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MEMORANDUM

To:	City of Sherwood, Planning Department
From:	Dudek
Subject:	Findings of Fact for Conditional Use Permit and Roadway Access Standards
Date:	July 14th, 2026
cc:	Meadowlark Energy Storage LLC (Applicant)

The following information is provided in conjunction with a Conditional Use Permit application. The proposed project will allow a proposed Battery Energy Storage System (BESS) facility, located on Taxlot 2S129A003500 In Washington County and approved by Washington County via Type II Special Use Review on December 19, 2024, to connect to the existing Portland General Electric (PGE) Sherwood substation. The project will consist of a 230kV underground transmission line, three riser poles up to 55' in height, and an access road connection to SW Langer Farms Pkwy. The proposed interconnection will allow the approved BESS facility to provide service to the regional electric grid by receiving energy (charging) from the Sherwood Substation, storing energy on the site, and then later delivering energy (discharging) back to the point of interconnection when needed.

In particular, the following is a response to the Findings of Fact for Conditional Use Permit Approval, as required by Chapter 16 of the City of Sherwood Municipal Code. These findings additionally include those responding to §16.106.040.M.2.c demonstrating compliance with roadway access standards.

Sherwood Zoning Code § 16.72.020 (C) Permit Approval – Use Criteria

(1) **All public facilities and services to the proposed use, including but not limited to sanitary sewers, water, transportation facilities, and services, storm drains, electrical distribution, park and open space and public safety are adequate; or that the construction of improvements needed to provide adequate services and facilities is guaranteed by binding agreement between the applicant and the City.**

Finding: All public facilities and services to the proposed project are adequate. The proposed project connects an approved Battery Energy Storage System to the electrical grid and is a passive utility facility once constructed. Following construction, the proposed interconnection facilities will not emit pollutants, will not require sanitary services or facilities, water service, or electrical service, and will not generate any significant traffic. The project will utilize existing transportation facilities, as well as the proposed access road to support construction and post-construction maintenance. Stormwater management and construction activities will be conducted in accordance with applicable state and local requirements, including implementation of best management practices and erosion and sediment control measures. The project does not create demand for electricity beyond construction and will not require an expansion of systems beyond the proposed interconnection facilities. Public safety services will not be adversely impacted, as the facility will be remotely operated, infrequently visited, and designed and constructed in accordance with applicable safety and regulatory standards. The project is non-residential and will not increase demand for parks and open space.

(2) **Proposed use conforms to other standards of the applicable zone and is compatible with abutting land uses in regard to noise generation and public safety.**

Finding:
The proposed project site spans across two parcels, Tax lots 2S129A001650 and 2S129A001651, mostly occupied by the existing Sherwood Substation and associated transmission line infrastructure, and lies within the City of Sherwood Light Industrial (LI) Zone. The project site is surrounded by City of Sherwood Light Industrial Zoning to the north, south and west, and by Washington County Exclusive Farm Use zoning to the east.

Utility facilities are permitted or conditionally allowed in Light Industrial (LI) zoning district pursuant to Chapter 16.31. The project has been designed to comply with applicable development standards of the zone. The only deviation from applicable standards relates to the height of the proposed riser poles, which are proposed to be a maximum of 55' in height, which exceeds the maximum allowed height of 50 feet. Approval of a Conditional Use Permit is therefore requested to allow the necessary pole height to accommodate the functional requirements of the electrical interconnection.

Abutting land uses includes industrial and agricultural activities. With the exception of the poles and access road, all other facilities will be installed underground with limited above-ground components, minimizing noise and visual impacts. The facility will operate remotely and will not involve regular vehicular traffic. During construction, noise-generating activities will be temporary, limited to daytime hours, and conducted in compliance with applicable local noise standards. The project is designed and will be operated in accordance with applicable safety standards for electrical infrastructure. The access road will also provide appropriate ingress and egress for maintenance personnel and emergency responders, ensuring that the site can be safely accessed in the event of an emergency. As such, the project is fully compatible the abutting land uses in regard to noise generation and public safety.

(3) **The granting of the proposal will provide for a facility or use that meets the overall needs of the community and achievement of the goals and/or policies of the Comprehensive Plan, the adopted City of Sherwood Transportation System Plan and this Code.**

Finding: The proposed project supports the overall needs of the community and is consistent with the goals and policies of the City of Sherwood 2040 Comprehensive Plan (SCP), the Transportation System Plan and has been designed to comply with the City of Sherwood Municipal Code. The SCP includes goals related to the development of a "coordinated and connected infrastructure" system to support the community's quality of life, including **Goal 4** of the SCP: "Ensure reliable, safe, affordable and adequate public facilities to meet Sherwood's existing and future needs." The proposed transmission interconnection directly contributes to this objective by expanding and reinforcing existing electrical infrastructure within the City and enabling reliable integration of energy resources into the regional grid. In addition, the Comprehensive Plan includes goals and policies related long-term sustainability, including policies aimed at supporting efficient, resilient systems. SCP **Policy 7.2**, which states that the City shall "build capacity for greater urban resilience and redundancy in infrastructure and essential public facilities." The proposed project advances this policy by providing additional electrical infrastructure capacity and redundancy within the local and regional energy system, supporting reliable service and enhancing system resilience. The proposed access road is consistent with the 2014 Transportation System Plan's objective to provide a safe and efficient transportation network that supports access, connectivity, and long-term system function, including access spacing standards (see final section of this statement).

The project is also consistent with **Chapter 16.118,** Public and Private Utilities. That chapter requires utility facilities to be installed consistent with the Code and applicable utility company and City standards, and generally requires utility facilities to be placed underground unless aboveground installation is authorized due to connection requirements or other reasons deemed acceptable by the City. The proposed 230-kV gen-tie line will be installed underground except for the limited aboveground riser poles required to make the connection to the existing substation. The project is also consistent with **Section 16.31.070**, Community Design, because the applicable provisions of Divisions V, VIII, and IX will be addressed. **Section 16.31.080**, Floodplain, does not apply because the project is not located within a floodplain.

(4) **The Surrounding property will not be adversely affected by the use, or that the adverse effects of the use on the surrounding uses, the neighborhood, or the City as a whole are sufficiently mitigated by the conditions proposed.**

Finding: The proposed project is not expected to result in adverse impacts to surrounding properties, and any potential effects are limited in scope and appropriately mitigated by the design and context of the project. Potential project effects include temporary construction noise, temporary construction traffic, temporary ground disturbance associated with installation of the underground transmission facilities and access road, and visual effects associated with the three proposed riser poles. Most construction-related effects would be temporary and confined to the narrow trenching or work area required for installation. Because the line is short and largely follows existing disturbed areas, roads, or utility corridors where feasible, the potential for impacts on biological resources, cultural resources, and adjacent land uses is correspondingly limited and localized. Traffic-control measures, such as detours and/or flag people would be in place to minimize temporary transportation-related impacts on nearby residents and businesses. Once the trench is backfilled, the disturbed areas would be stabilized and revegetated with native seed. Three trees removed during construction will be replaced in accordance with the applicable standards of **Section 16.140.060** Street Trees.

These effects are limited because the project consists primarily of underground infrastructure and is located adjacent to an existing PGE substation, to which the transmission line connects, and a Home Depot. Installation of the line underground reduces potential adverse avian interactions. Following construction, the project will not generate ongoing noise, traffic, or activity that would adversely affect surrounding properties, as the facility that the line connects to is designed to be unstaffed and remotely operated. Construction activities will be temporary and will be conducted in accordance with applicable best management practices, including erosion and sediment control measures.

Visual impacts have been minimized through design features. The proposed project are located underground to maximum extent practicable, limiting long term visual impacts and reducing disturbance to surrounding properties., with only three riser poles extending aboveground to facilitate connection to the existing substation. The riser poles, which are proposed at heights up to 55 feet, represent a vertical element that exceeds local development standards; however, these structures are necessary for safe and functional interconnection to existing electrical infrastructure. The poles are limited in number and extent and are designed to be located adjacent to existing electrical infrastructure, reducing the degree to which the structures introduce a new or visually distinct feature into the surrounding landscape.

Commented [JS1]: Are there other impacts I'm missing?

Commented [EP2R1]: See potential additions

Commented [JS3R1]: Add 3 trees removed and replaced

Commented [EP4]: Include length and width

Commented [EP5]: Could benefit by that construction will only take xx days or xx days of lane closure

Commented [EP6]: Confirm, this was just my guess

Operation and maintenance requirements for a short, predominantly underground gen-tie line are typically minimal once construction is complete. Unlike overhead transmission facilities, underground lines generally do not require regular vegetation clearing, pole replacement, conductor maintenance, or other routine surface activities. Maintenance is typically limited to periodic inspections, monitoring, and occasional repairs. As a result, long-term disturbances to surrounding land uses, biological resources, visual resources, and nearby communities are infrequent and localized. Because maintenance activities are generally conducted within the existing utility corridor or easement and occur only as needed, they would not be expected to result in substantial or recurring environmental effects.

(5) **The impacts of the proposed use of the site can be accommodated considering size, shape, location, topography and natural features.**

Finding: The proposed development is designed such that its impacts can be accommodated based on the size, shape, location, and existing characteristics of the site. The project is located primarily adjacent to existing electrical substation site and surrounding area that is already developed with utility infrastructure. The project has been designed to minimize long-term impacts by locating the transmission line underground to the maximum extent practicable, thereby reducing surface impacts and allowing the majority of the site to remain consistent with existing conditions.

(6) **The use as proposed does not pose likely significant adverse impacts to sensitive wildlife species or the natural environment.**

Finding: The proposed development is not expected to result in adverse impacts to sensitive wildlife species or the natural environment. The project site is located within and adjacent to an existing electrical substation site in an area characterized by industrial and agricultural uses. The site is currently developed with utility infrastructure and does not provide habitat typically associated with sensitive wildlife species. Construction activities will be temporary in nature and conducted in accordance with best management practices, including erosion and sediment control measures, to avoid impacts to the surrounding environment. An aquatic resources assessment was conducted for the project site, with no resources found.

(7) **For wireless communication facilities, no Conditional Use Permit will be granted unless the following additional criteria is found:**

a.

The applicant demonstrates to the satisfaction of the City that the wireless communication facility cannot be located in an IP zone due to the coverage needs of the applicant.

b.

The proposed wireless communication facility is designed to accommodate co-location or it can be shown that the facility cannot feasibly accommodate co-location.

c.

The applicant demonstrates a justification for the proposed height of the tower or antenna and an evaluation of alternative designs which might result in lower heights.

d.

The proposed wireless communication facility is not located within one-thousand (1,000) feet of an existing wireless facility or that the proposed wireless communication facility cannot feasibly be located on an existing wireless communication facility.

e.

The proposed wireless communication facility is located a minimum of three-hundred (300) feet from residentially zoned properties.

Finding:
The proposed project does not include wireless communication towers or antennas and therefore is not subject to these criteria.

Sherwood Zoning Code § 16.106.040.M.2.c Roadway Access – Collectors

All commercial, industrial and institutional uses with one-hundred-fifty (150) feet or more of frontage will be permitted direct access to a Collector. Uses with less than one-hundred-fifty (150) feet of frontage shall not be permitted direct access to Collectors unless no other alternative exists.

Where joint access is available it shall be used, provided that such use is consistent with Section 16.96.040, Joint Access. No use will be permitted direct access to a Collector within one- hundred (100) feet of any present Point "A." Minimum spacing between driveways (Point "C" to Point "C") shall be one-hundred (100) feet. In all instances, access points near an intersection with a Collector or Arterial shall be located beyond the influence of standing queues of the intersection in accordance with AASHTO standards. This requirement may result in access spacing greater than one hundred (100) feet.

Finding:
The proposed project is accessed via SW Langer Farms Pkwy, a street designated as a collector in Sherwood Zoning Code. The project includes more than 150 feet of frontage to the collector, and no joint access is available. The access location has been selected to minimize conflicts and avoid the influence of vehicle queues associated with other intersections, the nearest of which is more than 1000 feet from proposed driveway. There are no other driveways within 100 feet. Therefore, the proposed project meets all requirements of the code section