



**City of Sherwood  
PLANNING COMMISSION  
Sherwood City Hall  
22560 SW Pine Street  
Sherwood, OR 97140  
April 27, 2010 – 7 PM**

**Planning Commission will hold a work session on April 27, 2010. Work sessions are informal. Public may attend.**

Work sessions are informal meetings where the Commission and staff can discuss topics but no formal action is taken from these meetings. Work sessions are open to the public in accordance with public meeting laws.

Planning Commission Work Session agenda items:

1. Code Clean-up Discussion

Next Regular Business Meeting: May 11, 2010



**IT'S IN OUR HANDS** Make sure that you are counted; return your Census form as soon as possible.

# Phase 1: April-June

Project kick-off

Outreach to public, developers, property owners

Get feedback on draft priority list

Tier	Issue to be addressed	Discussion
I	Simple housekeeping updates Division I-IX in sections	These are generally simple fixes to clarify how a standard is applied, fix clerical errors, etc.
I	Complex housekeeping	These are needed to address inconsistencies in the code or code needs to be more clear and policy direction is required to determine what the consistent standard should be.
I	Public involvement/notice	There has been much discussion about the need to evaluate the current area of mailed notice and how public notice in general is provided. There is also a need to consider whether legislative amendments require more notice than quasi-judicial (larger notice area, more notices, etc)
I	Application submittal requirements	These regulations need to be updated to reflect current practices (electronic copies for example), necessary number of copies and to remove unnecessary submittal requirements.
III	Open space requirements	There are inconsistencies in the open space requirements for town homes and multi-family developments (even though a townhome can be within a multi-family development) that needs to be resolved. There is also a need to evaluate if open space should be a requirement for any residential development and, if so, how much.

# Code Clean Up Recommended Priority

## 4-27-10

High

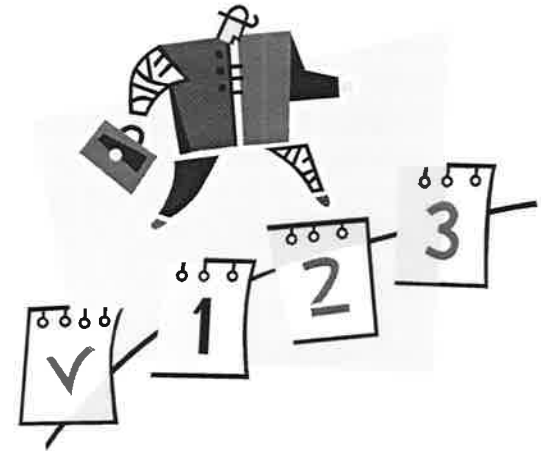
- public involvement/notice
- Use classifications
- open space requirements
- Simple house keeping
- complex housekeeping

Medium

- Modification to site plans
- Fences
- Variances & adjustments
- Application submittal requirements
- Temporary signs,
- Tree removal & mitigation standards

Lower

- Design standards for apt. complexes,
- Temporary uses,
- Commercial Mixed use density calculation clarification,
- Minimum lot size clarification,
- Capacity Allocation program



## **Public Notice – Issue Paper**

### **Description of issue:**

The City's public notice requirements for quasi-judicial notice includes mailed notice within 100 feet of the subject property, posting notice on site, posting notice in five public locations around the City and for Type III, IV and V land use actions, publishing notice in the newspaper.

The City has received numerous comments and complaints as part of local land use hearings that the notice provided is not adequate.

### **Public input received:**

No specific input received regarding this code update issue. The Planning Commission and Council have received comments during several public hearings recently that notice of 100 feet is not sufficient to ensure properties that may have an interest in the project are notified. The Planning Commission and Council have also heard that the paper used, The Times, is not the most appropriate to ensure local notice. The City has also heard in the past that the locations used for the posted notice (around town) are not the most appropriate and suggestions have been made for other locations.

### **Comparison to other jurisdictions:**

See attached table

### **Initial Staff Recommendation**

Based on review of other jurisdictions and feedback we have received from the public, it is recommended that the public notice requirements be modified to provide 300-500 ft notice from the subject property. In addition, requirement of a neighborhood meeting organized and attended by the applicant prior to application submittal (with meeting summary, mailing list and affidavits as evidence) has been shown to provide opportunities for the public to discuss a project and express questions or concerns before the application is submitted. This allows the applicant to consider modifying the plans or providing more information that helps facilitate the review process. It is recommended that a neighborhood meeting be required for all Site Plan and Subdivision applications.

It is not recommended that the timing of notice be changed as this is fairly standard throughout the state and has not appeared to be the main concern. It is also not recommended that the off-site notice be modified. While Sherwood appears to be the only City besides Wilsonville of the jurisdictions reviewed that requires notice to be posted in other locations, it is standard for our community and there is no justifiable reason to alter this.

## Public Notice Requirement Comparison Among Jurisdictions

		Required timing of notice	Mailed notice distance	On-site posting	Notice published	Other posting	Neighborhood mtg. req. prior to app submittal	Other requirements
State	Limited Land Use decision	14	100 ft	N	N	N	N	Notice mailed to <b>recognized</b> neighborhood associations whose boundaries include this site
	Quasi-judicial	20 <sup>1</sup>	100 ft					Notice mailed to <b>recognized</b> neighborhood associations whose boundaries include this site
Sherwood	Type II	14	100 ft	Y	N	Y	N	Infill notification requirements for infill projects
	Type III and IV	20	100 ft	Y	Y	Y	N	
	Type V	10 <sup>2</sup>			Y	Y	N	
Tualatin	Subdivisions/Partitions	14	300 ft	N	N	N	Y <sup>3</sup>	Notice mailed to recognized neighborhood associations whose boundaries include this site
	Plan Amendments	20	300 ft	N	Y- 2 wks	N	Y	
Tigard	Type II (staff)	14	500 ft	Y	N	N	Y <sup>4</sup>	Notice mailed to recognized neighborhood associations whose boundaries include this site
	Type III (HO and PC)	20	500 ft	Y-10 days	Y- 10 days	N	Y <sup>4</sup>	Same as above
	Type IV (CC)	10 <sup>2</sup>	N/A	N/A	Y- 10 days	N		Same as above
Wilsonville	Public hearing	10-21		Y	Y	Y-3	N	
	Class II administrative or quasi-judicial reviews	20-40 <sup>5</sup>	250 ft	Y	N	Y-3	N	
West Linn	Class A notice <sup>6</sup>	20	500 ft	Y-10 days	Y -10 days	N	Y <sup>3</sup>	Recognized neighborhood Assoc or CAC Director to make reasonable effort to post notice on web 10 days prior
	Class B <sup>7</sup> notice	14	100 ft	N	N	N	N	Reasonable effort to post on web 10 days prior
Newberg	Type II	14	500 ft	Y	N	N	N	
	Type III	20	500 ft	Y	Y- 10 days	N	N	
	Type IV (Council)	---	---	N	N	N	N	Only required DLCD notice

<sup>1</sup> If 2 or more evidentiary hearings are allowed, notice is required 10 days prior to the first hearing

<sup>2</sup> Prior to first hearing

<sup>3</sup> Most types of applications

<sup>4</sup> Not in code, but by policy they require them for certain types of land use applications

<sup>5</sup> Unless there are 2 hearings and then notice is at least 10 days

<sup>6</sup> Quasi-judicial and legislative

<sup>7</sup> Class 1 variances, Tualatin River setback review for outright permitted uses, additions in Historic Districts, Class 1 design review, etc

