development patterns in Sherwood. Roofs should have significant pitch, or if flat, be designed with a cornice or parapet. Buildings must have either:
 - 1. A sloped roof with a pitch no flatter than 6/12; or
 - 2. A roof with a pitch of less than 6/12 and a cornice or parapet that meets the following:
 - a) There must be two parts to the cornice or parapet. The top part must project at least six (6) inches from the face of the building and be at least two (2) inches further from the face of the building than the bottom part of the cornice or parapet.
 - b) The height of the cornice or parapet is based on the height of the building as follows:
 - 1. Buildings sixteen (16) to twenty (20) feet in height must have a cornice or parapet at least twelve (12) inches high.
 - 2. Buildings greater than twenty (20) feet and less than thirty (30) feet in height must have a cornice or parapet at least eighteen (18) inches high.
 - 3. Buildings thirty (30) feet or greater in height must have a cornice or parapet at least twenty-four (24) inches high.
 - f. **Base of Buildings.** Buildings must have a base on all street-facing elevations. The base must be at least two (2) feet above grade and be distinguished from the rest of the building by a different color and material.

- D. **Minimum Setbacks and Separation Distance of Food Carts.** Food Carts on the site shall be located at a minimum of:
 - 1. Ten (10) feet from any front lot line

-
2. Five (5) feet from any side or rear lot line, except if a site abuts a residential district the minimum setback of mobile food units to the side and rear lot line shall be twenty (20) feet.
 3. Windows and doors used for service to customers shall be located a minimum of ten (10) feet from loading areas, driveways, and on-site circulation drives, and a minimum of five (5) feet from bicycle parking spaces.
- E. **Screening from residential properties**
1. If the food cart pod site is adjacent to a residentially zoned property, the food cart pod shall be screened from the property. Screening shall be provided by a continuous, sight-obscuring fence. Fences shall be constructed of wood, metal, brick, concrete, or other appropriate material as determined by the Hearing Authority. Chain-link fencing with slats shall not be accepted. Hedges may be used in addition to fencing but shall not replace the fence requirement.
- F. **Obstruction of Vehicular and Pedestrian Use Areas and Landscape Areas.** No mobile food unit or associated elements, such as aboveground power cords, seating areas, trash receptacles, signs, and customer queuing areas, shall occupy bicycle parking spaces, loading areas, or walkways. Mobile food units shall not occupy landscaping areas.
- G. **Surfacing.** All mobile food units shall be placed on hard-surfaced area and all walkways within the site shall be hard surfaced as determined by the Hearing Authority. Parking, loading, and maneuvering areas for vehicles shall be constructed of concrete or asphalt.
- H. **Driveway access and drive aisles providing off-street parking and loading for vehicles shall meet the requirements of Chapter 16.94, Off-Street Parking Standards.**
- I. **Signs.**
1. Signs shall comply with the requirements of Section 16.101 Permanent Signs and 16.102 Temporary, Portable, and Banner Signs of this code.
 2. Additional portable signs within a food cart pod site are permitted but shall not be located within pedestrian walkways and shall not be visible from the public right of way.
- J. **Intersection Sight Distance and Clear Vision Areas.** The mobile food unit and any attachments or accessory items shall comply with the intersection sight distance and clear vision areas.
- K. **Lighting.** Exterior site lighting shall be provided to ensure safety for businesses and customers but shall be designed to minimize impacts to adjacent properties. Heat and light glare associated with a Food Cart Pod shall also meet the requirements of Section 16.152 Heat and Glare of this code.
- L. **Required Vehicular and Bicycle Parking.**
1. Minimum two (2) vehicle parking spaces per food cart, for lots or parcels not within the CFEC parking Delineated Area.
 2. Minimum 0.5 bike parking spaces per food cart.
 3. For every five (5) food carts a site, provide one (1) long-term bicycle space with weather protection.
- M. **Landscaping, Visual Corridor, Street Trees.** All sites shall be required to meet the requirements in Chapter 16.92 Landscaping, 16.140.040, Visual Corridors, and 16.140.060 Street Trees.
- N. **Hours of Operation.** A food cart pod site abutting a residential zone may operate during day hours between 7:00 a.m. and 9:00 p.m. Monday through Friday and 8:00 a.m. and 9:00 p.m. Saturday and Sunday. The Hearing Authority may further limit hours of operation to ensure compatibility with abutting residential uses.

(Ord. No. 2024-004, § 2, 10-15-2024)

16.39.040 Food Cart Pod Utility Standards

- A. Food Cart Pods sites are subject to the following utility standards:
1. All permanent utilities shall be placed underground.
 2. Food carts and restrooms shall connect to a permanent sanitary sewer system in conformance with state plumbing code.
 3. Food carts shall provide an approved grease interceptor for the disposal of fats, oils, and grease.
 4. Food carts shall connect to a permanent water source in conformance with state plumbing code.
 5. Food carts and on-site structures (i.e. restrooms and pavilion) shall connect to a permanent power source. Power connections must be undergrounded. Generators are prohibited.
 6. All utilities shall be placed or otherwise screened, covered, or hidden from view of the right-of-way as to minimize visual impacts and prevent tripping hazards or other unsafe conditions.

(Ord. No. 2024-004, § 2, 10-15-2024)

16.39.050 Food Cart Design Standards

The following standards apply to each mobile food unit on the site.

- A. **Attachments.** Attachments to the food cart, such as awnings or canopies, are permitted only if they are supported entirely by the unit and do not touch the ground. Neither the food cart nor any item relating to the unit shall lean against or hang from any structure or pole. No structures such as decks shall be attached to the mobile food unit.
- B. **Accessory Storage.** Items relating to the food cart shall be stored in or under the unit.
- C. **Interior Seating or Vending.** Customer seating or vending inside the mobile food unit is prohibited.
- D. **Accessory items.** Food carts shall enclose or screen from view of the right of way and abutting residentially zoned property all accessory items not used by customers, including but not limited to, tanks, barrels, grills, smokers, and other accessory items.
- E. **Skirting.** Skirting shall be placed around the entire perimeter of the food cart.
- F. **Drive-Thru Service.** Drive-thru service or sales at a mobile food unit is prohibited.
- G. **Other Licenses Required.** In addition to the requirements of this section, the operator of a mobile food unit must have an active City and State business license and must comply with the permit requirements of the Washington County Environmental Health Department, Tualatin Valley Fire and Rescue, and the Oregon Liquor and Cannabis Commission.

(Ord. No. 2024-004, § 2, 10-15-2024)

16.39.060 Food Cart Pod Conditions of Approval

- A. A conditional use permit is required for a food cart pod site, and shall meet the requirements of Chapter 16.82, Conditional Uses. The applicant is required to meet the approval criteria in Section 16.82.020(C). The

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(Supp. No. 24, Update 2)

Hearing Authority may impose conditions of approval pursuant to Section 16.82.020(D) to protect the best interests of the surrounding properties and neighborhood.

(Ord. No. 2024-004, § 2, 10-15-2024)

16.39.070 Food Cart Pod Approval Period and Time Extension

- A. A food cart pod site approval is valid for two years from the date of the final Notice of Decision. An extension of the Site Plan approval may be granted pursuant to Section 16.90.020(F) of this code.
- B. Upon approval for a Mobile Food Cart Pod development by the Hearing Authority, the applicant shall prepare a final site plan for review and approval pursuant to Chapter 16.72, Procedures for Processing Development Permits. The final site plan shall include any revisions or other features, or conditions required by the Hearing Authority at the time of the approval of the Food Cart Pod development.

(Ord. No. 2024-004, § 2, 10-15-2024)

16.39.080 Food Cart Pod Code Compliance

- A. After reviewing a complaint, the Community Development Director or designee shall compel measures to ensure compliance with the land use approval, compatibility with the neighborhood, and conformance with this section. Complaints may be originated by the City of Sherwood or the public. Complaints from the public shall clearly state the objection to the mobile food cart site, such as:
 - 1. Generation of excessive traffic;
 - 2. Generation of excessive noise or litter;
 - 3. Other offensive activities not compatible with the surrounding area.

(Ord. No. 2024-004, § 2, 10-15-2024)