



**City of Sherwood  
PLANNING COMMISSION  
Sherwood City Hall  
22560 SW Pine Street  
Sherwood, OR 97140  
✓ July 13, 2010 – 7 PM**

**Business Meeting – 7:00 PM**

- 1. Call to Order/Roll Call**
- 2. Agenda Review**
- 3. Consent Agenda - Minutes from 3/23/10**
- 4. Staff Announcements**
- 5. Council Announcements (Mayor Keith Mays, Planning Commission Liaison)**
- 6. Community Comments** (*The public may provide comments on any non-agenda item*)
- 8. Old Business:**
  - a. None
- 9. New Business:**
  - a. Public Hearing – Tonquin Employment Area Concept (TEA) Plan (PA 09-03) The Concept Plan consists of approximately 300 acres of land east of the current City limits. The land was brought into the Urban Growth Boundary (UGB) as employment/industrial land in 2004. The proposed land use/zoning designation is Employment Industrial (EI). This is a new zone being added to the Sherwood Zoning and Community Development Code. The Planning Commission will make a recommendation to the City Council regarding the proposed concept plan and implementing the EI zone. The concept plan applies zoning to the area and includes comprehensive plan updates regarding transportation and infrastructure. The City Council will make the ultimate decision at a public hearing
- 10. Comments from Commission**
- 11. Adjourn the Business Meeting**
- 12. Next Meeting: July 27, 2010**

**Work Session – Following the Business Meeting**

- 1. Code Clean up –Notice Requirements**

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**City of Sherwood, Oregon**  
**Draft Planning Commission Minutes**  
**March 23, 2010**

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**Commission Members Present:**

Chair Allen  
Jean Lafayette  
Matt Nolan  
Raina Volkmer  
Todd Skelton

**Staff:**

Julia Hajduk, Planning Manager  
Michelle Miller, Associate Planner  
Karen Brown, Recording Secretary

**Commission Members Absent:** Commissioner Walker, Commissioner Emery

**Council Liaison – Mayor Mays**

1. **Call to Order/Roll Call – Chair Allen** called the meeting to order. **Karen Brown** called roll.
2. **Agenda Review** – included the consent agenda and discussion on PA 10-01 Land Use Time Extensions.
3. **Consent Agenda** – Minutes from February 23, 2010. Commissioner Lafayette moved to approve the consent agenda. Chair Allen abstained from vote as he had not been present at that meeting. All others voted to approve and the motion was passed.
4. **Staff Announcements** – Julia Hajduk announced that the Arbor Day celebration is scheduled for April 16, 2010 and that the City has partnered with Disney for the “Give a Day- Get a Day” program and has over 100 volunteers registered to help. The City has also received the Growth Award from the Arbor Day Tree City USA for the first time.

Julia took a moment to recognize Commissioners Skelton and Emery as this meeting will be their final meeting on the Commission. Chair Allan also spoke and thanked both for all of their time and commitment to the commission over many years.

Julia went on to introduce from the audience the two new members that will be joining the Commission: Russell Griffin who has been a member of the Commission in the past and Mike Cary.

Julia informed the Commission that the Cannery PUD has been appealed to the Land Use Board of Appeals (LUBA) and the Brookman Road project appeal may be near resolution.

5. **City Council Comments** – **Mayor Mays** wanted to reiterate the thanks and gratitude to Commissioner Skelton and Commissioner Emery for their service and contribution to the community.

He went on to say that the Council is moving forward with the Engineering design for the Skate Park. The City is applying for a grant from the State to move forward with the park.

**Community Comments** – Robert James Claus 22211 SW Pacific Hwy, Sherwood Oregon, spoke about the state of the City’s financial status when he first came to Sherwood and the local improvement districts. He spoke about favorable changes that, based on his opinions, were put into place by former Mayor Walt Hitchcock to help the tax base. Mr. Claus explained that he believes retail, as a rule, is a bad deal tax wise and low income housing is even worse. He stated that he believes the City is drifting backwards away from the positive financial growth and changes Mr. Hitchcock had facilitated. Regarding the proposed project for downtown he stated that based on the appraisals he’s seen it is 12 million that “we” paid 6 million for and are telling Bank of America that it is going to be an appraised value of 33 million. He felt that the Planning Commission had taken a fairly reasonable stand on the Cannery, and that they had taken the time to look at the negative impacts to the City of the proposal and the fundamental tax base of the City. He feels the City will become bankrupt if it continues down the path it is on.

Susan Claus 22211 SW Pacific Hwy, Sherwood, OR began by thanking Chair Allan for all of the work he did with the Planning Commission on the Cannery hearings. She then went on to talk about the basic parts of a land use project and the steps that need to be followed. She believes that those steps need to be more coordinated. As she sees it; with a lot of conditions of approval that come to the Planning Commission there is an assumption that the background work has already been done. She would like to see better language or more informative language in the items brought before the Commission so they know actually what other work has been done, or may still need to be done. Assuming that all of the infrastructure is in place may be questionable in her opinion. She feels that there is no protocol in place for citizens to ask questions to departments or any type of oversight committee in case they don’t agree with decisions that are made.

## **6. New business – PA 10-0 Land Use Approval Time Extension**

Michelle Miller presented the Staff Report and pointed out Exhibit A which spells out the proposed changes to the code that would effect: subdivisions, preliminary plats and site plans. Historically land use decisions have granted 2 years for projects to begin construction with the possibility of one extension for 1 year. During the current economic times, there has been more than one developer that has run out of time, under these guidelines. The proposed code language changes would grant an additional one year time line to begin work. The change would affect approximately 20 land use decisions that have currently been granted within the City. Staff is asking a recommendation of approval to the City Council.

**Community Comments** - Susan Claus 22211 SW. Pacific Hwy, Sherwood OR would like to request copies of the correspondence, referred to in the staff report, by applicants requesting extensions due to economic conditions. She has also requested from Tom Pessemier the notice list of everyone notified about the proposed change. The McFall

Subdivision will be affected by the decision, but she had not received notice that was sent by staff on March 3<sup>rd</sup>. She did say it may have been sent to her attorney, but that she had not seen it yet. She would like to ask that the record be left open so the list of who notice was sent to may be made part of the record. She submitted a list into the record of effected projects that she had been given earlier in the day. This was labeled as Exhibit D in the record.

Chair Allan spoke to Mrs. Claus and explained that since this public hearing is Legislative and not Quasi-Judicial the record is not required to be left open upon request. The Commission may hold the record open and will discuss the benefit of leaving it open during their deliberation process.

Robert James Claus 22211 SW Pacific Hwy, Sherwood, OR believes the Commission has a problem with the land use action and legislative action process. He stated that there are two parts to it. One in which the private party is totally responsible and one where the City is responsible. Infrastructure is always the City's obligation. As he sees it the issue here is time and money. In his opinion the City does not move in steps to work through a project, but rather comingle the steps and responsibilities. He urged the Commission before they vote, to review what he referred to several times as the "Bible" from Julia and that it would help explain the process and why he feels this is such a developer unfriendly town and until the Commission realizes that the problem is the staff, and rules and the delays the City will not be able to continue to develop.

Scott Mazzuca 16157 SW Third Street, Sherwood OR explained that he is a property owner in Sherwood and has been a developer here as well. He had completed construction on two "pre-sold" projects just as the market changed in 2008; the sales failed and he has, to the date of this meeting, not been able to sell those properties. He continued by giving more details and examples of the poor economic times and how real estate has been effected. He has other property as well that he would like to develop, but does not see the feasibility at this time. He feels a year extension could make a very big difference to developers and he would suggest perhaps even more than a year extension.

Pat Huske 23352 SW Murdock Road, Sherwood, OR began by thanking the Commission for the extension. Mr. Huske explained that he owns several pieces of property in the Murdock road area that had been identified 4 years ago by Oregon DEQ as containing contaminated soil from the Tannery property. He made the decision to stay and was successful in cleaning the property. During the process he battled with neighbors and the City to re-zone the property so he could afford to continue the cleanup process. Had he been able to move forward with his project sooner he would have been able to compete with the JC Reeves million dollar homes. To reiterate Mr. Mazzuca's sentiments, the economic conditions are terrible for developers. Considering his experience he would like to suggest not only an extension, but a "hardship" provision as well not just in light of the economy, but other issues that could arise for developers.

Commissioner Lafayette asked what the process was in requesting the first extension.

Michelle explained that as the time line draws near the applicant submits a letter requesting an extension and pays a fee of \$150.00. The extension can then be granted if



cause is shown. In her experience with the City, no request has been denied. What is being proposed is the possibility of granting more than one extension.

Commissioner Lafayette spoke with Mr. Huske and Michelle regarding keeping the record open and what could be accomplished by doing so. Mr. Huske's goal would be the addition of "hardship" extension language other than just economic conditions. He would really like to see an attitude from the City and the Commission of how can we help the developer rather than what road blocks can we put in front of them.

Michelle pointed out that if the record is left open, Mr. Huske's approval will expire April 15, 2010.

Seeing no other public testimony cards, Chair Allan closed the public testimony.

Julia wanted to clarify that what is being discussed in this meeting is "proposed" language changes. They have not already been decided and this is the chance to add or change current language.

Michelle gave final staff comments by first responding to Mrs. Claus' request for copies of correspondence that started this process. There will not be any written records available as prior to the notice being sent there had been only phone calls and conversations suggesting this would be valuable. She then went on to say that the excel spreadsheet she had prepared included all of the projects she could find that would be effected by these changes. She had mailed as a courtesy notice, not a required notice to the projects on that list including the Claus' at 22211 SW Pacific Hwy. Additionally as part of the request being sent to City Council she has included the request for an emergency clause which would put any changes into effect immediately rather than the normal 30 day period in an effort to help Mr. Huske's project and his April 15<sup>th</sup> expiration date.

Conversation ensued between Michelle, the Commissioners and Mayor Mays regarding the timing of getting this to the Council. Commissioner Lafayette also suggested consistency within the language specifying who the decision makers are and to whom an appeal would be given to rather than just referring to "the City".

Deliberation continued regarding approval based on a processed based solution vs. a blanket extension. Commissioner Nolan suggested an automatic extension for any projects approved between January 1, 2007 and December 31, 2009 without requiring extension requests, giving the developers to December 31, 2013. Chair Allen was in favor of the automatic extension approach as well, that would encompass everyone, even those that may not be aware of the process that would need to be followed to receive the extension in a timely manner.

Mr. Huske's suggestion of adding a hardship provision was discussed and it was determined the Commission would like to discuss this option, however they want to get the original issue off to the Council, so they would ask that it be remanded back to them to work on the hardship language.

Chair Allan continued by addressing the process issues that he felt had been raised. Regarding the request for written copies of requests to staff for the need for extensions; he is happy to see the issue scheduled as this is an issue he would have wanted to bring forward anyway and sees the benefit of being proactive given current circumstances. Commissioner Nolan agreed and suggested editing the staff report to remove the word “written” comments to just say comments. With respect to notice, if the blanket approach is taken, notice won’t actually be an issue or worth keeping the record open. With a hearing at Council there will still be an opportunity for additional written comments to be submitted.

Mrs. Claus returned to the microphone and withdrew her request for the record to be left open. If it would adversely affect Mr. Huske’s project she would rather see it moved forward here, and then she will address her issues with the Council.

Chair Allen then suggested that the proposed language be changed to reflect what had originally been suggested during the work session. Exhibit E which was the proposed code language that was added to the record suggesting a blanket extension without fees or requests being required. The other proposed language would be Exhibit F. The findings to Council would also note that if Council should choose to pursue the other language, that applicants would not be required to take action before their land use approval had expired. In addition the Commission would like to include a finding that requests Staff bring a separate action for a hardship clause to be reviewed at a future date.

Commissioner Lafayette suggested that this would be a great opportunity for positive press release and a chance to help citizens become aware of the Planning Commission’s activities. In addition, the Planning Commission felt that notice should go to all of the applicants affected by the decision.

Commissioner Lafayette made a motion to modify the Staff Report on page 1 of 5 to strike the word “written” and the recommendation of approval of Exhibit E. Regarding Exhibit A, if Council chooses to retain the text from this exhibit the recommendation should reflect that they would interpret it as discussed.

Commissioner Nolan seconded the motion. A vote was taken and all present were in favor of the changes.

Commissioner Lafayette made a second motion to recommend approval of the revised PA 10-01 based on the adoption of the Staff Report, findings of fact, public testimony, Staff recommendation, agency comments, applicant comments and code section as revised.

Commissioner Nolan seconded the motion. A vote was taken and all present were in favor. The motion passed.

Chair Allen moved on to agenda item 9. B, the selection of a Planning Commission member to serve on the Cultural Arts Community Center Steering Committee. Chair Allen suggested that the new Commission member Russell Griffin be appointed as the Planning Commission representative. All members, including Russell (who was in the audience) were in favor of that appointment.

**Commission Comments** – Chair Allan raised a concern. The agency he works with at the State is currently working on adopting a new energy conservation code that includes changes that may affect some of the design standards in Sherwood, particularly Old Town. Items like glazing and the use of stucco on mass walls. He suggests the people visit the Building Codes web-site to get an idea of what is being discussed.

**The next meeting is a work session scheduled for April 13, 2010.**

**Chair Allen** closed the meeting at 8:25 p.m.

End of minutes.

Signed: Heather M. Austin  
Heather Austin, AICP, Senior Planner

## I. INTRODUCTION

The Tonquin Employment Area (TEA) includes approximately 300 acres of property adjacent to the City of Sherwood's eastern boundary and south of Tualatin-Sherwood Road. The area was brought into the urban growth boundary (UGB) as "industrial" land and, as such, Employment Industrial (EI) zoning is proposed for the entire area. The TEA concept planning effort began in early 2009. The Stakeholder Advisory Committee and Technical Advisory Committee provided input and guidance to the Steering Committee on the development of the plan which led to the July 2010 Concept Plan.

Before the land in the TEA can be converted from rural to urban use, Metro requires that a Concept Plan that complies with local, regional and state standards be prepared by the city that will provide services for the new urban area. Once concept planned, the area can be annexed to the City of Sherwood. The Comprehensive Plan zone designation does not officially apply to a property until the property is annexed into the City of Sherwood. The Tonquin Employment Area Concept Plan is included as Attachment 1 to this staff report.

The report is organized into the following sections:

- I. Introduction
- II. Background (Public Involvement & Proposal Overview)
- III. Affected Agency, Measure 56 Public Notice, and Public Comments
- IV. Type 5 – Legislative Plan Amendment Criteria and Findings of Fact
  - A. Local standards
  - B. State standards
  - C. Regional standards
- V. Recommendation
- VI. Attachments/record

The Concept Plan will be adopted and implemented through amendments to the Comprehensive Plan (Part 2) including proposed text changes to Chapters 4 and 8 (Attachment 2) and a proposed map amendment (Attachment 3). In addition, a new section, 16.31 (Employment Industrial), is proposed to be added and text changes to Section 16.82 (Conditional Uses) are proposed to amend the Sherwood Zoning and Community Development Code (SZCDC- Division II). This is included as Attachment 4. The Transportation System Plan (TSP) functional plan map is also proposed to be updated and is included as Attachment 5.

## II. BACKGROUND

### Background

The purpose of this Tonquin Employment Area Concept Plan is to provide a conceptual guide to the area's development as a new addition to Sherwood. As such, it articulates a clear and coherent vision for the area. The Concept Plan identifies the future EI zoning, transportation improvements, public facilities and a conceptual alignment of the Tonquin Trail – all guided by planning efforts developed with substantial public involvement.

The Tonquin Employment Area (TEA) was added to the Urban Growth Boundary (UGB) by the Metro Council in 2004 (Ordinance 04-1040B). The Sherwood City Council initiated the public process to

comprehensively plan for the area prior to annexation and development. In 2002 and 2004, land was also added to the UGB by Metro east of this concept plan area. This area is in the City of Tualatin and is also in the concept planning stage (SW Tualatin Concept Plan). The Cities of Sherwood and Tualatin entered into a Memorandum of Understanding (MOU) that Sherwood would be the service provider for the area from the existing City limits east to SW 124th.

The TEA is bounded by the existing Sherwood city limits on the west and SW Tualatin-Sherwood Road on the north. The eastern boundary of the study area is the future extension of SW 124<sup>th</sup>. The southern boundary of the concept area generally follows SW Tonquin Road for approximately 1,500 feet and the BPA Right-of-Way. The area is bisected by BPA and PGE power lines that are in right-of-way and easements. These lines generally run from northwest to southeast through the area. In addition, there is a Kinder-Morgan high-pressure petroleum line running through the area.

There is one identified wetland within the area and some upland wildlife habitat has been identified adjacent to SW Tonquin Road; however, an in-depth wetland or natural resource analysis was not completed with this concept plan and will be required on a site-specific basis as development occurs.

This area is bordered by industrially developed property on the northwest and north within the cities of Sherwood and Tualatin. The eastern border is adjacent to the future industrial area in Tualatin. The southern border has been identified as future urban reserves by Metro and is currently developed with the Tri-County Gun Club and a rock quarry operation.

### **Process and Public Involvement**

The Concept Plan was developed by a stakeholder advisory committee, technical advisory committee and steering committee. The stakeholder advisory committee consisted of property owners within the area and interested parties (participation on the steering committee was not limited to just property owners). The technical advisory committee consisted of representatives from ODOT, DLCD, Washington County, Clackamas County, Metro, the City of Tualatin, Clean Water Services, Tualatin Valley Fire and Rescue, Raindrops to Refuge and the City's Urban Renewal Board and Parks Board. The Steering Committee was comprised of the City's Planning Commission. The stakeholder group met three times and the technical group met two times. The Steering Committee held three work sessions and will provide a recommendation to the City Council through the public hearing/plan amendment process.

In addition to the committee meetings, additional process steps and community involvement included:

- Two public open houses
- Project website with regular updates
- On-line opportunities to comment following the open houses
- Updates in the Sherwood Gazette and Archer at key milestones
- E-mail notice and extensive mailing prior to each public event

Early and continuous public outreach and involvement was coordinated and timed to coincide with project tasks and key outcomes. The major milestones in the process were:

- Inventory of base conditions and projections of market demand, land use, transportation, natural resources and infrastructure needs
- Establishment of project and concept plan goals
- Development of three alternative concept plans
- Evaluation of alternatives and development of a draft concept plan incorporating the most desired elements
- Refinement of the concept plan and preparation of implementation strategies

- Submission and endorsement of the final concept plan and implementation strategies

The Planning Commission will hold a minimum of one public hearing and make a recommendation to the City Council. The City Council will hold a separate public hearing and make a decision to adopt, adopt with revisions or not adopt the Tonquin Employment Area Concept Plan.

### **Proposal Overview**

The Comprehensive Plan was amended in 2006 with the implementation of the Area 59 Concept Plan to provide a framework for future concept plans. The proposal is to adopt the Tonquin Employment Area Concept Plan by reference and incorporate the key findings and recommendations from that concept plan into Chapter 8 of the Comprehensive Plan (Urban Growth Boundary Additions). Implementation of the Concept Plan as part of this proposal will also include the adoption of amendments to Chapters 4 and 8 of the Comprehensive Plan, amendment to the Comprehensive Plan Map and updates to the Development Code to include a new zoning designation for the Tonquin Employment Area and updates to the Conditional Use section. The actual zone does not change until annexation occurs. This proposal also includes a Transportation System Plan (TSP) amendment to include the new east-west collector through the area.

## **III. AFFECTED AGENCY, PUBLIC NOTICE, AND PUBLIC COMMENTS**

The City of Sherwood sent notice to DLCD on May 26, 2010, 49 days prior to the first evidentiary hearing. ODOT, Washington County, Clackamas County, Metro, the City of Tualatin, Clean Water Services, Tualatin Valley Fire and Rescue, Raindrops to Refuge and the City's Urban Renewal Board and Parks Board were provided the draft concept plan as part of the Technical Advisory Committee (TAC) and were sent additional agency notice on July 1, 2010. Mailed public notice, including Measure 56 notice, was provided on June 22, 2010, which exceeds the City requirement of 10 days prior to the first evidentiary hearing. In addition, Metro's Title 11 (Chapter 3.07.1140) requires notice sixty (60) days prior to adoption. Metro has been notified at each review stage in the process as a part of the TAC. The City has continued to stay in contact with Metro and ODOT throughout this process to ensure they are up to date on the status and potential issues as the hearing process has progressed.

### Agency Comments

No formal agency comments have been submitted to-date. However, agency comments provided throughout the process through the TAC have been included in the production of the concept plan.

### Public Comments

Public comments may be provided at any time prior to the close of the public hearing, The Planning Commission and City Council will take verbal and written testimony at the public hearings.

## **IV. REQUIRED FINDINGS FOR A PLAN TEXT AMENDMENT**

### **A. Local Standards**

The City shall find that the following criterion is met by the proposed amendment:

#### **1. Section 4.203.01 Text Amendment Review Criteria**

**“An amendment to the text of the Comprehensive Plan shall be based upon the need for such an amendment as identified by the Council or the Commission. Such an amendment shall be consistent with the intent of the Comprehensive Plan, and with all**

other provisions of the Plan and Code, and with any applicable State or City statutes and regulations.”

**FINDING:** The following section of this report addresses the need for the plan map and text amendments as well as consistency with the Plan policies and applicable regional and state standards.

## **2. Section 4.203.02 Map Amendment Review Criteria**

### **A. The proposed amendment is consistent with the goals and policies of the Comprehensive Plan.**

Compliance with the Comprehensive Plan policies is discussed below in IV.A.3

### **B. 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.**

The need for industrial land in Sherwood has been demonstrated by both the city's Economic Development Strategy (2007) and Metro's addition of this area into the UGB as industrial land in 2004. In the case of the Economic Development Strategy, the city identified a stark imbalance between residential land (80% of the city's tax base) and employment/commercial/industrial land (20% of the city's task base). In an effort to try to bring these numbers into some kind of balance, the city set a goal of annexing more employment industrial land. In the case of Metro's addition of the area to the UGB as industrial land, Metro identified a region-wide need for industrial land and identified Sherwood as a jurisdiction that is well-suited for the land addition.

The addition of industrial land in the City of Tualatin adjacent to the Tonquin Employment Area will result in a large amount of industrial land in this part of the region. However, the overall need of employment industrial land identified by both the city and the region will still not be fully met.

**FINDING:** As discussed above, the city and regional governing body have adequately demonstrated the existing need for industrial employment land in Sherwood. This standard has been met.

### **C. 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.**

This area was added to the UGB in 2004 and the intention was to concept plan the area as soon as possible. Several factors have delayed production of the concept plan, including uncertainty regarding the location of the I-5/99W Connector project, staffing levels within the city, funding for the concept plan development and changes in economic conditions generally.

The pattern of development within the city of Sherwood adjacent to this area is industrial. The proposed zoning for the land adjacent to this area in Tualatin's UGB is undetermined but will be some type of industrial.

The City's TSP (with proposed amendment), water master plan, stormwater master plan and sanitary sewer master plan demonstrate the availability of utilities to service the area. Service providers for the area have been notified of the plan and have not identified inabilities to serve all potential uses.

**FINDING:** As discussed above, this standard is met.

**D. 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.**

This criterion is intended for zone change applications for land inside the city limits instead of new UGB additions and therefore, this standard is not applicable to UGB expansion areas. In addition, the new zone proposed (Employment Industrial) specifically targets employment opportunities, something no existing Sherwood zone does.

**FINDING:** As discussed above, this standard is satisfied.

### 3. Comprehensive Plan Policies

#### Chapter 4 Land Use:

##### Section H (Economic Development Strategies)

**Policy 1 – The City will coordinate ongoing economic development planning with involved public and private agencies in the state, regional, county and local level.**

**Policy 2 - The City will encourage economic growth that is consistent with the management and use of its environmental resources.**

**Policy 3 - The City will direct public expenditures toward the realization of community development goals by assuring the adequacy of community services and facilities for existing and future economic development.**

**Policy 4 – The City will seek to improve regional access to the urban area as a means to encourage local economic development.**

**Policy 5 - The City will seek to diversity and expand commercial and industrial development in order to provide nearby job opportunities, and expand the tax base.**

**Policy 6 – The City will seek funding through EDA or HUD for the rehabilitation of the Old Town and Washington Hill neighborhoods.**

The Tonquin Employment Area furthers the City's economic development strategies in expanding the City's employment/industrial tax base as well as in providing jobs for Sherwood residents. The proposed plan is consistent with natural resource protection standards. The adequacy of community services and facilities for this area is demonstrated in the concept plan. The proposed east-west collector will provide an additional way for people from east of the city to access the city. This area will expand the city's industrial development area and is not located within the Old Town or Washington Hill.

**FINDING:** This concept plan complies with this policy.

#### **Additional Policies**



**Policy 1- Support existing businesses and recruit additional businesses that provide local family-wage jobs. Replace any employment land rezoned for other uses with other employment land.**

**Policy 2- Support tourism as an economic engine.**

**Policy 3- Develop the infrastructure and services necessary to support economic development in Sherwood.**

**Policy 4- Develop a local work force of residents whose skills are compatible with the needs of local businesses.**

The Tonquin Employment Area provides expansion areas for existing businesses as well as development opportunities for additional businesses. Tourism is not a part of the TEA. Development of this area will help develop the infrastructure and services necessary to support economic development in Sherwood. The economic development strategies employed in the concept plan focus on Sherwood's skilled work force.

The Conditional Uses section of the zoning code (16.82) has been updated to include four standards for development in the Tonquin Employment Area that require a development application seeking a conditional use to make findings that the proposal meets the purpose of the new EI zone. These changes to Section 16.82 are included as Attachment 4 to this staff report.

**FINDING:** As discussed above, this concept plan complies with this policy.

#### **Section K.2 (Industrial Planning Designation)**

**Policy 1 - Industrial uses will be located in areas where they will be compatible with adjoining uses, and where necessary services and natural amenities are favorable.**

**Policy 2 - The City will encourage sound industrial development by all suitable means to provide employment and economic stability to the community.**

The Tonquin Employment Area is located adjacent to other industrial users, rock quarries and a gun club, making it an ideal location for industrial development. This type of development is well suited to this area.

**FINDING:** The concept plan is consistent with this policy.

#### **Section O (Community Design)**

**Policy 1 -The City will seek to enhance community identity, foster civic pride, encourage community spirit, and stimulate social interaction through regulation of the physical design and visual appearance of new development.**

**Policy 2 - The formation of identifiable residential neighborhoods will be encouraged.**

**Policy 3 - The natural beauty and unique visual character of Sherwood will be conserved.**

**Policy 4 - Promote creativity, innovation and flexibility in structural and site design.**

The City implemented industrial design standards earlier this year that will apply to development in this area. These standards promote creativity, innovation and flexibility in structural and site design.

**FINDING:** Because development in this area will be required to comply with the industrial design standards, this concept plan is in compliance with this policy.

## Chapter 5:

### Section C.3 (Natural resources and Hazards)

**Policy 2 - Habitat friendly development shall be encouraged for developments with Regionally Significant Fish and Wildlife Habitats identified as Map V-2**

**Policy 3 - Prime agricultural soils will be reserved from development until required for other uses**

**Policy 4 - Provide drainage facilities and regulate development in areas of runoff or erosion hazard.**

The significant upland wildlife habitat identified in this area is along the steep slope abutting SW Tonquin Road and is generally not developable. The wetland area will be protected as a Goal 5 resource. The soils are not prime agricultural soils and provision for drainage facilities has been provided in the concept plan. As development occurs, existing regulations and incentives in the development code will aid in encouraging or requiring habitat friendly development.

**FINDING:** The concept plan and proposed map and text amendment is are consistent with these policies.

### Section E.3 (Recreational Resources Policies)

**Policy 1 - Open Space will be linked to provide greenway areas.**

**Policy 2 - The City will maximize shared use of recreational facilities to avoid cost duplication.**

**Policy 5 - The City will protect designated historic and cultural landmarks in accordance with the Code standards.**

Several potential alignments for the Tonquin Trail, a regional trail connecting the Tualatin and Willamette Rivers through Sherwood, Tualatin and Wilsonville, are shown on the concept plan map. No other recreational facilities are proposed for this industrial area and no historic or cultural landmarks have been identified.

**FINDING:** The concept plan and proposed map and text amendment are consistent with these policies.

### Section F.(Energy Resources)

**Policy 4 - The City will encourage energy efficiency in the design and use of sites, structures, transportation systems and utilities.**

The area includes two “commercial nodes” with supportive services to allow employees within TEA to walk or bike to lunch or for basic errands, thus increasing energy efficiency. In addition, one of the targeted user groups for this area is “green technology”, an industry geared toward energy efficient technologies.

**FINDING:** The concept plan and proposed map and text amendment are consistent with this policy.

## Chapter 6, Goal 1

**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 – The City will ensure that public roads and streets are planned to provide safe, convenient, efficient and economic movement of persons, goods and services between and within the major land use activities. Existing rights of way shall be classified and improved and new streets built based on the type, origin, destination and volume of current and future traffic.**

**Policy 2 – Through traffic shall be provided with routes that do not congest local streets and impact residential areas. Outside traffic destined for Sherwood business and industrial areas shall have convenient and efficient access to commercial and industrial areas without the need to use residential streets.**

**Policy 3 – Local traffic routes within Sherwood shall be planned to provide convenient circulation between home, school, work, recreation and shopping. Convenient access to major out-of-town routes shall be provided from all areas of the city.**

**Policy 4 – The City shall encourage the use of more energy-efficient and environmentally-sound alternatives to the automobile by:**

- The designation and construction of bike paths and pedestrian ways;
- The scheduling and routing of existing mass transit systems and the development of new systems to meet local resident needs; and
- Encouraging the development of self-contained neighborhoods, providing a wide range of land use activities within a single area.

**Policy 6 – The City shall work to ensure the transportation system is developed in a manner consistent with state and federal standards for the protection of air, land and water quality, including the State Implementation Plan for complying with the Clean Air Act and the Clean Water Act.**

**Policy 7 – The City of Sherwood shall foster transportation services to the transportation-disadvantaged including the young, elderly, handicapped, and poor.**

**Policy 8 – The City of Sherwood shall consider infrastructure improvements with the least impact to the environment.**

The only new road shown within the concept plan area is the east-west collector that extends from SW Oregon Street to the future extension of SW 124<sup>th</sup>. This street runs parallel to SW Tualatin-Sherwood Road and is meant to provide the main access to development within the area. Because large, campus-style development is anticipated, this may be the only public street within the area. If smaller users develop parcels, local street standards will apply, creating connectivity. Access from existing or proposed collectors and arterials will follow the city's access spacing standards.

The transportation concept was developed with consideration to the infrastructure costs and potential impact to the environment. The east-west collector intersects the future extension of SW 124<sup>th</sup> near an identified wetland; however, a natural resources study has not been conducted at this conceptual level and location of the road will take this into consideration at time of development. The location must line up with Blake Street in Tualatin on the east side of the future 124<sup>th</sup> extension which dictates in some part the location in relation to the identified wetland.

**FINDING:** As discussed above, the proposed concept plan is consistent with these policies.

## **Chapter 7:**

**Objective 1 – Develop and implement policies and plans to provide the following public facilities and services: public safety fire protection, sanitary facilities, water supply, governmental services, health services, energy and communication services, and recreation facilities**

**Objective 2 - Establish service areas and service area policies so as to provide the appropriate kinds and levels of services and facilities to existing and future urban areas. (Page 2)**

**Objective 3 - Coordinate public facility and service plans with established growth management policy as a means to achieve orderly growth. (Page 2)**

**Objective 4 - Coordinate public facility and service provision with future land use policy as a means to provide an appropriate mix of residential, industrial and commercial uses. (Page 2)**

The City of Sherwood will be the primary provider of urban services with the exception of fire protection. Service areas will not extend outside the Tonquin Employment Area. The plan has been developed with consideration of existing and recently adopted master plans and considered the predominance of industrial land and the very small amount of supportive commercial services.

**FINDING:** The concept plan and proposed map and text amendment are consistent with these policies.

## **Chapter 8 (Urban Growth Boundary Additions)**

**Policy 1 - Focus growth into areas contiguous to existing development rather than "leap frogging" over developable property.**

**Policy 2 - Encourage development within areas that have access to public facility and street extensions in the existing city limits.**

**Policy 3 – Encourage annexation inside the UGB where City services are available and can be extended in a cost-effective and efficient manner.**

**Policy 4 - When Metro and Sherwood designates future urban growth areas, consider lands with poorer agricultural soils before prime agricultural lands, lands that are contiguous to areas planned for urban services, and land that resides in Washington County to reduce confusion over jurisdictional administration and authority.**

**Policy 5 - Achieve the maximum preservation of natural and historic resources and features consistent with Goal 5 of the Statewide Land Use Planning program and Chapter 5 of this Plan.**

**Policy 6 - Provide multi-modal access and traffic circulation to all new development that reduces reliance on single occupant vehicles (SOV) and encourages alternatives to cars as a primary source of transportation.**

**Policy 7 - Establish policies for the orderly extension of community services and public facilities to areas added for new growth consistent with the ability of the community to provide necessary services. New public facilities should be available in conjunction or concurrently with urbanization in order to meet future needs. The City, Washington County, and special service districts should cooperate in the development of a capital improvements program in areas of mutual concern. Lands within the urban growth boundary shall be available for urban development concurrent with the provision of the key urban facilities and services.**

**Policy 8 - Provide for phased and orderly transition from rural to suburban or urban uses. Larger UGB expansion areas shall include a phased development plan to achieve a sustainable transition over time.**

**Policy 9 - To provide a regionally consistent population projection methodology and the accurate allocation of people, a revised population projection for Sherwood should be developed and coordinated with other County jurisdictions, Washington County, and Metro during periodic review of the Metro UGB and Sherwood's Comprehensive Plan.**

**Policy 10 - The City of Sherwood shall lead the concept planning for areas contiguous to the existing UGB. The City of Sherwood and special districts, such as Tualatin Valley Fire & Rescue, are the primary service providers. Washington County does not want to provide urban services outside of city limits. Sherwood will work cooperatively with the County, special districts, and neighboring cities, including Tualatin, to determine urban service boundaries, service delivery, and when feasible share resources, such as public facilities to encourage cooperation, cost-effective delivery, and economic development in future growth areas.**

**Policy 11- As part of the concept planning process, the City will submit findings from any study or technical analysis to inform Metro on appropriate future revisions to the Urban Growth Boundary (UGB) in conformance with the Metro 2040 Growth Concept Plan and the need to accommodate urban growth to the year 2017 and beyond. The City will work with neighboring cities, Washington County, and Metro on an "urban reserve" program that identifies future lands beyond a 20 year planning horizon to facilitate efficient and well planned public facilities and services.**

**Policy 12 - Changes to concept plans can be made prior to implementation based on supported evidence and may be proposed by the City, County, special districts, and individuals in conformance with City, County, and Metro procedures for amendment of their respective Comprehensive Plans. Concept plan maps shall be adopted in this Chapter and new development shall conform to the land uses, transportation network, parks and open space, and other applicable concept level designs.**

**Policy 13 - Generally, new concept plans shall conform to Title 11 requirements and any conditions of approval related to the addition of the land. Concept plans shall strive to balance the needs of existing and new residents and businesses to ensure a sustainable tax base to deliver services. Mixed residential and mixed use shall be considered for each concept plan as an opportunity to provide neighborhood and civic oriented services within walking distance, efficient, transportation alternatives, and a variety of housing and employment choices.**

**Policy 14 - Generally, new neighborhoods shall be designed and built based on architectural form as opposed to land based regulatory tools, such as setbacks, lot sizes, and lot coverage. In lieu of these requirements more shared and usable open space and parks can be dedicated to the public in addition to any non-buildable areas. Furthermore, a form-based code is preferable to reduce regulatory hurdles and costs for customers and the City, respectively.**

**Policy 15 - The City shall work with the Tualatin River National Wildlife Refuge on a long term urbanization plan that could include provision of urban services and preservation of additional lands for fish and wildlife habitat.**

**Policy 16 - Consistent with Goal 1, the City shall establish an advisory committee to develop evaluation criteria and a concept plan for any area over 20 acres while collecting input from affected agencies, property owners, and other stakeholders.**

**Policy 17 - As new UGB areas are added and approved through the concept planning process, the geographic boundaries of Sherwood will change. Specifically, a new UGB boundary with Tualatin needs to be determined through the concept planning process for Area 48 (Quarry Area).**

**Policy 18 - Regarding the concept planning process, the following steps shall be required to initiate the concept plan through annexation:**

- (1) **Governance:** Determine jurisdictional boundaries and urban service providers.
- (2) **Concept Plan:** Develop a concept plan consistent with Metro 2040 Growth Concept.
- (3) **Implementation:** Adopt comprehensive plan policies, zoning codes, etc. by ordinance.
- (4) **Annexation:** Allow property owners to petition the City for annexation after concept plan implementation is substantially complete.

**Policy 19 - City plan and zoning designations will be determined consistent with the Metro 2040 Growth Concept Design Types illustrated on the 2040 map, unless the 2040 map designation is inappropriate, in which case the City will propose that Metro change their map consistent with City policy.**

**Policy 20 - The City shall find outside sources of funds, including participation in Metro's Construction Excise Tax program, to finance the concept planning in lieu of general funds.**

1. The Tonquin Employment Area is contiguous to existing development across SW Oregon Street and SW Tualatin-Sherwood Road.
2. As shown in the concept plan, there is access to public facilities and streets that are in the city limits.
3. Annexation can occur after the concept plan is approved and would be appropriate because services are available and can be extended in a cost-effective and efficient manner.
4. Because this area is already within the UGB, this policy does not apply.
5. There are no identified historic resources within the TEA and natural resources have been identified and will be protected through the city's Goal 5 protections at the time of development.
6. The proposed east-west collector will include sidewalks and bike lanes and a potential Tonquin Trail alignment is shown within the TEA.
7. Community services such as schools, police, fire, parks and the Sherwood Library are available to serve the area. Public facilities are available in adjacent right-of-way and can easily serve many of the parcels. Those parcels interior to the site will be served by the new east-west collector once it is built.
8. Although not small at 300 acres, the anticipated development within this area will be large, campus-style industrial employers and, as such, the total number of developments is not likely to be high and a development sequencing plan is not necessary.
9. This policy is not applicable to this concept plan.
10. The City of Sherwood is leading this concept planning process.
11. This plan has been provided to Metro and the city has been an active participant in the "urban reserves" process.
12. The map of this concept plan, once adopted, will be added to Chapter 8 of the comprehensive plan.
13. This plan includes a small amount of "supportive services retail" which will encourage mixed use within the plan area. Title 11 and other Metro requirements are discussed later in this report.
14. No new neighborhoods are proposed for this area.
15. The city has provided notification of this concept plan to the Tualatin River National Wildlife Refuge.

16. This process utilized a stakeholder advisory committee, technical advisory committee and steering committee.
17. The Memorandum of Understanding establishes SW 124<sup>th</sup> as the boundary between Sherwood and Tualatin.
18. This process has been followed and will continue to be followed.
19. The Employment Industrial zone is consistent with metro's "industrial" classification.
20. This project has been funded by the Metro Construction Excise Tax Program.

**FINDING:** As discussed above, the applicable Urban Growth Management Polices are fully met.

## State Standards

1. **Transportation Planning Rule (TPR):** The City finds that the proposed concept plan complies with applicable requirements of the state Transportation Planning Rule (OAR 660-12-0060) Plan and Land Use Regulation Amendments:

**(1) Amendments to functional plans, acknowledged comprehensive plans, and land use regulations which significantly affect a transportation facility shall assure that allowed land uses are consistent with the identified function, capacity, and performance standards (e.g. level of service, volume to capacity ratio, etc.) of the facility. This shall be accomplished by either:**

- (a) Limiting allowed land uses to be consistent with the planned function, capacity, and performance standards of the transportation facility;
- (b) Amending the TSP to provide transportation facilities adequate to support the proposed land uses consistent with the requirements of this division;
- (c) Altering land use designations, densities, or design requirements to reduce demand for automobile travel and meet travel needs through other modes; or
- (d) Amending the TSP to modify the planned function, capacity and performance standards, as needed, to accept greater motor vehicle congestion to promote mixed use, pedestrian friendly development where multimodal travel choices are provided.

**(2) A plan or land use regulation amendment significantly affects a transportation facility if it:**

- (a) Changes the functional classification of an existing or planned transportation facility;
- (b) Changes standards implementing a functional classification system;
- (c) Allows types or levels of land uses which would result in levels of travel or access which are inconsistent with the functional classification of a transportation facility; or
- (d) Would reduce the performance standards of the facility below the minimum acceptable level identified in the TSP.

The plan does not envision changing the functional classification of any of the existing roads from the current TSP. In addition, the Regional Transportation Plan (RTP) includes several projects that would generally be needed to support the development of this area on the financially constrained list (therefore a funding source has already been identified). When the current RTP was adopted, it assumed 2,074 employees would work in the area by 2030. The 20-year employment forecast completed by Leland Consulting for the Tonquin Employment Area shows 2,290 employees in this

area- an increase of 216 employees over the number already anticipated when determining regional roadway improvements.

Based on the minimal increase in traffic between the RTP estimates and the Tonquin Employment Area estimates, it is determined that the surrounding transportation system would not be significantly affected. The concept plan does not change the functional classification of an existing or planned transportation facility, does not change standards implementing a functional classification system, and does not allow types or levels of land uses which would result in levels of travel or access which are inconsistent with the functional classification of a transportation facility.

While the Sherwood and Washington County TSPs do not designate this area for industrial development and assign only a minimal number of trips to the concept plan area, the TSPs will need to be updated to fully comply with the recently adopted RTP in the next year and will incorporate the RTP assumptions. The RTP does assume this type of development. Therefore, based on the data in the RTP, the plan which both the Sherwood TSP and County TSP must be consistent, the concept plan does not reduce performance standards of any facility in this area beyond what has already been identified.

**FINDING:** As discussed above, the concept plan does not significantly affect the surrounding transportation system beyond what has already been identified through the RTP and this standard is met.

## 2. Statewide Land Use Planning Goals

**Goal 1: Citizen Involvement** – This Goal calls for "the opportunity for citizens to be involved in all phases of the planning process." It requires each city and county to have a citizen involvement program containing six components specified in the goal. It also requires local governments to have a committee for citizen involvement (CCI) to monitor and encourage public participation in planning.

LCDC recognizes the Planning Commission as the designated CCI for Sherwood. The City established three review bodies: a Stakeholder Advisory Committee (SAC) consisting of all property owners in the area and any interested parties; a Technical Advisory Committee (TAC) consisting of representatives affected agencies including ODOT, DLCD, Washington County, Clackamas County, Metro, the City of Tualatin, Clean Water Services, Tualatin Valley Fire and Rescue, Raindrops to Refuge and the City's Urban Renewal Board and Parks Board; and a Steering Committee (SC) which consisted of the Planning Commissioners. The SAC met at three key points in the process to review materials and provide feedback to the SC. The TAC met twice with a similar mission. The Steering Committee held four work sessions associated with regularly scheduled Planning Commission meetings.

In addition to the SAC, TAC and SC, the City held two open houses and posted all documents, meeting agendas, meeting minutes, project timelines and staff contact information on the city's website. Information was posted throughout the City and in the Archer prior to any public open houses or meetings.

**FINDING:** As outlined above, the plan has been developed consistent with this Goal.



**Goal 2: Land Use Planning** - outlines the basic procedures of Oregon's statewide planning program. It says that land use decisions are to be made in accordance with a comprehensive plan, and that suitable "implementation ordinances" to put the plan's policies into effect must be adopted. It requires that plans be based on "factual information"; that local plans and ordinances be coordinated with those of other jurisdictions and agencies; and that plans be reviewed periodically and amended as needed. Goal 2 also contains standards for taking exceptions to statewide goals. An exception may be taken when a statewide goal cannot or should not be applied to a particular area or situation.

The concept planning process addressed all local, state and regional standards. The plan was developed based on factual information regarding existing conditions and projected demands on infrastructure. The plan was developed with Washington County, Metro, ODOT and the City of Tualatin representation on the Technical Advisory Committee and Clackamas County and the City of Wilsonville were notified of key actions, updates and meetings through the interested parties' list notifications.

**FINDING:** The plan has been developed consistent with this Goal.

**Goal 3: Agriculture**

This goal does not apply because it is in the UGB.

**Goal 4: Forestry**

This goal does not apply because it is in the UGB.

**Goal 5: Natural Resources** - covers more than a dozen natural and cultural resources such as wildlife habitats and wetlands. It establishes a process for each resource to be inventoried and evaluated. If a resource or site is found to be significant, a local government has three policy choices: preserve the resource, allow proposed uses that conflict with it, or strike some sort of a balance between the resource and the uses that would conflict with it.

The plan was developed using the Metro inventory of significant natural resources and, once brought into the City, the Tualatin Basin Program as implemented by the City will apply. The City implemented the Basin program in 2007 after over 5 years of regional, county-wide and local discussion of the resource values compared to the ESEE consequences of prohibiting development in those resources. Because the Basin program as implemented by the City is compliant with Goal 5 at both the Regional and State level, additional Goal 5 analysis was not conducted for this project in respect to natural resources.

Because of the conceptual nature of this plan, the project did not include scope to analyze in depth the potential for historic resources and none were raised as significant at the steering committee or public open house discussions. State rules encourage inventory of historic resources, but do not mandate it to comply with Goal 5. In addition, unless a property owner accepts being designated as a historic resource, the City cannot designate a specific property as a historic resource that is subject to restrictions. Because the concept planning process did not designate historic resources, this element of the goal 5 standards is not applicable.

**FINDING:** The plan has been developed consistent with this Goal.

**Goal 6: Air and Water Quality** - requires local comprehensive plans and implementing measures to be consistent with state and federal regulations on matters such as groundwater pollution.

Sherwood is located in the Portland Metropolitan Air Quality Management Attainment Area. The proposal encourages alternative modes and transportation demand management to reduce reliance on the automobile and improve air quality. In addition, consideration was given to provide opportunities for employee supportive retail uses, in limited quantity, within the Plan area to reduce vehicular traffic.

**FINDING:** The plan has been developed consistent with this Goal.

**Goal 7: Natural Hazards** - deals with development in places subject to natural hazards such as floods or landslides. It requires that jurisdictions apply "appropriate safeguards" (floodplain zoning, for example) when planning for development there.

**FINDING:** This goal does not apply to this concept plan as the City already has "appropriate safeguards" in place for development within the floodplain. In addition there are not streams or floodplains within the Plan area.

**Goal 8: Recreation** - This goal calls for each community to evaluate its areas and facilities for recreation and develop plans to deal with the projected demand for them. It also sets forth detailed standards for expedited siting of destination resorts.

The concept plan includes several potential alignments for the Tonquin Trail, a regional trail connecting the Tualatin and Willamette rivers through Tualatin, Sherwood and Wilsonville. Although an alignment has not been chosen yet for this trail corridor, one potential option is through the Tonquin Employment Area. To ensure the feasibility of this, three potential alignments have been shown on the plan.

The Technical Advisory Committee (TAC) included a representative from the Sherwood Parks Board who conveyed information between the Parks Board and the TAC. The Parks Board has identified areas for potential future acquisition on the Parks Master Plan, none of which are located within the Tonquin Employment Area. While this area will add employees to the city and thus increase the demand for park use, the city has determined that this need can be met by existing parks and future parks in areas designated on the Parks Master Plan.

**FINDING:** The plan has been developed consistent with this Goal.

**Goal 9: Economic Development** - calls for diversification and improvement of the economy. It asks communities to inventory commercial and industrial lands, project future needs for such lands, and plan and zone enough land to meet those needs.

Sherwood's Economic Development Strategy (2007) identified a jobs/housing imbalance with about 20% of the city's tax base from commercial/industrial and 80% from residential. The Strategy inventoried commercial and industrial lands and identified a great need for additional industrial land. The entire Tonquin Employment Area will be zoned Employment Industrial (EI) and will further the goal of reducing the jobs/housing imbalance.

**FINDING:** The plan has been developed consistent with this Goal.

**Goal 10: Housing** – calls for buildable residential lands to meet the housing needs of the citizens of the state.

**FINDING:** The Tonquin Employment Area was brought into the Urban Growth Boundary to help meet the employment needs of the region. No housing is proposed for this area and, therefore, this goal is not applicable.

**Goal 11: Public Facilities** - calls for efficient planning of public services such as sewers, water, law enforcement, and fire protection. The goal's central concept is that public services should be planned in accordance with a community's needs and capacities rather than be forced to respond to development as it occurs.

This goal is addressed by the existing water, sanitary and storm sewer master plans that already have anticipated development within this area and identified projects that will ensure this area will be adequately served. Plans and financing strategies for public utilities are included within the concept plan document and meet the community's needs and capacities.

**FINDING:** The plan has been developed consistent with this Goal.

**Goal 12: Transportation** - The goal aims to provide "a safe, convenient and economic transportation system." It asks for communities to address the needs of the "transportation disadvantaged."

**FINDING:** The proposed concept plan was reviewed using the TPR standards. This staff report evaluates TPR criteria to make findings of fact and demonstrate compliance as discussed previously in this report.

**Goal 13: Energy Conservation** – calls for land development to be controlled and maintained so as to maximize the conservation of all forms of energy.

**FINDING:** Any development that occurs in the Tonquin Employment Area will be subject to the Sherwood Zoning and Community Development Code, which contains standards for energy conservation. This concept plan is consistent with this goal through the application of Sherwood's development standards.

**Goal 14: Urbanization** - This goal requires cities to estimate future growth and needs for land and then plan and zone enough land to meet those needs. It calls for each city to establish an "urban growth boundary" (UGB) to "identify and separate urbanizable land from rural land." It specifies seven factors that must be considered in drawing up a UGB. It also lists four criteria to be applied when undeveloped land within a UGB is to be converted to urban uses.

**FINDING:** In the Portland Metropolitan Area, Metro has the burden and authority to conduct growth and land need projections and determine whether and where to expand the Urban Growth Boundary, therefore, Sherwood cannot address urbanization criteria outside the existing Comprehensive Plan policies.

**Goals 15-19 apply to the Willamette River Greenway, Estuarine Resources, Coastal Shorelands, Beaches and Dunes and Ocean Resources.**

**FINDING:** The Tonquin Employment Area does not include any of these resources and, therefore, State Goals 15-19 are not applicable to this concept plan.

## Regional Standards

### 1. Title 4

#### 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.**

The proposed code language for the Employment Industrial (EI) zone (attached to the concept plan as appendix B) includes a section “16.31.080 Commercial Use Restrictions” which includes the exact language of standard A of Title 4. This standard is specifically referenced where commercial/retail uses are permitted outright or conditionally (16.31.020 and 16.31.030).

Training facilities whose primary purpose is to provide training to meet industrial needs have been specifically permitted. There is no airport near the Tonquin Employment Area.

**FINDING:** With the restrictions of the new EI zone, the plan is in compliance with this standard.

**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 Metro’s Freight Network Map, November, 2003. 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.**

SW Tualatin-Sherwood Road is the only identified Roadway Connector adjacent to the Tonquin Employment Area (there are no Main Roadway Routes- the closest is Highway 99W). However, access to SW Oregon Street and SW 124<sup>th</sup> is also limited in the concept plan. New access to SW Tualatin-Sherwood Road, SW Oregon Street and the future extension of SW

124<sup>th</sup> Avenue will be limited by city and county access spacing standards. Additional access points to these arterials may not be necessary if large, campus-style development is built. The only access that is assured is the connection of the east-west collector to SW Oregon Street and the future extension of SW 124<sup>th</sup>; however the exact location is yet to be determined. No new direct property access is proposed for SW Tualatin-Sherwood Road, SW Oregon Street or SW 124<sup>th</sup> Avenue.

**FINDING:** This plan is in compliance with this standard.

**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.**

The Tonquin Employment Area is currently in unincorporated Washington County and requires annexation to Sherwood before the city can authorize uses. At time of annexation, the EI zone will be applied to all properties in the study area, thus requiring compliance with Title 4.

**FINDING:** This plan is in compliance with this standard.

**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 larger than 50 acres 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 for financing purposes when the created lot is part of a master planned development.**

There is one property in the Tonquin Employment Area that is greater than 50 acres in size. These standards will apply to that property as stated in Section 16.31.050.A of the EI zone (appendix B to the concept plan).

**FINDING:** As revised, the EI zone will ensure compliance with this standard.

**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 floorspace and 10 percent more land area.**

**FINDING:** The city's current non-conforming use standards would apply once a property is annexed to the city. This is particularly important in the case of rock crushing facilities, aggregate storage and distribution facilities and concrete or asphalt batch plants. All of these uses exist now (or have in the past) in the Tonquin Employment Area and will be prohibited as new uses in the EI zone. These uses, if they already exist, will be permitted to continue as pre-existing non-conformities consistent with the non-conforming use standards. This concept plan is in compliance with this standard.

## **2. Title 11**

**All territory added to the Urban Growth Boundary as either a major amendment or a legislative amendment pursuant to Metro Code Chapter 3.01 shall be subject to adopted comprehensive plan provisions consistent with the requirements of all applicable titles of the Metro Urban Growth Management Functional Plan and in particular this Title 11. The comprehensive plan provisions shall be fully coordinated with all other applicable plans. The comprehensive plan provisions shall contain an urban growth plan diagram and policies that demonstrate compliance with the RUGGO, including the Metro Council adopted 2040 Growth Concept design types. Comprehensive plan amendments shall include:**

**A. Specific plan designation boundaries derived from the general boundaries of design type designations assigned by the Council in the Ordinance adding the territory to the UGB.**

The area was brought into the UGB with a general design type industrial. The Plan has been designed consistent with this designation and all parts of the concept area have been designated Employment Industrial (EI), a new zone intended to promote employment development in this area. The EI zone regulations are attached to the concept plan as Appendix B.

**FINDING:** As discussed above this standard has been met.

**B. Provision for annexation to the district and to a city or any necessary service districts prior to the urbanization of the territory or incorporation of a city or necessary service districts to provide all required urban services.**

The Tonquin Employment Area is currently in unincorporated Washington County. The City of Sherwood and Washington County have an urban planning area agreement (UPAA) specifying the City of Sherwood as the ultimate provider of urban services with the exception of Tualatin Valley Fire & Rescue, which will continue to provide emergency response services. Under the Washington County UPAA it is agreed that the zoning shall be maintained as is so that urban development cannot occur until the area is brought into the City. Once the concept plan has been adopted and comprehensive plan zoning applies, annexation could potentially occur.

**FINDING:** As discussed above, the concept plan is consistent with this standard.

**C. Provision for average residential densities of at least 10 dwelling units per net developable residential acre or such other densities that the Council specifies pursuant to Section 3.01.040 of the Urban Growth Boundary Functional Plan.**

**FINDING:** This area is designated for employment purposes. No residential development is proposed and, therefore, density standards are not applicable.

**D. Demonstrable measures that will provide a diversity of housing stock that will fulfill needed housing requirements as defined by ORS 197.303. Measures may include, but are not limited to, implementation of recommendations in Title 7 of the Urban Growth Management Functional Plan.**

**FINDING:** This area is designated for employment purposes. No residential development is proposed and, therefore, density standards are not applicable.

**E. Demonstration of how residential development will include, without public subsidy, housing affordable to households with incomes at or below area median incomes for home ownership and at or below 80 percent of area median incomes for rental as defined by U.S. Department of Housing and Urban Development for the adjacent urban jurisdiction. Public subsidies shall not be interpreted to mean the following: density bonuses, streamlined permitting processes, extensions to the time at which systems development charges (SDCs) and other fees are collected, and other exercises of the regulatory and zoning powers.**

**FINDING:** This area is designated for employment purposes. No residential development is proposed and, therefore, density standards are not applicable.

**F. Provision for sufficient commercial and industrial development for the needs of the area to be developed consistent with 2040 Growth Concept design types. Commercial and industrial designations in nearby areas inside the Urban Growth Boundary shall be considered in comprehensive plans to maintain design type consistency.**

The area was brought in for industrial uses and received the 2040 designation of "industrial" area. This entire site will be zoned Employment Industrial (EI). The intent of the entire site is to provide employment opportunities to help meet the needs of the city and the region. A small portion of the site may be developed with employment supportive commercial, however the majority will be industrial. In developing the concept plan, the City considered the existing and future industrial development in the City and in Tualatin. The city recently adopted industrial design standards that will apply to all developments in this area, as well as the city as a whole.

**FINDING:** As demonstrated above, this standard has been met.

**G. A conceptual transportation plan consistent with the applicable provision of the Regional Transportation Plan, Title 6 of the Urban Growth Management Functional Plan, and that is also consistent with the protection of natural resources, either identified in acknowledged comprehensive plan inventories or as required by Title 3 of the Urban Growth Management Functional Plan. The plan shall, consistent with OAR Chapter 660, Division 11, include preliminary cost estimates and funding strategies, including likely financing approaches.**

The transportation concept included in the concept plan provides for one east-west collector street to serve the majority of development in this area and provide a vital connection between SW Oregon Street and the future extension of SW 124<sup>th</sup>, parallel to SW Tualatin-Sherwood Road. The connection is not in the RTP but respects the functional classification of 124<sup>th</sup>, Tualatin-Sherwood and Oregon Street by limiting access. Preliminary cost estimates and funding strategies are included within the report on pages 42-45. A detailed environmental analysis, including wetland delineation, has not yet been completed; however a potential wetland is identified in the vicinity of the connection to 124<sup>th</sup> and the east/west collector. The location will minimize impacts to the wetland as much as possible but it is also dictated by access needs and restrictions on the Tualatin side of SW 124<sup>th</sup> and topography and easement constraints on the Sherwood side. Because the connection of the east-west collector to the future extension of SW 124<sup>th</sup> is located adjacent to a wetland, a 45% contingency was included in the road cost estimates.

Off-site improvements are included within the RTP's financially constrained list. The RTP assumed a level of development for the Tonquin Employment Area very similar to that proposed with this concept plan and, therefore, no additional off-site improvements are identified as needed with development of this area. As development in the area (and region) occurs, the projects identified in the RTP will be constructed.

**FINDING:** As demonstrated above, this standard has been met.

**H. Identification, mapping and a funding strategy for protecting areas from development due to fish and wildlife habitat protection, water quality enhancement and mitigation, and natural hazards mitigation. A natural resource protection plan to protect fish and wildlife habitat, water quality enhancement areas and natural hazard areas shall be completed as part of the comprehensive plan and zoning for lands added to the Urban Growth Boundary prior to urban development. The plan shall include a preliminary cost estimate and funding strategy, including likely financing approaches, for options such as mitigation, site acquisition, restoration, enhancement, or easement dedication to ensure that all significant natural resources are protected.**

The Plan incorporated the Metro Inventory of Significant Wildlife Habitat and assumes that the Tualatin Basin program, as implemented by the City of Sherwood will apply. Metro-designated "High Value" habitat area is shown in Figure IV-1 on page 10. This area is immediately adjacent to SW Tonquin Road, an area of steep slope. The proposed east-west collector is immediately adjacent to the identified wetland (within the buffer that will be required to be protected). These natural areas will be assessed in greater detail and protected per City and Clean Water Services standards at time of development. It is assumed that no floodplain will be developed and that wetlands will be protected or mitigated consistent with CWS, DSL and US Army Corps of Engineers standards. Habitat areas such as heavily treed areas will be encouraged to be protected through the ability to vary standards when preserving resources. In addition, the City of Sherwood has tree removal standards that provide a disincentive to removing trees.

**FINDING:** As demonstrated above, this standard has been met.

**I. A conceptual public facilities and services plan for the provision of sanitary sewer, water, storm drainage, transportation, parks and police and fire protection. The plan shall, consistent with OAR Chapter 660, Division 11, include preliminary cost estimates and funding strategies, including likely financing approaches.**



The public facility maps illustrate the general location, size, and capacity of new sanitary sewer, storm, and transportation facilities to serve future industrial/employment development in the Tonquin Employment Area. The fiscal impact analysis identified preliminary costs and potential financing approaches.

**FINDING:** As demonstrated above, this standard has been met.

**J. A conceptual school plan that provides for the amount of land and improvements needed, if any, for school facilities on new or existing sites that will serve the territory added to the UGB. The estimate of need shall be coordinated with affected local governments and special districts.**

The Sherwood School District was consulted at the beginning of this planning process and have stated that they are not interested in school property within the Tonquin Employment Area.

**FINDING:** The local school district was consulted and no land was designated for school use. This standard has been met.

**K. An urban growth diagram for the designated planning area showing, at least, the following, when applicable:**

- 1. General locations of arterial, collector and essential local streets and connections and necessary public facilities such as sanitary sewer, storm sewer and water to demonstrate that the area can be served;**
- 2. Location of steep slopes and unbuildable lands including, but not limited, to wetlands, floodplains and riparian areas;**
- 3. General locations for mixed use areas, commercial and industrial lands;**
- 4. General locations for single and multi-family housing;**
- 5. General locations for public open space, plazas and neighborhood centers; and**
- 6. General locations or alternative locations for any needed school, park or fire hall sites.**

The draft concept plan map (figure IV-1, page 10 of the Draft Concept Plan report) provides the general location of the proposed east-west collector street (an extension of SW Blake Street, which is proposed to extend throughout the SW Tualatin Concept Plan). No other access points are shown into the site; however, any access points proposed with development will be required to comply with access spacing standards of the City of Sherwood and Washington County. Local connectivity within the site is not shown on the concept plan as the goal is to maintain as large as possible parcels for industrial development. Local development standards will apply to development within the area, but large, campus-type development will not be discouraged by showing local street connections on the map. Figures IV-6 on page 32, IV-7 on page 36 and IV-8 on page 40 show the conceptual location of stormwater lines, water system lines, and sanitary sewer system network based on the Stormwater Master Plan, Sanitary Sewer Master Plan and Water Master Plan. Figure IV-1 shows the areas of moderate and steep slopes (10-25% and >25%) as well as one wetland. The entire concept plan area is designated with the zoning Employment Industrial (EI). The only public open space designated within the concept plan is a potential alignment of the Tonquin Trail.

**FINDING:** The concept plan identifies at a conceptual level the required elements of Title 11, requirements K 1-6.

**L. A determination of the zoned dwelling unit capacity of zoning districts that allow housing.**

**FINDING:** Because no residential property is designated in this concept plan, this standard is not applicable.

**M. The plan amendments shall be coordinated among the city, county, school district and other service districts.**

As stated previously, the concept plan process included extensive coordination with the Technical Advisory Committee consisting of representatives from ODOT, Metro, Washington County, the City of Tualatin, Tualatin Valley Fire and Rescue, Clean Water Services and Sherwood's Urban Renewal Board and Parks Board.

**FINDING:** As demonstrated above, this standard has been met.

**Other Metro conditions**

**The following conditions were specifically included for the "Quarry Area" (Area 48) in Metro Ordinance No. 04-1040B:**

**1. Washington County or, upon annexation to the cities of Tualatin or Sherwood, the cities, and Metro shall complete Title 11 planning for the area.**

Upon annexation to the UGB, Washington County zoned the entire area "Future Development 20". This zoning will remain in effect until the properties are annexed into the City of Sherwood, at which time the "Employment Industrial" zoning will take effect. Sherwood and Tualatin entered into a MOU identifying that this area, west of 124<sup>th</sup>, would be annexed to Sherwood. The UPAs between Sherwood and Washington County and Tualatin and Washington County reflect this agreement.

**FINDING:** The measures taken by Washington County and the City of Sherwood have ensured compliance with this standard.

**2. Title 11 planning shall, if possible, be coordinated with the adjoining area that was included in the UGB in 2002 under Ordinance No. 02-969B.**

The adjoining area that was included in the UGB in 2002 under Ordinance No. 02-969B is now part of the SW Tualatin Concept Plan. The cities of Sherwood and Tualatin have had several meetings regarding coordination of the two concept plans as well as serving on each others' Technical Advisory Committee (TAC). The cities also have a memorandum of understanding regarding access to SW 124<sup>th</sup>. As far as practicable, the Tonquin Employment Area Concept Plan has been coordinated with the Southwest Tualatin Concept Plan.

**FINDING:** As discussed above, this standard is met.

**3. Until the effective date of new regulations adopted pursuant to Title 11, the city or county with land use planning responsibility for the area shall not allow the division of a lot or parcel that is 50 acres or larger into lots or parcels smaller than 50 acres.**

Washington County has jurisdiction over the concept plan area and, therefore, Sherwood has no authority or ability to enforce land use regulations prior to annexation to the city. However, once the properties are annexed to the city, the one parcel that is greater than 50 acres in size will be required to follow the rules of Title 4 for any land divisions.

**FINDING:** The city does not have jurisdiction to enforce this standard at this time; however, the concept plan complies with this standard.

**4. Title 11 planning shall incorporate the general location of the projected right-of-way for the Tonquin Trail as shown on the 2004 Regional Transportation Plan.**

There is no projected right-of-way for the Tonquin Trail as of yet. The Tonquin Trail Master Plan Steering Committee is expected to determine the preferred alignment in the next 12 months. However, the Tonquin Employment Area shows three potential alignments for the Tonquin Trail. The concept plan shows that the trail will not be precluded when development in the Tonquin Employment Area occurs.

**FINDING:** The concept plan is in compliance with this standard.

**V. RECOMMENDATION**

**Based on the above findings of fact, and the conclusion of law based on the applicable criteria, staff recommends the Planning Commission forward a recommendation to the City Council to approve the Tonquin Employment Area Concept Plan and the plan amendment (PA 09-03).**

**VI. ATTACHMENTS**

1. Concept Plan (including the EI zone, Chapter 16.31 of the Zoning Code)
2. Comprehensive Plan Update (Ch. 4 and 8)
3. Comprehensive Plan Map Amendment
4. Chapter 16.82 (Conditional Uses) of the Zoning Code
5. Transportation System Plan Update



# Tonquin Employment Area Concept Plan: Preferred Concept Plan Report

July 2010

**Planning Commission Review Draft**



# Tonquin Employment Area Concept Plan Project Team

City of Sherwood



Angelo Planning Group



DKS Associates



CH2MHill



Leland Consulting Group





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## I. Summary

The Tonquin Employment Area Preferred Concept Plan is intended to guide future development of approximately 300 acres near Sherwood's eastern boundary in an area that is expected to help fulfill the City's and, in part, the region's future employment needs. The Preferred Concept Plan identifies the anticipated employment types this area will best accommodate, the associated number of jobs, and the key infrastructure needs that will support this future employment population. The Preferred Concept Plan Report provides background information on regional policy and physical opportunities and constraints that guided the planning process and a summary of the process that resulted in the selection of a preferred alternative. Elements of the Preferred Concept Plan are detailed in Section IV of this report and include:

- Land Use and Employment Assumptions
- Transportation System Needs
- Infrastructure Needs

The Plan includes draft policies and implementation measures that will support the growth of employment in the area. As described in Sections V and VI of the Preferred Concept Plan, implementation includes recommended language to be incorporated into the City of Sherwood's Comprehensive Plan and a new Employment Industrial (EI) zoning district that will regulate development in the Tonquin Employment Area.

## II. Background

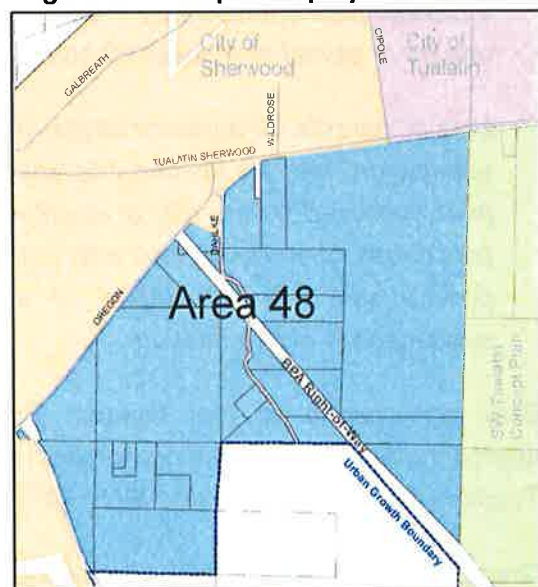
### A. Policy Framework

The Tonquin Employment Area (previously referred to as Study Area 48) shown on Figure I-1 was added to the Urban Growth Boundary (UGB) by the Metro Council in 2004 (Ordinance 04-1040B). The area includes approximately 300 acres of property adjacent to the City of Sherwood's eastern boundary and south of SW Tualatin-Sherwood Road.

Before the land in the Tonquin Employment Area can be converted to urban use, Metro requires that a concept plan complying with Title 11 of the *Urban Growth Management Functional Plan* be prepared by the city that will specify development policies, implementation strategies and define anticipated services for the new urban area. The cities of

Sherwood and Tualatin entered into a Memorandum of Understanding (MOU) agreeing that Sherwood would be the service provider for the area from the existing city limits east to SW

Figure II-1: Tonquin Employment Area



124<sup>th</sup> (City of Sherwood Resolution 2007-083, see Exhibit A-2 in the *Area 48 Concept Plan: Existing Conditions Report*, March 2009). The MOU further grants the City of Tualatin general control over access onto the future extension of SW 124<sup>th</sup>, with both cities agreeing to participate in funding future improvements to the street. The MOU requires both cities to concept plan the area in a way that limits direct access onto SW Tualatin-Sherwood Road and the future SW 124<sup>th</sup> extension. Both cities agree that the area will generally be considered for industrial-type zoning.

The Tonquin Employment Area is designated an Industrial Area per Title 4 of Metro's *Urban Growth Management Functional Plan*. Title 4 requires that cities limit retail commercial uses and professional services in areas designated for industrial uses. To protect industrial areas, Title 4 limits non-industrial uses to ensure that they primarily serve the needs of workers in the area. For Industrial Areas, Title 4 states, "new buildings for stores, branches, agencies or other outlets for retail uses and services cannot occupy more than 5,000 square feet of sales or service area in a single outlet, or in 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".

Another Title 4 requirement that shapes future growth and development in the Tonquin Employment Area is one that governs subdividing designated Industrial Areas (see Subsection 3.07.430.D). Title 4 requirements stipulate:

*Lots or parcels smaller than 50 acres may be divided into any number of smaller lots or parcels.*

*Lots or parcels larger than 50 acres 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.*

*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.*

Only one parcel in the Tonquin Employment Area meets the 50-acre threshold, the approximately 90 acre parcel in the northeast corner of the site, at the intersection of SW Tualatin-Sherwood Road and SW 124<sup>th</sup> Street.

Once the City of Sherwood adopts the Tonquin Employment Area Concept Plan, and Metro acknowledges that it meets the *Urban Growth Management Functional Plan*, this area becomes eligible for annexation to the City of Sherwood.



In June 2010 Metro designated the area immediately south of the Tonquin Employment Area as an Urban Reserve.<sup>1</sup> The planning for future land uses in the Tonquin Employment Area was conducted in anticipation of urban uses being planned for areas to the south and the recommendations in the Preferred Concept Plan are consistent with, and do not preclude, growth in the Urban Reserve.

## **B. City Annexation Policy**

Once the Preferred Concept Plan is adopted, parcels within the Tonquin Employment Area can be annexed to the City of Sherwood. The most common way to annex is authorized by ORS 222.170 in which annexation can be initiated by a majority of the property owners and registered voters in the area to be annexed. In a city-initiated annexation, authorized by ORS 222.120, the city would initiate the annexation and place it on the ballot. In this scenario, a majority of the registered voters in the area proposed for annexation must vote to be annexed to the City of Sherwood. In addition, in either method of annexation, the residents of Sherwood must vote for the area to be annexed to the city.

Annexation can include one, more than one or all of the properties within the Tonquin Employment Area. There is no minimum or maximum amount of area that can be annexed at any one time, provided the property is within the urban growth boundary and the future land uses and infrastructure needs are identified through an approved concept plan. Consideration of whether to bring an area into the city limit includes whether the area can be adequately served by public utilities, proximity to the existing city boundaries, and whether the annexation would provide for efficient provision of services.

## **C. Physical Features**

Three existing roadways create part of the boundary of the Tonquin Employment Area: SW Oregon Street, SW Tualatin-Sherwood Road, and SW 124<sup>th</sup> Street (future extension). The location of this site at the intersection of arterial level streets affords it good visibility and access. There is a unique opportunity for this area to develop in a compatible manner with existing development to the north and west and with future development to the east in the City of Tualatin, which will follow the *Southwest Tualatin Concept Plan*. There are several man-made and natural features internal to the site that also help define the Tonquin Employment Area. These features are shown on Figure III-1.

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<sup>1</sup> Senate Bill 1011, enacted by the 2007 Oregon State Legislature, enables Metro and the three Metro area counties to designate "Urban and Rural Reserves". These reserves determine where urban growth boundaries in the Portland Metro region will — and will not — expand to accommodate population and employment growth over the next 40 to 50 years.

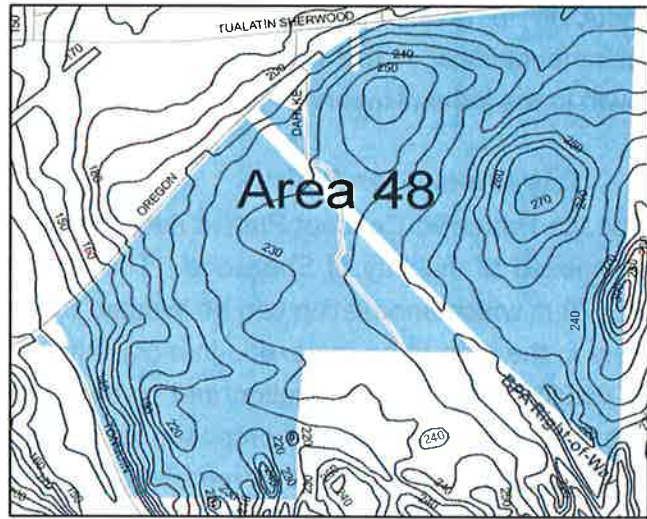




### 1. Natural Features

Prominent natural features on the site include the buttes in the northeast corner, wetlands associated with this topography, and steep slopes that form the western border (see Figure II-2). The land within the Tonquin Employment Area is not predominantly flat nor are there large areas of steep slopes. There are a few areas of slopes exceeding 25%, but generally the slopes are less than 10%. Most of the land in the northeastern portion of the study area has traditionally been used for agricultural purposes. The site elevations range from approximately 300 feet at the eastern edge to 140 feet at the southwestern edge.

Figure II-2: Tonquin Employment Area Slope



A portion of the Tualatin River National Wildlife Refuge borders the southwestern boundary of the Tonquin Employment Area. The U.S. Fish and Wildlife Service set aside this 3,060 acre as an urban refuge providing wetland, riparian, and upland habitats for migratory birds, threatened and endangered species, fish, other resident wildlife, and as a scenic area.

As can be seen on aerials of the area (See Figure IV-1), a significant portion of the Tonquin Employment Area is covered by trees and vegetation. It is also part of three watersheds; the Rock Creek, Hedges Creek and Upper Coffee Lake Creek drainage area.<sup>2</sup> The eastern portion of the site is within Rock Creek watershed and drains into the Refuge. The Hedges Creek Basin includes the central portion of the site and extends along SW Tualatin Sherwood Road, draining into the Tualatin River. The southeastern portion of the Tonquin Employment Area drains into Coffee Lake Creek and, ultimately, the Willamette River; it is also in close proximity to the 100-year floodplain along SW Tonquin Road near Rock Creek.

### 2. Physical Features

Utility right-of-ways and easements, most prominently one belonging to the Bonneville Power Administration (BPA), run diagonally across the site. These create areas of constraint, where development will be restricted, as well as opportunities where preservation of natural areas

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<sup>2</sup> Clean Water Services Design and Construction Standards require a vegetated corridor, or riparian buffer, to be provided and maintained around natural features upon urban development. At the local level, Clean Water Services and its member cities provide for water quality management within the Tualatin River Basin and will apply to the Tonquin Employment Area.



could contribute to a parkway/trail-type feel along a collector street system or to open space that helps define an industrial campus.<sup>3</sup>

The City of Tualatin owns a water reservoir in the northwestern portion of the study area.

### III. Concept Planning Process Overview

#### A. Phase I: Existing Conditions

Phase I of the concept planning process included researching and documenting the existing conditions on the site and developing preliminary development concepts. City staff and project consultants generated, reviewed, and refined the information for the first phase of the project. Guiding the process was a Technical Advisory Committee (TAC) consisting of representatives from ODOT, Metro, Washington and Clackamas Counties, the City of Tualatin, Clean Water Services, Raindrops to Refuge, Tualatin Valley Fire and Rescue, Bonneville Power Administration, Portland General Electric, Kinder Morgan, and the City's Parks and Urban Renewal Boards, as well as a Stakeholder Advisory Committee (SAC) consisting of all area property owners. The SAC met two times during Phase I to discuss project objectives and to provide feedback on future land uses and transportation facilities on the site. Both groups continued to meet during Phase II of the project to review technical information and to provide suggestions for what became the Preferred Concept Plan.

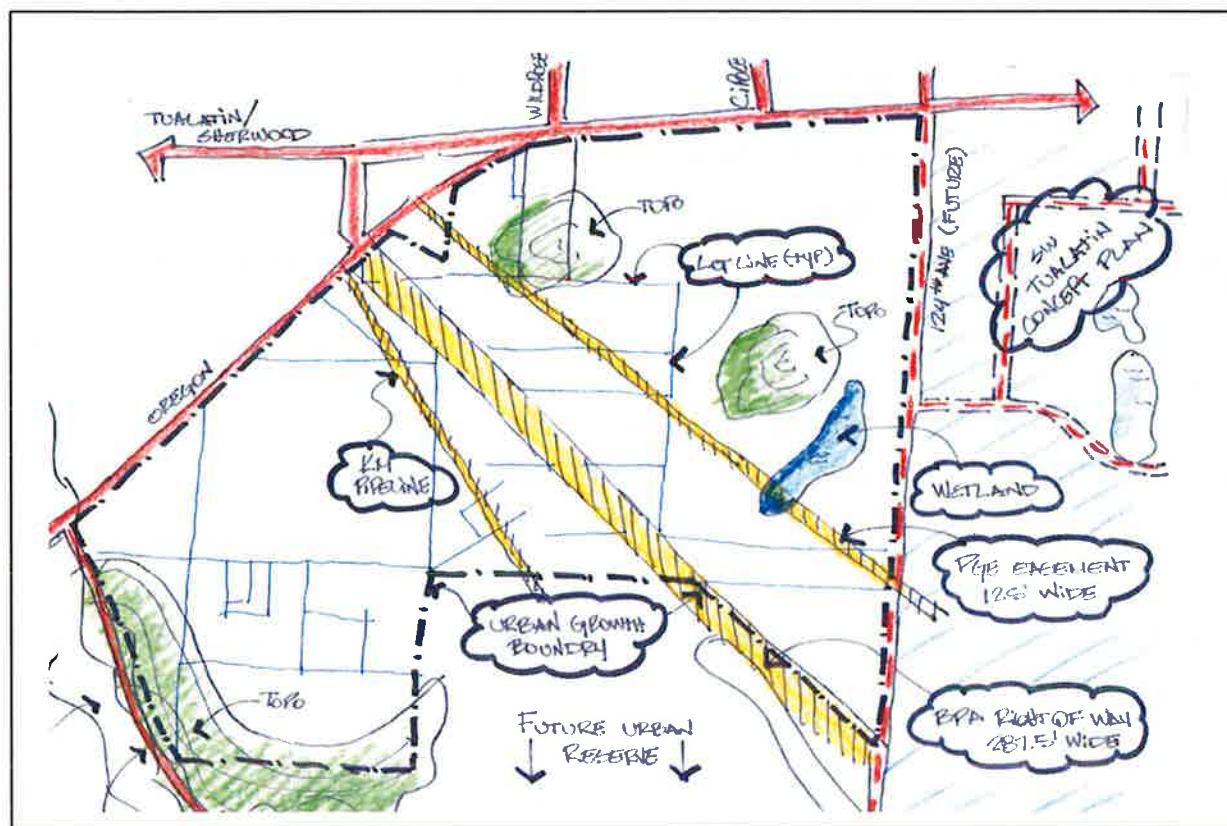
A public open house was also held in the spring of 2009 to provide an opportunity for property owners outside of the study area and other interested parties to review the project objectives and background information.

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<sup>3</sup> Metro Ord. 04-1040B states "Title 11 planning shall incorporate the general location of the projected right-of-way for the Tonquin Trail as shown on the 2004 Regional Transportation Plan (Exhibit F, page 3, item II.D.4)." The general location of the Tonquin Trail will be shown on the Final Preferred Concept Plan.



Figure III-1: Existing Conditions



Phase I work resulted in an existing conditions report (*Area 48 Concept Plan: Existing Conditions Report* March 2009) that detailed the existing physical conditions on the site. The information found in this report, including information on utility infrastructure, public facilities, natural resources, cultural and historic resources, and the transportation system, informed a series of two consultant Project Team design workshops held in April and May 2009 to explore possible development concepts for the area. The outcome of the two design workshops was three Preliminary Concept Plan Alternatives. Phase I work also resulted in a set of Project Goals and Evaluation Criteria (Table III-1) developed to steer the project towards a suitable land use and transportation system that will support future employment in the Tonquin Employment Area. This list was consulted in the development of three concept alternatives and ultimately was used to guide the selection of the Preferred Concept Plan.



**Table III-1: Tonquin Employment Area Goals and Evaluation Criteria**

Goals	Evaluation Criteria	Criteria Type
Adequate public and private utilities are proposed.	The plan can be served by public and private utilities per the Water, Stormwater and Sanitary Sewer Master Plans	Qualitative
Transportation connectivity is provided.	The plan provides local vehicular connectivity as well as multimodal (bike/ped) options.	Quantitative
Transportation performance standards are maintained.	The resultant performance levels at key intersections meet City, County and State standards, as applicable.	Quantitative
The plan provides the ability to serve truck (freight) traffic.	Identified existing truck routes are preserved and new routes are established as necessary to serve the area.	Qualitative
Infrastructure costs are taken into consideration.	Capital cost (planning level capital cost of construction of major roads, water, sewer and stormwater systems)	Quantitative
The plan encourages sound economic development.	The plan is consistent with the market study for the area and Sherwood's Economic Opportunities Analysis.	Qualitative
The plan provides opportunities for various industrial users.	The plan is responsive to multiple user types and provides opportunities for a variety of industrial/employment uses.	Qualitative
Provide appropriate level of commercial use to support needs of area's employees.	The plan identifies and provides the appropriate level and location(s) of limited commercial use.	Qualitative
Preserve significant natural resources.	The plan preserves significant natural resources where appropriate and feasible, including riparian areas and upland habitat.	Qualitative
Include Tonquin Trail elements.	The plan considers the potential Tonquin Trail alignments.	Qualitative
The plan meets the requirements of Metro Ordinance 04-1040B.	The proposed plan is consistent with the requirements of Ordinance 04-1040B and Metro Title 11.	Qualitative
Coordinate with SW Tualatin Concept Plan.	The proposed plan coordinates with the SW Tualatin Concept Plan.	Qualitative
Consider the I-5/99W Connector Project.	The proposed plan considers the I-5/99W Connector Project.	Qualitative
The plan meets the provisions of the MOU with Tualatin.	The proposed plan is consistent with the provisions of the MOU with Tualatin.	Qualitative





Goals	Evaluation Criteria	Criteria Type
Involve the broader Sherwood Community in the Planning Process.	Provide opportunities for property owners and interested parties to participate in the plan's development.	Qualitative
Consider access and response times for emergency services.	Maintain and enhance the transportation network to and through the area to provide adequate accessibility for first responders.	Qualitative

**B. Phase II: Tonquin Employment Area Concept Planning**

The Preferred Concept Plan is the result of the second and final phase of the concept planning process. Phase II explored in more detail the three Preliminary Concept Plan Alternatives developed in 2009. The *Preliminary Concepts Alternatives Analysis Report* (September 2009) provides a summary of alternatives developed, including a description of each alternative and a qualitative and quantitative analysis that informed the selection of a Preferred Concept. The analysis of alternatives explored the physical opportunities and constraints of the site and made assumptions regarding the level of development and the types of employment the area could support. Specifically, land use assumptions and information on infrastructure (transportation, sanitary sewer, water, and storm drainage) needs and costs were developed for each of the three alternative concepts.

The transportation analysis performed as part of the second phase concluded that development in the Tonquin Employment Area will require an east-west connection from SW 124<sup>th</sup> Avenue to SW Oregon Street through the site. This collector-level roadway is a vital component of future development because it would help to facilitate east-west mobility through the area and would serve as a parallel route to SW Tualatin-Sherwood Road by connecting to SW Blake Street in the *Southwest Tualatin Concept Plan* area. Beyond the internal circulation function it provides, this collector is shown to provide an overall benefit to the existing transportation system, in particular by reducing future traffic demand on SW Tualatin-Sherwood Road. All three of the Preliminary Concept Alternatives included this necessary east-west collector. The conceptual alignment for this roadway is shown on Figure IV-1.

A striking conclusion from the analysis was that the land use and infrastructure variables explored did not definitively point to one Concept Alternative being the clear choice for further refinement. All three of the Preliminary Concept Alternatives adequately met the Goals and Evaluation Criteria (Table III-1) by illustrating a land use pattern and supportive infrastructure that could promote sound economic development and provide opportunities for various industrial users. As documented in the *Preliminary Concepts Alternatives Analysis Report*, with the exception of differences in the internal circulation systems explored, there were few differences between the alternatives that could be used for significant comparative analysis.



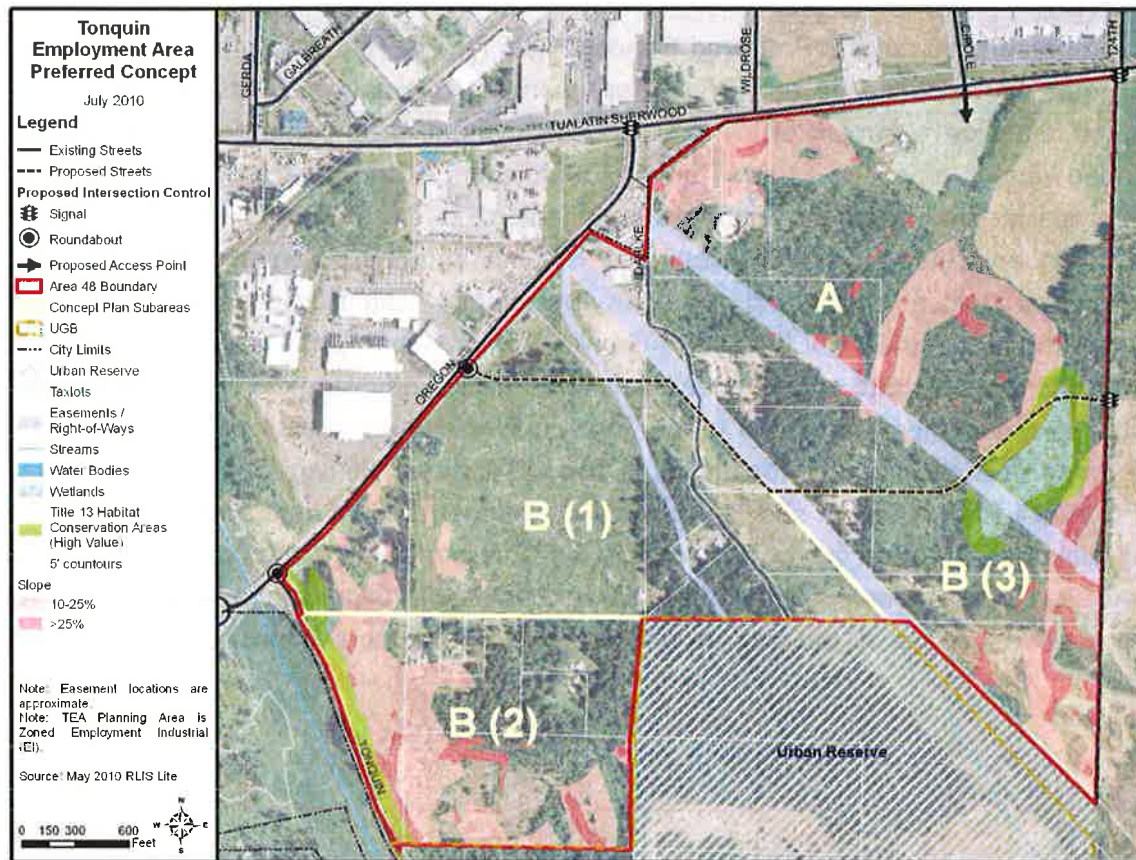
## IV. Tonquin Employment Area Preferred Concept Plan

### A. Overview

A graphical representation of the Preferred Concept Plan for the Tonquin Employment Area is shown in Figure IV-1. While no one Preliminary Concept Alternative directly led to a clear choice for the future development of the Tonquin Employment Area, some additional analysis further shaped what is proposed as the Tonquin Employment Area Preferred Concept. Parcel lines and property ownership were not defining factors in the development of the three Preliminary Concept Alternatives. Developing a rational and implementable concept plan, however, required a closer accounting of property ownership. This was particularly important when meeting the requirements of the *Urban Growth Management Functional Plan* Title 4, the intent of which is to create and preserve large lots for industrial development in the Metro area. Specifically, the requirements assigned to the Tonquin Employment Area include preserving a parcel 50 acres in size or larger for industrial uses. A distinguishing characteristic of the Preferred Concept Plan is that it shows a proposed alignment for a future east-west collector street that minimizes the bisection of developable land. In particular, the proposed location of this future collector preserves over fifty of the most developable acres of the largest parcel of land in the northeast corner of the site, as well as keeps whole the second largest (~30 acre) parcel.



**Figure IV-1: Tonquin Employment Area Preferred Concept Plan**



The other distinguishing characteristic of the Preferred Concept Plan is the division of the Tonquin Employment Area into two areas: Area A, north of the proposed collector, and Area B, south of the proposed roadway. These areas are distinguished not only by their relationship to the proposed internal street network, but also their location in respect to the BPA easement and their orientation to the existing street network (Area A to SW Tualatin-Sherwood Road; Area B generally to SW Oregon Street and the new collector roadway). It is also assumed that Area A, due to its visibility from the intersection of SW 124th Avenue /SW Tualatin-Sherwood Road and SW Oregon Street/SW Tonquin Road, will be first to develop and that parts of Area B, due in large part to the lack of visibility and transportation access in the short term, will develop later. To better examine the likely phasing of development, Area B was further divided into Subareas B(1), B(2) and B(3). Each of the four delineated subareas were assessed for their likely development potential (type and amount) and assigned future employment numbers. The Tonquin Employment Area 20-Year Employment Forecast, as presented in Subsection B and summarized in Table IV-1 of this report, details both the expected employment in each subarea and the percentage of development expected over the 20-year time horizon.

Also considered in the development of the Preferred Concept Plan were potential alignments for the Tonquin Trail. The Cities of Wilsonville, Sherwood and Tualatin have partnered with Metro



and Washington County to develop the Tonquin Trail that will stretch from the Tualatin River National Wildlife Refuge, just north of Sherwood, to the Willamette River at Graham Oaks Natural Area in Wilsonville. Once completed, this primarily off-street trail will serve as a bike and pedestrian pathway for transportation, recreation and environmental education in this region. In 2005, a feasibility study was conducted to establish the preferred route for the Tonquin Trail. It is possible that a segment of the trail will run through the Tonquin Employment Area, conceivably along portions of the Bonneville Power Administration (BPA) right-of-way and the future east-west collector; alternatively, it is also possible that trail will be located adjacent to, or outside the Tonquin Employment Area. Preferred trail alignments will not be known until the Master Planning phase of trail planning is completed; the exact location of the trail through or near the Tonquin Employment Area will likely be determined as part of the development review process, through right-of-way dedication requirements.

## **B. Land Use and Employment Assumptions**

### **1. Employment Forecast**

As shown below in Table IV-1, the Tonquin Employment Area is projected to accommodate 2,290 jobs during the next 20 years. Approximately 83 percent of total forecasted employment (1,909 jobs) is projected to be industrial employment. The remaining 17 percent of forecasted employment (381 jobs) is projected to be a mix of retail/commercial services and office employment supporting the industrial uses and employees.





**Table IV-1: Tonquin Employment Area 20-Year Employment Forecast**

Area / Component	Total Acres	Buildable Acres	Employment Type	FAR	Building Area (s.f.)	Job Density (empl. per 1,000 s.f.) <sup>2</sup>	% Developed in 20 Years	Total Jobs in 20 Years	Jobs/Net Acre in 20 years	Total Jobs at Buildout	Jobs/Net Acre at Buildout	Land Use Assumptions
A - All	129.1	101.8	Retail/Commercial Services and Light Industrial <sup>1</sup>				100%					5-acre Commercial Site <sup>3</sup> Remaining Acreage: 100% Light Industrial
Retail/Commercial Services		5.0	Retail/Commercial Services	0.35	76,230	2.5	100%	191		191		
Light Industrial		96.8	Light Industrial	0.20	843,322	1.6	70%	945		1,349		
B(1) - All	71.0	67.3	Retail/Commercial Services and Light Industrial				100%					5-acre Commercial Site Remaining Acreage: 100% Light Industrial
Retail/Commercial Services		5.0	Retail/Commercial Services	0.35	76,230	2.5	100%	191		191		
Light Industrial		62.3	Light Industrial	0.20	542,758	1.6	70%	608		868		
B(2)	48.1	36.3	Light Industrial	0.20	316,246	1.6	50%	253		506		100% Light Industrial
B(3)	47.9	29.8	Light Industrial	0.20	259,618	1.6	25%	104		415		100% Light Industrial
<b>Total</b>	<b>296.1</b>	<b>235.2</b>			<b>2,114,402</b>			<b>2,290</b>	<b>10</b>	<b>3,520</b>	<b>15</b>	

**Notes**

<sup>1</sup> Flex space is anticipated to be one of the dominant building types in the light industrial areas.

<sup>2</sup> Employment density figures derived from the City of Sherwood Economic Development Strategy.

<sup>3</sup> Commercial site(s) includes retail and commercial services.

Sources: Leland Consulting Group, City of Sherwood Economic Development Strategy 2007 and Metro 1999 Employment Density Study.

**2. Assumptions**

The 20-year employment forecast for the Tonquin Employment Area was developed based on the following assumptions:

The Tonquin Employment Area (formerly known as Study Area 48) was annexed into the Urban Growth Boundary with the express intent of increasing the inventory of land available for industrial employment uses. Therefore, the forecast assumes that the vast majority of the study area (225 net acres) will develop as industrial uses.

In addition to industrial uses, the Tonquin Employment Area is anticipated to accommodate up to 10 net acres of retail/commercial uses.<sup>4</sup> Commercial uses are intended to accommodate business-serving retail and commercial services targeted to nearby businesses and workers, and are therefore not expected to have a regional draw. Limited office uses may be incorporated into the centers.

The forecast assumes a floor area ratio (FAR) of 0.20 and an average job density of 1.6 employees per 1,000 square feet of building area for light industrial areas and an FAR of 0.35

<sup>4</sup> As proposed in Appendix B, the draft Employment Industrial zone chapter, a maximum of one commercial development, not to exceed five (5) acres in size, may be permitted on each side of the future collector street connecting SW 124th Avenue to SW Oregon Street.



and an average job density of 2.5 employees per 1,000 square feet of building area for retail/commercial services areas. These FAR and job density assumptions are derived from the City of Sherwood Economic Development Strategy and confirmed in Metro's 1999 Employment Density Study.

Given that the Tonquin Employment Area is large, spanning nearly 300 gross acres, and the fact that certain subareas – B(2) and B(3) in particular – are constrained by poor transportation access, visibility, utility easements, wetlands, and other site challenges, the entire planning area is not anticipated to achieve 100 percent build out during the next 20 years.

Subareas A and B(1), which have good transportation access and visibility and high traffic intersections, are anticipated to develop first. In 20 years, the retail/commercial services components of these subareas are expected to be fully built out and the light industrial components are expected to achieve 70 percent build out.

Subareas B(2) and B(3) are anticipated to develop more slowly than Subareas A and B(1) due to their more significant site and development constraints. In 20 years, these subareas are projected to achieve a range of 25 to 50 percent build out.

Growth assumptions for all subareas were calibrated to fall between the low and medium growth forecasts for industrial jobs in the 2007 City of Sherwood Economic Development Strategy (Strategy). This assumption reflects that most, but not all, new industrial jobs in Sherwood will locate in the Tonquin Employment Area. Although this analysis forecasts job growth through approximately 2030 while the Strategy forecasts job growth through 2025, the difference is likely to be minimal due to the current economic recession that will result in several years of zero job growth or even net job losses, neither of which was predicted in the Strategy.

## **C. Transportation System**

The purpose of the transportation analysis is to summarize the transportation impacts of the proposed Tonquin Employment Area Preferred Concept Plan to meet Transportation Planning Rule (TPR) requirements. The following includes a review of existing transportation conditions and standards, as well as the projected traffic operations with the existing zoning and proposed zoning for the year 2030.

### **1. Study Area and Transportation Facilities**

The Tonquin Employment Area is bordered by SW Tualatin-Sherwood Road to the north, SW 124th Avenue to the east,<sup>5</sup> SW Tonquin Road to the south, and SW Oregon Street to the west. The Tonquin Employment Area is considered the project study area; for purposes of transportation analysis, a larger area is being considered for potential impacts from rezoning the

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<sup>5</sup> SW 124<sup>th</sup> Avenue is a planned transportation facility but is not yet built.

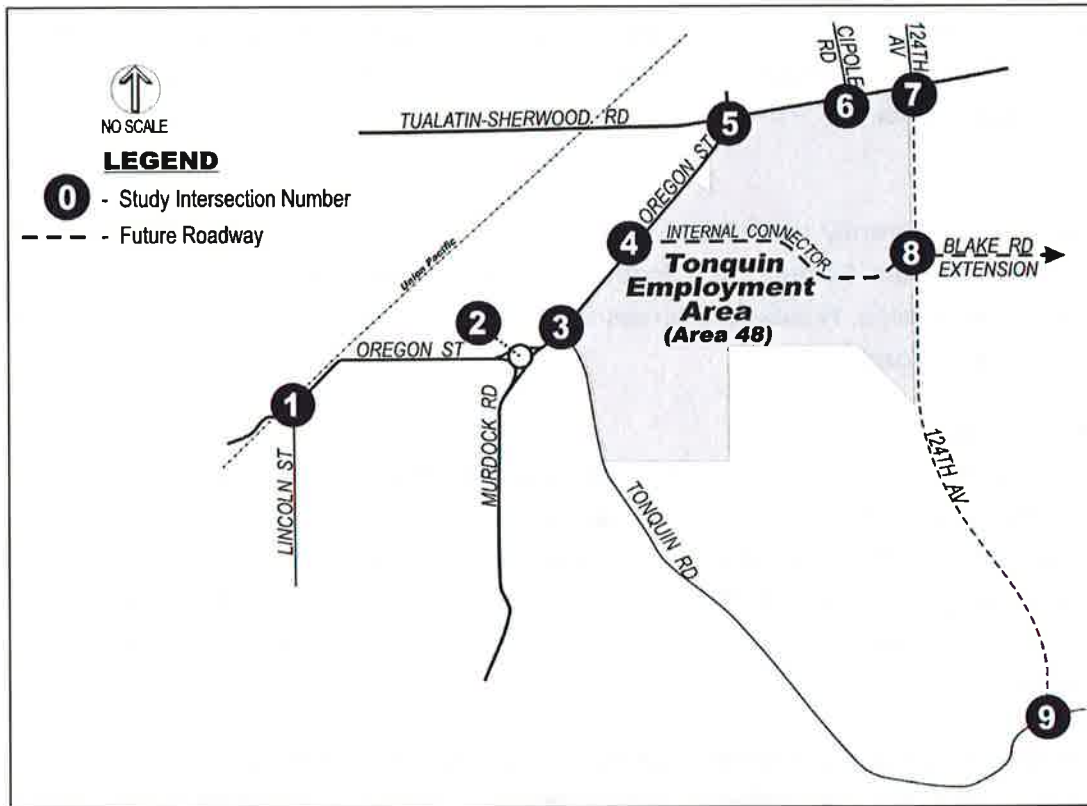


study area for more intensive uses (see Figure IV-2, Transportation Analysis Area). Nine study intersections were selected for analysis based on proximity to the study area and potential impacts from land use intensification within the study area:

- SW Oregon Street/SW Lincoln Street (1)
- SW Oregon Street/SW Murdock Road (2)
- SW Oregon Street/SW Tonquin Road (3)
- SW Oregon Street/Internal Connector (4)
- SW Tualatin-Sherwood Road/SW Oregon Street (5)
- SW Tualatin-Sherwood Road/SW Cipole Road (6)
- SW Tualatin-Sherwood Road/SW 124th Avenue (7)
- SW 124th Avenue/Internal Connector (SW Blake Road Extension) (8)
- SW 124th Ave/SW Tonquin Road (9)



**Figure IV-2: Transportation Analysis Area**



**Pedestrian Facilities**

An inventory of sidewalks along key roadways within the transportation analysis area was conducted. Currently, SW Tualatin-Sherwood Road has sidewalks on both sides in this area. Oregon Street has sidewalks on both sides near the SW Tualatin-Sherwood Road intersection and also near the intersections with SW Murdock Road and SW Tonquin Road. Along SW Oregon Street between SW Tualatin-Sherwood Road and SW Tonquin Road, sidewalks are currently located on the west side of the street. Sidewalks are also present on the majority of the south side of SW Oregon Street between SW Lincoln Street and SW Murdock Road. SW Murdock Road has sidewalks along the west side of the street. Sidewalks are not provided on Tonquin Road. SW Lincoln Street and SW Cipole Road both have sidewalks on the east side of the street in the transportation analysis area.

In general, the pedestrian network provides connectivity to most of the streets in the vicinity of the Tonquin Employment Area. However, the current gaps in the pedestrian system along SW Oregon Street do not allow pedestrians from Old Town Sherwood to access the proposed Tonquin Employment Area.





**Bicycle Facilities**

To assess the adequacy of bicycle facilities within the vicinity of the Tonquin Employment Area, a brief field inventory of designated bike lanes and shoulder bikeways along key roadways was conducted. There are bike lanes in both directions along SW Tualatin-Sherwood Road and on SW Oregon Street from SW Tualatin-Sherwood Road to SW Murdock Road.<sup>6</sup> No other key roads in the area have bike lanes.

**Public Transit**

Public transit service is currently not offered in the transportation analysis area. The nearest transit service (TriMet Routes 12 and 94) is located over a mile away in Old Town Sherwood. Tri-Met’s commuter rail service, Westside Express Service (WES), includes a stop in Tualatin at 18955 SW Boones Ferry Road.<sup>7</sup>

**Motor Vehicle Facilities**

Field inventories were conducted to determine characteristics of roadways within the transportation analysis area. Data collected included posted speed limits, roadway lanes, lane configurations, and intersection controls. These characteristics define corridor capacity and operating speeds through the street system, which affect travel path choices for drivers in the vicinity of the Tonquin Employment Area. The summary of area roadway characteristics is listed in Table IV-2.

**Table IV-2: Existing Key Transportation Analysis Area Roadway Characteristics**

Roadway	Agency	Functional Classification	Posted Speed Limit (mph)	Number of Lanes	Lane Width (ft)	Shoulder Width (ft)
SW Tualatin-Sherwood Road	County	Arterial	45	3	12	6.0
SW Oregon Street	County	Arterial	35	3	12	1.5
SW Murdock Road	City	Arterial	35	2	12	1.5-8.0
SW Tonquin Road	County	Arterial	55	2	11	1.5
SW Cipole Road	County	Collector	45	2	11	1.5
SW 124th Avenue	County	Arterial	35	5	12	6
SW Lincoln Street	City	Local Road	25	2	11	6

<sup>6</sup> Note: The bike lanes are not continuous through the SW Tualatin Sherwood Road to SW Murdock Road stretch of roadway.

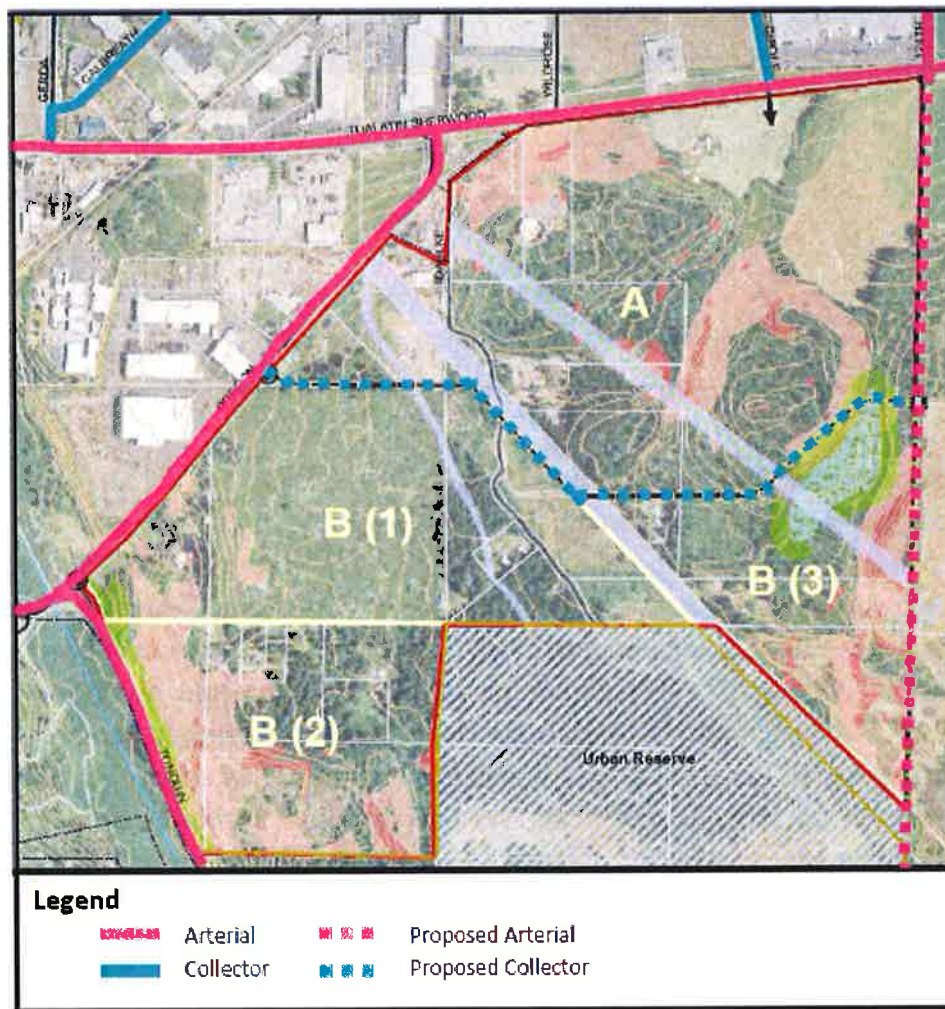
<sup>7</sup> It is anticipated that opportunities to upgrade and extend public transit service to the Tonquin Employment Area will be evaluated as increases in employment population warrant. With WES service approximately two miles from the Tonquin Employment Area, it is conceivable that future large employers in this area will look at van pooling or shuttles from the Tualatin WES station.



**Functional Class**

The proposed Tonquin Employment Area is bordered by SW Tualatin-Sherwood Road to the north, SW 124th Avenue to the east, SW Tonquin Road to the south, and SW Oregon Street to the west. Each of these roadways is classified as an arterial. Additional key streets in the transportation analysis area include SW Murdock Road (classified as an arterial) and SW Cipole Road (classified as a collector). The development of the Tonquin Employment Area will require a new roadway network to be constructed through the area to facilitate connectivity. The proposed primary east-west connection is a collector roadway that would help to facilitate east-west mobility through the Tonquin Employment Area and would serve as a parallel route to SW Tualatin-Sherwood Road by connecting to SW Blake Street in the *Southwest Tualatin Concept Plan* area. The exact location of the intersection of SW Blake Street and SW 124<sup>th</sup> will be determined through coordination between the cities of Sherwood and Tualatin when more in-depth site analysis has been conducted. The existing and proposed functional classification of the roadways serving the future Tonquin Employment Area can be seen in Figure IV-3.

**Figure IV-3: Proposed Functional Classification**



**2. Transportation Standards and Opportunities/Constraints**

The following subsections describe the transportation standards for the street network serving the proposed Tonquin Employment Area, including functional classification, access spacing, and mobility.

**Access Management Spacing Standards**

Proper roadway access spacing is important to maintain operations and safety. While all parcels must be allowed access, it is desired that access points on major roadways be limited. This can be accomplished by limiting parcel access to side streets or reducing access points by requiring closure, relocation, and/or consolidation. However, it can be difficult to modify existing access locations and it is best to incorporate appropriate access spacing practices upon initial development or redevelopment to limit the amount of management required in the future. The access management spacing standards that are established by agencies to guide this process vary depending on the classification of the roadway. Access spacing standards for transportation analysis area roadways are identified in Table IV-3.

**Table IV-3: Access Management Spacing Standards**

Facility (by Agency)	Minimum Access Spacing (ft)	Maximum Access Spacing (ft)
Washington County <sup>a</sup>		
- Arterial	600	-
- Collector	100	-
City of Sherwood <sup>b</sup>		
- Arterial	600	1,000
- Collector	100	400

<sup>a</sup>Source: Washington County Community Development Code, Article V, Section 501-8.5.B

<sup>b</sup>Source: Sherwood TSP, Table 8-12

**Opportunities and Constraints for Roadway Connections**

Access spacing requirements constrain the potential locations for the proposed east-west connector through the Tonquin Employment Area. On SW Oregon Street, roughly 3,000 feet of property frontage exist between the SW Oregon Street/SW Tonquin Road intersection and SW Oregon Street and the driveway entrance located just south of SW Tualatin-Sherwood Road. In the event that the SW Oregon Street/SW Tonquin Road intersection is shifted northeast, it would limit the amount of available roadway space for the proposed east-west connector intersection with SW Oregon Street. Accounting for the shift in intersection alignment, it is likely that one full-access intersection would be located along SW Oregon Street to provide access to a collector roadway through the site. In addition, there is a potential for one or two other right-in/right-out access points on SW Oregon Street to connect to local roadways. These access points, if provided, will need to be reviewed with Washington County to coordinate access management policies and standards.





At the main east-west connector intersection along SW Oregon Street, a roundabout has been proposed for traffic control. Because of the existing roundabouts on SW Oregon Street, a roundabout at this location is consistent with current transportation engineering design practice to meet driver expectations and use only one type of traffic control device on a given stretch of roadway. If a roundabout is ultimately selected, topographic constraints should be considered when selecting the appropriate location along SW Oregon Street as roundabouts require a level site.

The main consideration in proposing a location for an east-west collector to connect to SW 124th Avenue is the proposed extension of SW Blake Street as it is shown in the *Southwest Tualatin Concept Plan*.<sup>8</sup> The extension of SW Blake Street would connect SW 108th Avenue and SW 115th Avenue as a collector and then would become a major collector between SW 115th Avenue to SW 124th Avenue. The intersection of SW Blake Street and SW 124th Avenue is likely the only full access intersection on SW 124th Avenue that may be permitted along the study area and should be the connection point for an east-west collector through the site. Additional right-in/right-out connections to local streets may be possible along SW 124th Avenue. Potentially a second full access intersection may be feasible (based on access spacing requirements) if it is located at the south edge of the site and connects to a future collector or arterial roadway.

Access from the site to SW Tualatin-Sherwood Road can be provided via the existing traffic signals at SW 124th Avenue and SW Cipole Road. In addition, a third connection to SW Tualatin-Sherwood Road may be possible for a right-in/right-out local street at SW Wildrose Place (located between SW Cipole Road and SW Oregon Street).

Access to SW Tonquin Road to the south is somewhat limited by topographic constraints, but a single access to the site was assumed as shown in Figure IV-3.

### **Mobility Standards**

Intersection operations are important to consider to ensure that mobility needs of the transportation system are being met. The performance standard for intersections controlled by the City of Sherwood is Level of Service (LOS) D.<sup>9</sup> The maximum volume/capacity (v/c) ratio specified by Washington County is 0.99 for signalized intersections.<sup>10</sup> The minimum operational standard for unsignalized intersections specified by Washington County is LOS E.<sup>11</sup>

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<sup>8</sup> *Draft Southwest Tualatin Concept Plan*, August 2005

<sup>9</sup> Page 8-25, City of Sherwood Transportation System Plan, March 15, 2005.

<sup>10</sup> Washington County 2020 Transportation Plan, Adopted October 29, 2002, Table 5.

<sup>11</sup> *ibid*



### ***Relationship to the I-5 to 99W Connector Project***

Transportation planning in the southwest Metro area has been in flux over the past three years due to the effort to plan a major facility improvement between I-5 and Highway 99W in the Tualatin, Sherwood, and Wilsonville area. Recently, the I-5 to 99W Connector Study concluded with a Project Steering Committee recommendation for Metro to include Alternative 7 (shown on the map in Appendix A) in the Metro RTP update process. As shown, the recommended future improvements with this alternative would have significant changes to the transportation system in the Tonquin Employment Area, including:

- Completion of the SW 124th Avenue Extension south of SW Tualatin-Sherwood Road as a 5-lane roadway connection to a new southern arterial
- Completion of constructing a new 5-lane southern arterial from Highway 99W (south of Brookman Road) to I-5 (north of the North Wilsonville interchange)
- Completion of widening SW Tualatin-Sherwood Road to 5-lanes (included in the baseline conditions)
- Completion of an extension of Herman Road as a 3-lane roadway from SW Cipole Road to Highway 99W
- Completion of an extension of Lower Boones Ferry Road to Tualatin Road and widening of the corridor to 5-lanes from I-5 to Herman Road. *(Note: This project is not in the Regional Transportation Plan Financially Constrained Network.)*

This series of improvements would provide enhanced circulation and capacity in the transportation analysis area, including opportunities for freight traffic to reach Highway 99W or I-5 on three corridors (instead of just using SW Tualatin-Sherwood Road). Many of the project recommendations in the I-5 to 99W Connector Study are not funded and, therefore, cannot be assumed as “committed” when analyzing the future traffic operations and impacts of the Tonquin Employment Area. However, there are recommendations in the I-5 to 99W Connector Study that are in the transportation analysis area (e.g., providing right of way on SW 124th Avenue for an ultimate 5-lane arterial cross section and maintaining arterial standard access control) and these improvements should be incorporated into the Tonquin Employment Area Preferred Concept Plan as feasible and necessary for the future transportation system in the area.

### **3. Existing Traffic Conditions**

The following sections summarize the existing transportation facilities in the transportation analysis area, (pedestrian, bicycle, public transit, and motor vehicle facilities), provide a review of adopted transportation standards, and summarize the existing traffic volumes and operations.



### **Motor Vehicle Volumes**

The five existing intersections within the transportation analysis area were selected for focused analysis in order to address areas of concern along the associated major roadways and to monitor impacts of potential built-out within the Tonquin Employment Area. Traffic volumes along SW Tualatin-Sherwood Road were obtained from the Sherwood Adams Avenue North Improvement Project<sup>12</sup> and volumes at the other study intersections were from the Sherwood Cannery Site PUD Project.<sup>13</sup> Traffic counts for the study intersections were performed in November 2008 and January 2009.<sup>14</sup> Turn movement counts were conducted at the study intersections during the weekday PM peak hour (4:00 to 6:00 p.m.). The count data was then used as a basis for evaluating traffic performance at the study intersections for existing PM peak hour conditions. The existing PM peak hour traffic volumes at study intersections are shown in Figure IV-4.

The traffic volumes were compared to year 2006 historic data in the study area documented in the I-5 to 99W Connector Project.<sup>15</sup> Current traffic volumes were found to have decreased significantly during the PM peak hour on SW Tualatin-Sherwood Road in the westbound direction, with reductions up to 300 vehicles per hour. While these reductions in traffic volume could be a result of day-to-day or seasonal fluctuation, they could also be the result of decreased traffic volumes in the area due to current economic conditions or they could reflect driver route changes to other less congested corridors.

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<sup>12</sup> Sherwood Adams Avenue North Improvements Project: Existing and Future Conditions Technical Memorandum, DKS Associates, December 2008.

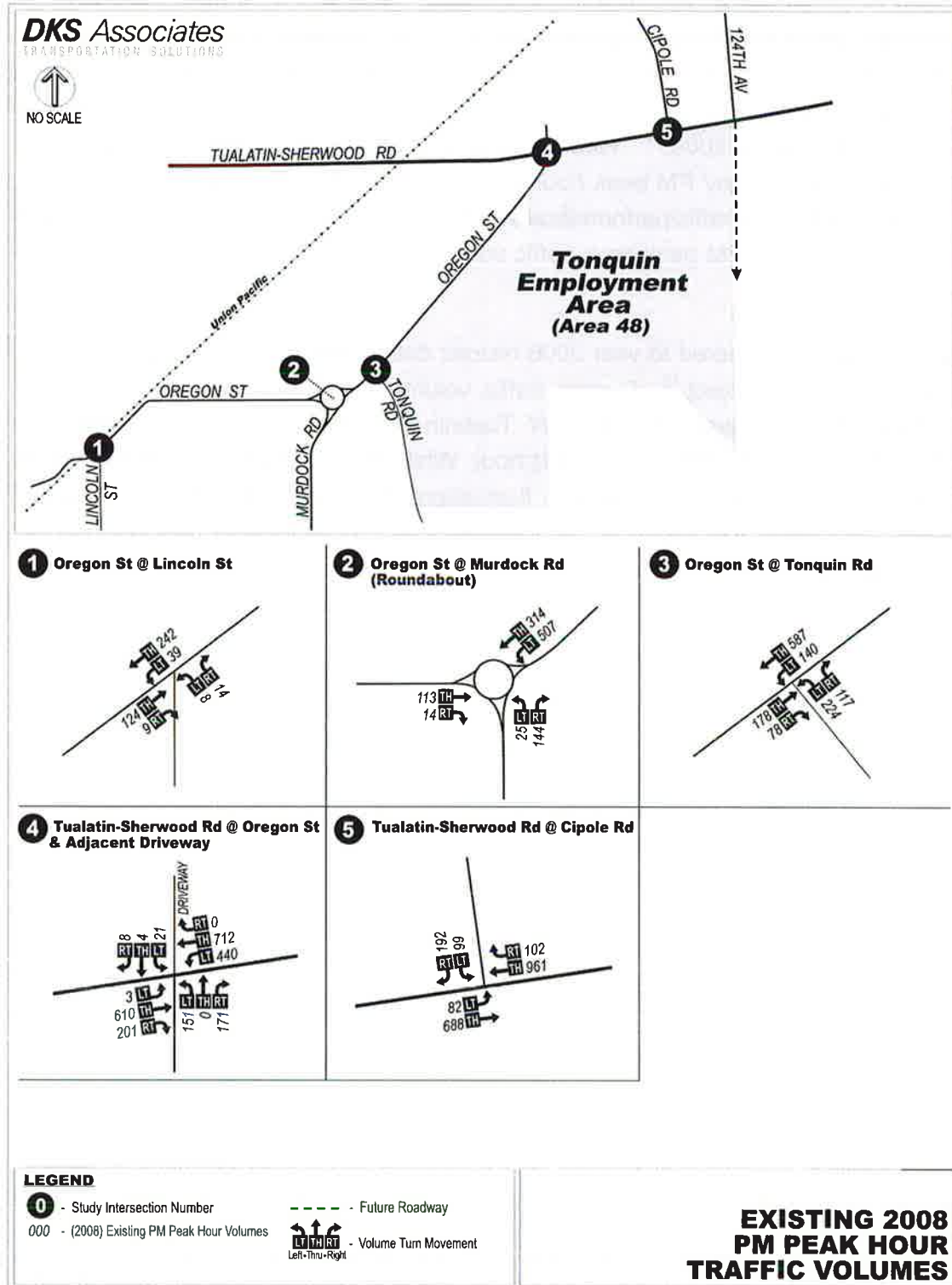
<sup>13</sup> Sherwood Cannery Site PUD Project: Traffic Impact Analysis Report, DKS Associates, March 2009.

<sup>14</sup> Traffic counts for the Adams Avenue North Improvements Project were performed in November 2008 and traffic counts for the Cannery Site PUD Project were performed in November 2008 and January 2009

<sup>15</sup> I-5 to 99W Connector Project: Baseline Transportation Conditions Report, David Evans and Associates and DKS Associates, April 2007.



Figure IV-4: Existing 2008 PM Peak Hour Traffic Volumes



**Existing Intersection Operations**

The PM peak hour intersection volumes were used to determine the existing study intersection operating conditions based on the 2000 Highway Capacity Manual (HCM)<sup>16</sup> methodology for signalized and unsignalized intersections. Roundabout analysis was performed using SIDRA INTERSECTION, a popular and well recognized transportation software program. The results of this analysis are listed in Table IV-4 for the PM peak hour. As listed, each of the signalized study intersections meet mobility standards during the PM peak hour. The unsignalized intersection of SW Oregon Street/SW Tonquin Road fails to meet LOS standards due to the heavy volume of left turns from SW Tonquin Road.

**Table IV-4: Existing Intersection Performance (PM Peak Hour)**

Intersection	Delay (sec)	LOS	V/C	MOEs	
				Agency	Standard
<i>Signalized Intersections</i>					
SW Tualatin-Sherwood Rd/ SW Oregon St	22.2	C	0.76	County	v/c ≤ 0.99
SW Tualatin-Sherwood Rd/ SW Cipole Rd	14.8	B	0.69	County	v/c ≤ 0.99
<i>Unsignalized Intersections</i>					
SW Oregon Street/ SW Murdock Rd (Roundabout)	0.35	A	0.39	City	LOS D
SW Oregon Street/ SW Tonquin Rd	>100	A/F	>1.00	County	LOS E
SW Oregon Street/SW Lincoln Street	10.3	A/B	0.04	City	LOS D
<u>Signalized/Roundabout Intersection:</u> Delay = Average Intersection Delay (sec.) LOS = Level of Service V/C = Volume-to-Capacity Ratio Shaded values do not meet standards			<u>Unsignalized Intersection:</u> Delay = Critical Movement Approach Delay (sec.) LOS = Major Street LOS/Minor Street LOS V/C = Critical Movement Volume-to-Capacity Ratio		

**4. Transportation System Impacts**

The transportation system impacts of future development in the Tonquin Employment Area are summarized in the following sections. The future conditions evaluation includes future forecasting, a summary of planned roadway improvements, and motor vehicle intersection capacity analysis.

**Future Land Use**

Transportation Analysis Zone (TAZ) land use allocations for horizon years that have been used for planning efforts in the area (e.g., the Sherwood TSP and the Metro RTP) were reviewed and

<sup>16</sup> 2000 Highway Capacity Manual, Transportation Research Board, Washington DC, 2000.





the portion of the land use that corresponds to the Draft Tonquin Employment Area Concept Plan was estimated and summarized in Table IV-5. The study area was not forecasted to develop as an urban industrial area in the year 2020 forecasts that were utilized to develop the Sherwood and Washington County TSPs. However, the land use forecasts used to develop the 2030 and 2035 forecasts for Metro RTP Updates and the I-5 to 99W Connector Study did incorporate urbanization of the concept plan area.

**Table IV-5: Concept Plan Area Land Use Forecasts**

Scenario	Relevant Plan	Households	Retail Employees	Non-Retail Employees	Total Employees
2020	Sherwood and Washington County TSPs	12	0	0	0
2030	I-5 to 99W Connector Study	7	164	1,910	2,074
2035	Current Metro RTP	7	175	2,032	2,207
Proposed Concept Plan 2030	Tonquin Concept Plan	0	114	2,176	2,290

As listed in Table IV-5, the Draft Tonquin Employment Area Concept Plan land use estimates for the year 2030<sup>17</sup> total 2,290 employees. Compared to the 2030 Metro forecast used for past RTP Updates and the I-5 to 99W Connector Study, this represents an increase of 216 employees. However, the proposed Concept Plan land use estimates have less retail and more industrial types of employment. The lower amount of retail employees reduces the trip generation potential of the proposed land use, which based on model trip rates for the affected TAZ would represent an increase of approximately 30 PM 2- hour vehicle trips over what was included in the 2030 Metro forecasts.

The adopted Transportation System Plans for Sherwood and Washington County did not assume urban development in the concept plan area. Therefore, TPR analysis for impact on those adopted plans should consider the full development impact and not just the increment of growth beyond what is included in Metro 2030 or 2035 forecasts. The full trip increment is summarized in Table IV-6 (year 2030 proposed trips vs. previously evaluated year 2020 trips). As listed in Table IV-6, urbanization in the study is consistent with the Draft Tonquin Employment Area Concept Plan would represent an increase of approximately 1,120 PM peak period trips.

<sup>17</sup> 20-Year Employment Forecast Methodology, prepared by Leland Consulting Group, November 11, 2009.



**Table IV-6: Metro Travel Demand Model Trip Comparison for Tonquin Employment Area**

Scenario	Land Use			PM 2 Hour Model Trips		
	HH	RET	OTH	In	Out	Total
2020 Sherwood and Washington County TSPs	12	0	0	9	5	14
2030 Tonquin Employment Area	0	114	2,176	270	864	1,134
<b>Difference (Tonquin minus RTP)</b>	<b>-12</b>	<b>114</b>	<b>2176</b>	<b>261</b>	<b>859</b>	<b>1,120</b>

Notes:  
 HH = Households  
 RET = Retail Employees  
 OTH = Non-retail employees  
 (includes all other employment types)

**Future Forecasting Methodology**

Future travel demand forecasting for the Tonquin Employment Area utilized the 2030 model developed by Metro, Washington County, and DKS Associates for the I-5 to 99W Connector Study. Future 2030 PM peak hour volumes for the Existing Zoning and Proposed Zoning scenarios were developed for the study area by adjusting the travel demand model trip tables to reflect the land use listed in Table IV-5. The 2030 Existing Zoning scenario included no land use growth in the project area (as considered in the 2020 Sherwood and Washington County TSPs), while total land use and trips from the 2030 Metro RTP model were increased to the projected totals for the *Southwest Tualatin Concept Plan*.<sup>18</sup> A post processing technique following NCHRP 255 methodology<sup>19</sup> was used to refine model travel forecasts to the volume forecasts used for 2030 intersection analysis for both scenarios. These volumes were then used to analyze and determine future impacts from the proposed concept plan area on the planned roadway network.

In order to provide a baseline comparison for the Tonquin Employment Area Concept Plan alternatives, the 2030 No Build scenario was established. The 2030 No Build scenario evaluates future traffic volumes and assumes the planned roadway geometry and limited development of the Tonquin Employment Area based on existing zoning.

**Planned Area Roadway Improvements**

The future operations of the study intersections were analyzed with the assumed completion of the financially constrained roadway improvements included in Metro’s 2035 Regional Transportation Plan (RTP).

<sup>18</sup> Draft *Southwest Tualatin Concept Plan*, Prepared for City of Tualatin, August 2005.

<sup>19</sup> *Highway Traffic Data for Urbanized Area Project Planning and Design – National Cooperative Highway Research Program Report 255*, Transportation Research Board, Washington DC. 1982.



The roadway improvements identified as “reasonably likely to be funded” in the 2030 travel demand model were:

- Widening of SW Tualatin-Sherwood Road and Roy Rogers Road to 5-lanes from Teton Avenue in Tualatin to Borchers Drive in Sherwood
- Completion of the Adams Avenue South Extension
- Completion of the Adams Avenue North Extension
- Intersection geometric, turn lane, and signal phasing improvements at Highway 99W/Tualatin-Sherwood Road
- Completion of the SW 124th Avenue extension from SW Tualatin-Sherwood Road to SW Tonquin Road
- Widening of SW Tonquin Road to 3-lanes
- Signalization of SW Tualatin-Sherwood Road/Gerda Lane
- Completion of SW 112th Extension to Myslony Street in Tualatin
- New east-west roadway through the Tualatin Employment Area connecting SW 124th Avenue to SW Blake Street

### ***Future 2030 Volumes***

The 2030 PM peak hour study intersection volumes for the existing zoning and the proposed zoning scenarios were compared and are shown in Figure IV-5. Volumes were relatively similar between the two scenarios with intersections experiencing both projected increases and decreases in individual turn movements. The largest increase in volume is projected to occur along the new internal connector roadway. This collector facility as proposed would carry approximately 500 trips during the PM peak hour and would serve both site traffic and trips that are continuing west from the SW Blake Road Extension. Both the westbound through movement at the intersection of SW 124th Avenue/SW Blake Road and the westbound left movement at SW Oregon Street/Internal Connector are expected to increase over 200 vehicles during the PM peak hour.

The Internal Connector would serve as a parallel facility to SW Tualatin-Sherwood Road and improve connectivity of the transportation system. With the proposed concept plan and the additional collector, projected volumes would be reduced at the intersections of SW Tualatin-Sherwood Road/124th Avenue and SW Tualatin-Sherwood Road/SW Cipole Road. Roadway users heading southwest through the Tonquin Employment Area would use a variety of routes



and help spread the volumes through the study area for an overall reduction in individual intersection volumes at these intersections.

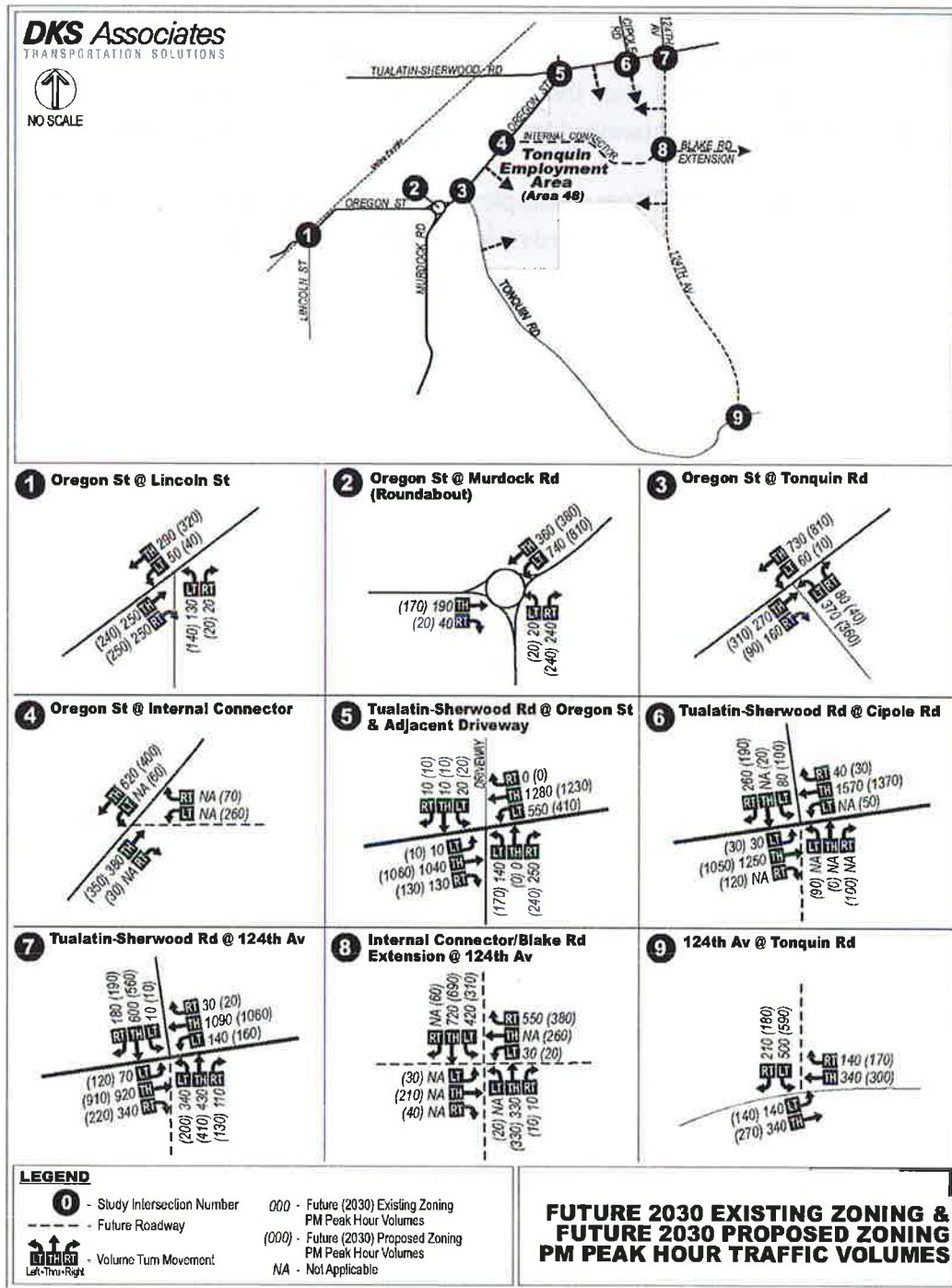
### ***2030 Intersection Operations***

A capacity analysis of area intersections was completed for the 2030 Existing Zoning and the 2030 Proposed Tonquin Employment Area zoning. The results of the capacity analysis are listed in Table IV-7, which indicates that the intersection of SW Oregon Street/SW Tonquin Road would fail to meet the v/c ratio standard for the 2030 Existing Zoning condition.

With the added development of the Tonquin Employment Area, the intersection of SW Oregon Street/SW Tonquin Road would actually improve with shifted traffic patterns (V/C improves to 2.09 from 2.25).



Figure IV-5: Future 2030 Existing Zoning and 2030 Proposed Zoning PM Peak Hour Traffic Volumes



**Table IV-7: 2030 PM Peak Hour Intersection Performance**

Intersection	Agency	Intersection Performance (Delay LOS V/C)	
		2030 Existing Zoning	2030 Proposed Zoning
<b>Signalized Intersections</b>			
SW Tualatin-Sherwood Rd / SW Oregon St	County	23.0 C 0.84	20.5 C 0.77
SW Tualatin-Sherwood Rd / SW Cipole Rd	County	8.2 A 0.66	11.5 B 0.66
SW Tualatin-Sherwood Rd / SW 124th Ave	County	51.0 D 0.97	46.4 D 0.92
SW 124th Ave / SW Blake Rd Extension/Internal Connector	County	26.3 C 0.62	40.1 D 0.80
SW 124th Ave/ SW Tonquin Road	County	22.2 C 0.75	25.0 C 0.79
<b>Unsignalized Intersections</b>			
SW Oregon St / SW Murdock Rd	City	0.93 A 0.50	0.68 A 0.56
SW Oregon St / SW Tonquin Rd	County	<b>A/F 2.25</b>	<b>A/F 2.09</b>
SW Oregon St/ SW Lincoln St	City	A/C 0.32	A/D 0.47
SW Oregon St / SW Blake Rd Extension/Internal Connector	County	-	B 0.59
<p><b>2-Way Stop Intersection LOS:</b>                      A/A = Major Street turn LOS/ Minor Street turn LOS</p> <p><b>All-Way Stop/Signalized/Roundabout Intersection LOS:</b>                      LOS = Level of Service                      Delay = Average delay per vehicle (seconds)                      V/C = Volume to Capacity Ratio</p>			

**Recommendation**

The traffic impact analysis completed for the proposed future urbanization of the Tonquin Employment Area found that if the site were rezoned for employment uses, as proposed in Table IV-1, and employment reached the level noted in Table IV-5 the resulting traffic increase would not significantly affect the surrounding transportation system and would satisfy the requirements of the Transportation Planning Rule, Oregon Revised Statute (OAR) 660-012-0060. The proposed rezone would not require additional off-site transportation improvements (beyond the reasonably likely to be funded roadway improvements included in Metro's RTP and assumed for this analysis, as listed under the *Planned Area Roadway Improvements* subsection above) since there would not be a significant effect to the transportation system.<sup>20</sup>

<sup>20</sup> In the event that existing transportation facilities are not adequate at the time of development (i.e., the Tonquin Employment Area develops in advance of the projects programmed in the RTP), specific improvements may be





## D. Infrastructure Analysis

The following summarizes the sewer, water and storm drainage network associated with the Tonquin Employment Area Preferred Concept Plan alternative as shown on Figure IV-1 and the employment assumptions in Table IV-1. A description of existing infrastructure considerations is provided, as well as a description of the internal infrastructure systems for the Preferred Concept Plan. The Preferred Concept Plan assumes 2,290 new jobs in the Tonquin Employment Area over the next 20 years. This employment forecast was used to prepare the operations analysis and mitigation for the Preferred Concept Plan. A planning level cost estimate is also provided for this preferred alternative. The estimate includes both on- and off-site improvements needed to provide the necessary infrastructure network.

**Note:** While titled “proposed”, all figures included in this section are conceptual and are not intended to indicate the exact location of future utilities. Exact locations of sanitary sewer, water, and stormwater facilities will be determined through the development review process and will likely be built in conjunction with the development of the road network.

### 1. Sanitary Sewer System Analysis and Performance

Sanitary sewer service can be provided to the Tonquin Employment Area by the City of Sherwood and Clean Water Services (CWS). The sanitary sewer system was evaluated for its ability to accept the wastewater from the planning area using information provided in the *Sanitary System Master Plan for City of Sherwood, July 2007* (sanitary master plan), prepared by Murray, Smith, and Associates. Based on that evaluation, improvements needed to serve the area were identified.

For areas within its city limits, Sherwood shares wastewater management responsibilities with CWS. Sherwood is responsible for the maintenance of sanitary sewers smaller than 24 inches in diameter located within city limits, and CWS is responsible for the maintenance of interceptor sewers 24 inches and larger, sewage lift stations, and force mains. CWS conveys sewage to the Sherwood Pump Station, which discharges into the Upper Tualatin Interceptor. Sewage is conveyed to the Durham Advanced Wastewater Treatment Facility for treatment.

Sanitary sewer service can be provided to the Tonquin Employment Area by Sherwood’s Rock Creek interceptor, also referred to as the Onion Flat Trunk. The 2007 sanitary master plan identifies capacity improvements to the Rock Creek interceptor needed to serve growth in the basin, including the Tonquin Employment Area. In addition to improvements made by Sherwood

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needed to accommodate the proposed development at the time of development approval. Needed transportation improvements will be identified during development review and their provision will be part of the conditions of approval.



to serve new customers, CWS will need to construct a new interceptor and expand the Sherwood Pump Station.<sup>21</sup>

Sherwood's sanitary sewer system serves two drainage basins, the Rock Creek basin and the Cedar Creek basin. The Tonquin Employment Area is in the Rock Creek basin. The sanitary sewer system serving the area is shown in Figure IV-6, as well as the improvements identified in Sherwood's sanitary master plan. The Rock Creek basin is currently served by a trunk sewer that starts as an 18-inch diameter pipe at the Sherwood Pump Station and eventually becomes a 15-inch diameter pipe as it progresses upstream. The Tonquin Employment Area would be served by sanitary sewers connecting to the 15-inch diameter pipe north of the intersection of SW Oregon Street and SW Tonquin Road and to an existing 8-inch sewer in SW Tualatin-Sherwood Road.

The approximately 300 acres in the Tonquin Employment Area will be developed in mixed-use commercial, office, and light industrial land uses employing 2,290 people based on estimates detailed in the Land Use and Employment Assumptions (Section IV.B) of this report. The design wastewater flows reported in the Sherwood sanitary master plan for commercial, office, and light industrial land uses are 3,660 gallons per acre per day plus 1,760 gallons per acre per day for peak infiltration and inflow, for a total contribution of 5,420 gallons per acre per day. Developing the approximately 300 acres in the Tonquin Employment Area is expected to contribute 1,626,000 gallons of wastewater per day to the Sherwood sanitary sewer system during wet weather. The sanitary master plan reports that peak flows were evaluated using a hydrograph approach combining loading from sanitary flows, steady wet-weather infiltration, and storm induced inflows rather than applying peaking factors.

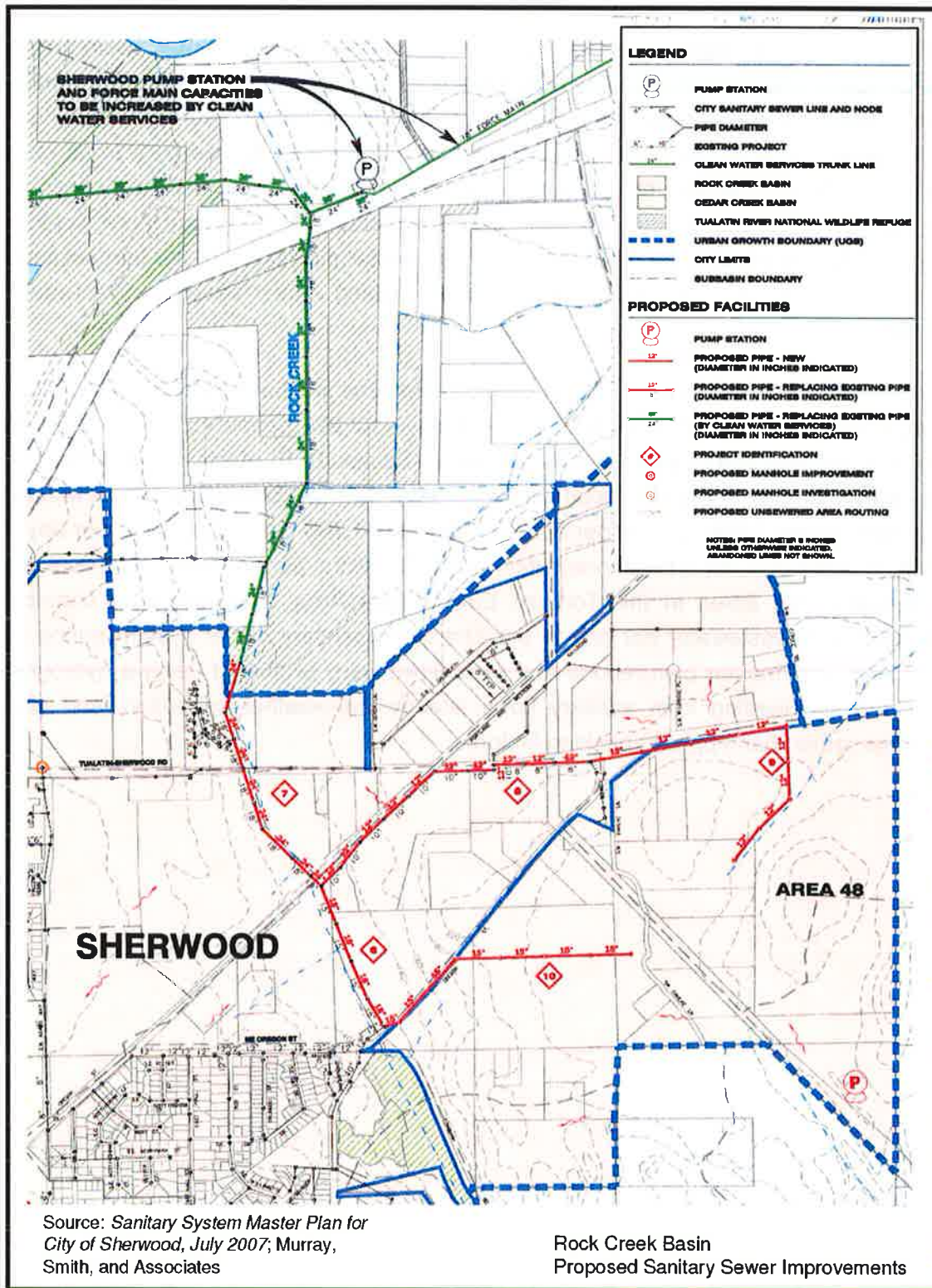
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<sup>21</sup> The *Sanitary System Master Plan for City of Sherwood* reports that CWS plans to upgrade the Sherwood Pump Station and force main to serve saturation development.





Figure IV-6: Proposed Sanitary Sewer Improvements



**Needed Improvements**

Sewer improvements with a total estimated cost of \$6,890,000 (rounded) will be needed to serve the Tonquin Employment Area at saturation development. In addition, CWS plans to upgrade the Sherwood Pump Station and force main to serve saturation development. System development charges will also be assessed as the area develops. The sewer improvements include:

- Approximately \$4,357,813 in trunk sewer improvements to serve the Rock Creek Basin and the Tonquin Employment Area.
- Approximately \$2,532,000 for local sewer improvements within the development to extend sewer service from the trunk sewers to individual lots.

The cost estimates are based on unit prices in the sanitary master plan, which are based on construction pricing in 2007. Current construction pricing is similar to that in 2007, so no pricing adjustments have been made.

The sanitary master plan identified the following trunk sewer improvements with a total estimated project cost of \$4,357,813 in 2007 as being needed to extend service to the Tonquin Employment Area at saturation development:

- Capacity Upgrade - Rock Creek Trunk - 1,436 linear feet of 15-inch diameter Rock Creek Trunk would be replaced with new 18-inch diameter pipe from Manhole 414NSan to Manhole 402NSan. This is shown as Project 6 on Figure IV-6. The sanitary master plan estimated the project cost of this sewer at \$356,128.
- Capacity Upgrade - Rock Creek Trunk - Approximately 1,349 linear feet of 18-inch diameter Rock Creek Trunk would be replaced with new 24-inch diameter pipe from Manhole 402NSan to Manhole 396NSan. This is shown as Project 7 on Figure IV-7. The sanitary master plan estimated the project cost of this sewer at \$366,928.
- Capacity Upgrade – Tonquin Employment Area North - Approximately 3,011 linear feet of 8-inch and 10-inch diameter collection pipe would be replaced with new 12-inch diameter pipe from Manhole 402NSan to Manhole 440NSan. This is shown as Project 8 on Figure IV-7. The sanitary master plan estimated the project cost of this sewer at \$683,497.
- Collection System Extension – Tonquin Employment Area North – The collection system would be extended from Manhole 402NSan, with approximately 3,280 linear feet of new 12-inch diameter pipe to serve Area 48. This is shown as Project 9 on Figure IV-7. The sanitary master plan estimated the project cost of this sewer at \$744,560.



- Collection System Extension – Tonquin Employment Area South – The collection system would be extended from Manhole 414NSan, with approximately 2,650 linear feet of new 15-inch diameter pipe to serve the south side of Area 48. This is shown as Project 10 on Figure IV-7. The sanitary master plan estimated the project cost of this sewer at \$630,700.
- CWS Rock Creek Trunk - Approximately 5,200 linear feet of 18-inch diameter trunk will need to be upsized to 24-inch diameter pipe from the city limits to the existing 24-inch diameter Sherwood. Using the unit estimating price of \$272 per linear foot in the sanitary master plan, the estimated project cost of this sewer was \$1,576,000.

The sanitary master plan reports that CWS plans to upgrade the Sherwood Pump Station and force main to serve saturation development.

In addition to the improvements identified in the sanitary master plan, approximately 12,000 linear feet of local sewers will be needed within the Tonquin Employment Area to extend sewer service to the lots. Using the unit estimating price in the sanitary master plan for 8-inch diameter sewer of \$211 per linear foot, the estimated cost of 12,000 feet of local sewers is estimated to cost \$2,532,000.

Sanitary sewer improvements are expected to be located within road right-of-way.

## 2. Water System Analysis and Performance

Water service can be provided to the Tonquin Employment Area from the City of Sherwood's water system. The water system was evaluated for its ability to provide adequate pressure and supply peak hour and fire demands for the Preferred Concept Plan based on information provided in *Water System Master Plan for City of Sherwood, August 2005* (water master plan), prepared by Murray, Smith, and Associates. Based on that evaluation, improvements needed to serve the planning area were identified.

Water service can be provided to the Tonquin Employment Area from the City of Sherwood's 380-ft pressure zone. According to the water master plan, the 380-ft pressure zone is designed to provide a minimum pressure of 50 psi at elevations of approximately 250-feet. Approximately 270 (90%) of the 296 acres in the planning area are below an elevation of 250 ft, except for approximately 12 acres along the extreme northeast edge of the property which has elevations of 250 to 305 feet, and a second area of approximately 15 acres in the northeastern portion of the property that has elevations of approximately 250 to 270 feet. If system pressure was 52 psi at an elevation of 250 feet, it would be approximately 47 psi at an elevation of 270-feet and approximately 27 psi at an elevation of 305 feet. Given the small amount of area above an elevation of 250-feet, water system pressures should generally be adequate for typical office, commercial, and light industrial development.





The 380-ft pressure zone is the lowest and largest pressure zone in the City of Sherwood system and serves 2,513 of the 2,994 acres in the water service area. The pressure zone is developed in residential, commercial and industrial land uses. The zone is served by gravity from a 2 million gallon reservoir.<sup>22</sup> All four of the city's groundwater wells and the city's Tualatin Supply Connection supply the 300-foot pressure zone directly. The city has a capital improvement plan identifying water mains, additional storage reservoirs and new water source development needed to meet demands at saturation development.

The Tonquin Employment Area will be developed in mixed-use commercial, office, and light industrial land uses employing 2,290 people, based on estimates detailed in the Land Use and Employment Assumptions (Section IV.B) of this report. The Sherwood water master plan does not separately estimate water demand for these land uses, so water demand in the planning area was estimated assuming that there will be no process water uses and applying an average day demand of 45 gallons per employee per day, making total average day demand 103,500 gallons per day in the Tonquin Employment Area when it is fully developed. This is equivalent to a peak demand of 430 gpm if all use occurs over an 8-hour work day with a peaking factor of 2. The water master plan recommends a fire flow demand of 3,500 gpm with duration of 3 hours for office, commercial, and light industrial land uses. Since the fire flow requirement is higher, it will govern design of the water distribution system.

### ***Needed Improvements***

Based on the results of hydraulic modeling reported by MSA, Inc. in the water master plan, the 380-ft pressure zone should have adequate capacity to serve the Tonquin Employment Area. The water distribution system can be served from two existing water mains:

- An existing 12-inch diameter water main in SW Oregon Street along the west side of the Tonquin Employment Area. The main in SW Oregon Street is connected to existing water mains in the 380-ft pressure zone on its north and south ends and appears to have a good source of supply from both directions. With a supply from each end, the existing 12-inch water main in SW Oregon Street can supply a fire flow of 3,500 gpm at a velocity of approximately 5 feet per second, which is well within acceptable design limits. The water master plan indicates that the existing 12-inch main should be able to deliver the required fire flow for existing light commercial development along SW Oregon Street, which has the same required fire flow as the planning area.
- An existing 12-inch diameter water main in SW Tualatin-Sherwood Road along the north side of Area 48. The main in SW Tualatin-Sherwood Road is connected to the 380-ft pressure zone at SW Oregon Street and appears to have a good source of supply from

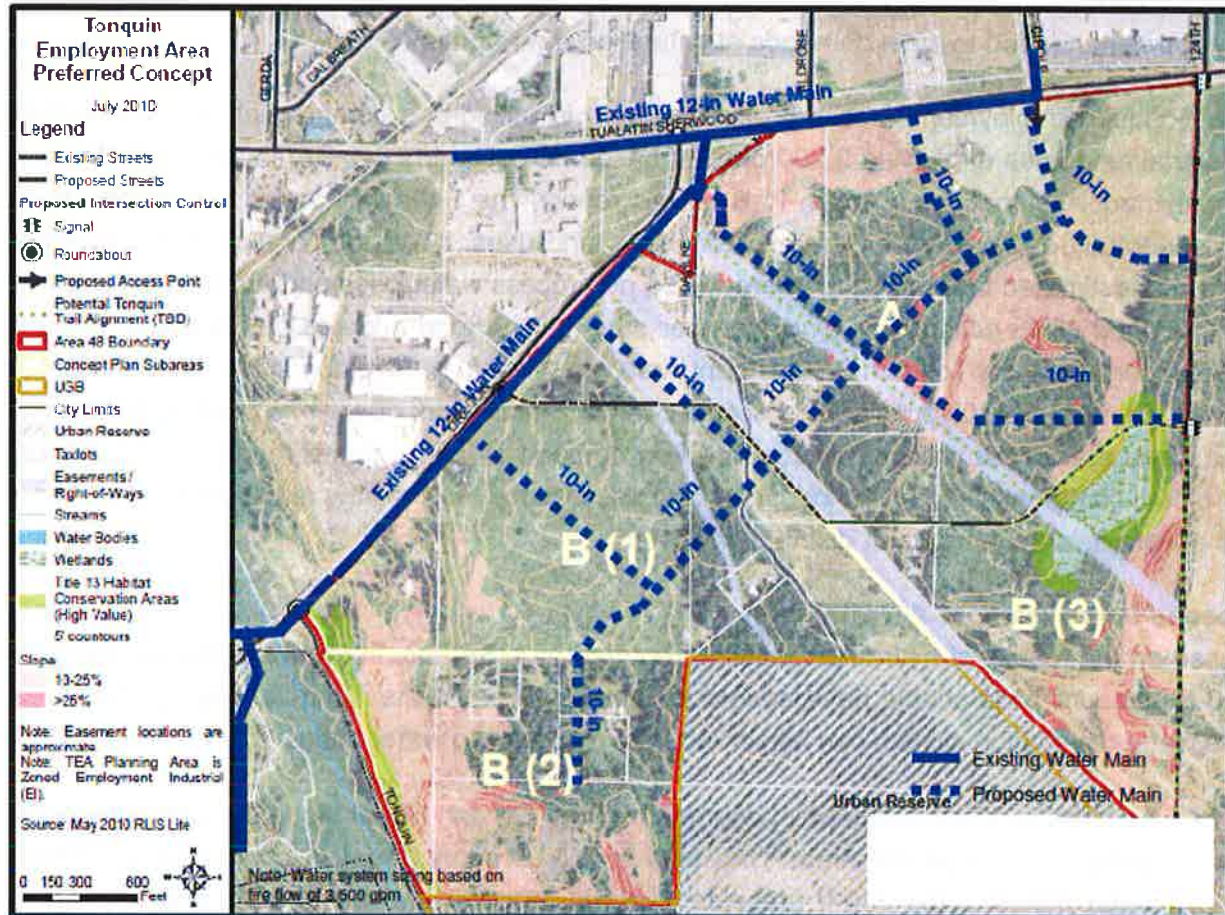
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<sup>22</sup> Note: the City has a 4 million gallon water reservoir in the 380 zone (Snyder Park) that will be operational in time to serve future development in the Tonquin Employment Area.



its west end. With a supply from one end, the existing 12-inch water main should be able to supply a fire flow of 3,500 gpm at a velocity of 9.93 feet per second, which is within acceptable design limits.

**Figure IV-7: Proposed Water Distribution System**



The internal water system concept was developed to support the employment projections for the Preferred Concept Plan. Water main velocities were limited to a maximum of 15 feet per second under fire flow conditions. Approximately 12,000 feet of 10-inch diameter pipe would be needed to provide water service to the area, as shown in Figure IV-7. The estimated construction cost of the water system is \$2,600,000, as shown in Table IV-8. In addition to the costs of constructing the water mains within the Tonquin Employment Area, system development charges would be assessed as the area develops.



**Table IV-8: Estimated Water Distribution System Project Costs**

Item	Quantity	Unit	Unit price	Item price
10-inch water main in new development	12,000	Linear feet	\$112	\$1,344,000
Fire hydrant assemblies	20	Each	\$4,500	\$90,000
10-inch gate valves	16	Each	\$2,400	\$38,400
Tap existing water main	5	Each	\$5,000	\$25,000
Subtotal				\$1,497,400
Overhead and profit at 20%				\$299,480
Subtotal				\$1,796,880
Contingencies, engineering, legal, and management at 45%				\$808,596
Total estimated project cost				\$2,605,476
Rounded to				\$2,600,000

### 3. Storm Drainage System Analysis and Performance

This section describes the conceptualized stormwater infrastructure needed to serve the Tonquin Employment Area. The 296.1 acre planning area drains to three different receiving waters: Hedges Creek, Upper Coffee Lake Creek, and Rock Creek. An analysis of stormwater system improvements needed as a result of future development in the Tonquin Employment Area has been completed for each of these drainage basins and is consistent with the concepts presented in the Stormwater Master Plan for the City of Sherwood (June 2007) and the CWS Design and Construction Standards (June 2007). With mixed-commercial and light industrial development expected in the planning area, regional stormwater facilities were sized for each drainage basin and planning level cost estimates have been included. This analysis addresses the major publicly owned stormwater management facilities.

Topography, soil type, the amount of impervious area, and storm intensity and duration are important parameters for determining stormwater runoff volume and peak flow rates. To be consistent with CWS Standards, the Santa Barbara Urban Hydrograph Method (SBUH) was used to estimate runoff volume and peak flow rates for the 25-year, 24-hour and 100-year, 24-hour storms. CWS provides an equation for use in calculating the water quality peak flow rate and total water quality volume in Section 4.05.6 of the 2007 Design and Construction Standards.

Peak flows and storm water volumes were developed for the Draft Preferred Concept Plan for this analysis. The Soil Conservation Service (SCS) Technical Release 55 (TR-55) associates





land use type with a percentage of impervious area and a Curve Number (CN), based on hydrologic soil type. Hydrologic soil types of B, C, and D are present in the Tonquin Employment Area. See Table IV-9 below for a summary of the land-use classifications, associated impervious area percentage and CNs that were used for the analysis.

**Table IV-9: Percent Imperviousness and CN based on Land Use Type**

Land Use	Percent Imperviousness	Curve Number for Hydrologic Soil Groups			
		A	B	C	D
Mixed Commercial	85%	89	92	94	95
Industrial	72%	81	88	91	93
Open Space (grass cover >75%)	10%	39	61	74	80

The regional stormwater facility for each basin is sized for water quality purposes only. This is based on the assumption that the developer will provide on-site detention. Therefore, the facilities were designed to treat the water quality storm (dry weather storm event totaling 0.36 inches of precipitation falling in 4 hours with an average annual storm return period of 96 hours), in accordance with CWS requirements.

The Santa Barbara Urban Hydrograph (SBUH) method was used to produce stormwater runoff volumes and peak flow rates for the 25-year, 24-hour and 100-yr, 24-hour storms. Rainfall volumes for the 25 and 100-year events were consistent with CWS standards and the adopted master plan; 3.9-inches in 24 hours for the 25-year event and 4.5-inches in 24 hours for the 100-year event. See Table IV-10 for the results.





**Table IV-10: SBUH Results Summary**

Drainage Basin	Impervious Area in Drainage Basin (acres)	WQ Storm Peak Design Flow Rate (cfs)	WQ Storm Total Runoff Volume (ft3)	25-Year, 24-Hour Storm Peak Design Flow Rate (cfs)	25-Year, 24-Hour Storm Total Runoff Volume (ft3)	100-Year, 24-Hour Storm Peak Design Flow Rate (cfs)	100-Year, 24-Hour Storm Total Runoff Volume (ft3)
Coffee Lake Creek	28.1	2.55	36,740	13.91	574,107	16.58	681,420
Hedge Creek	69.5	6.30	90,790	28.91	1,311,633	34.19	1,549,206
Rock Creek	28.1	7.48	107,661	34.42	1,539,929	40.76	1,820,478

**Needed Improvements**

Three regional stormwater facilities will be needed. Their size is based on the peak flows and runoff volumes provided by the previously described analysis. Each facility is an extended dry basin, designed to CWS standards. The facilities have been designed to provide water quality treatment, and it is assumed that detention will be provided on-site, by the developer. The area required for each extended dry basin footprint is shown by basin in Table IV-11. The facility identifiers in Table IV-11 are consistent with the projects listed in the 2007 Stormwater Master Plan for the City of Sherwood.

**Table IV-11: Area of Regional Stormwater Facility by Basin**

Drainage Basin	Facility Identifier	Required Area for Regional Stormwater Facility (acres)
Coffee Lake Creek	CL-1	0.57
Hedge Creek	HC-1	1.04
Rock Creek	RC-5	1.17

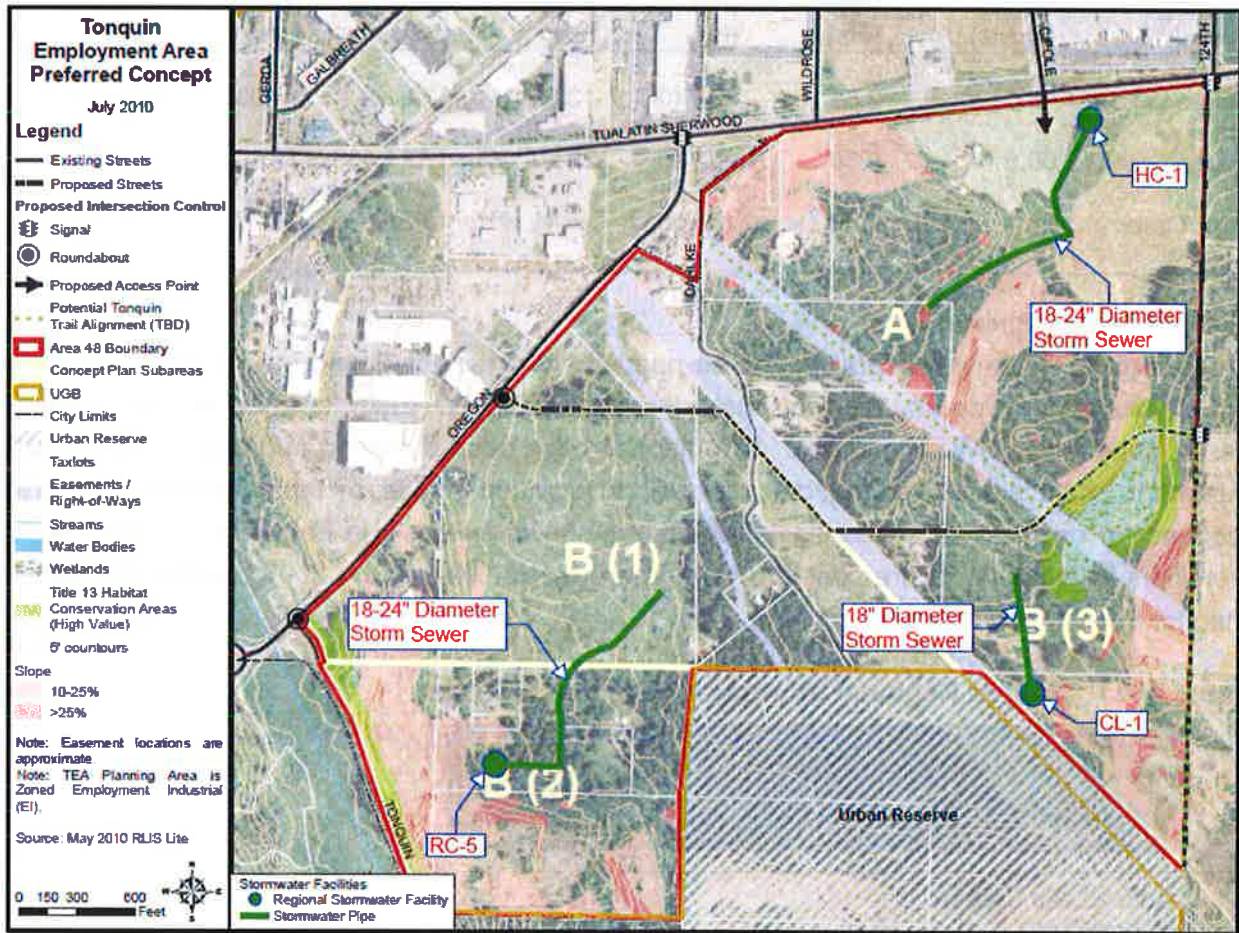
For locations of the facilities, see Figure IV-8.

For the purpose of this study we have assumed that regional water quality facilities will be constructed; however, alternative development opportunities are possible. Regional detention facilities or combination regional detention/water quality facilities are possible. Alternatively, developers could be required to construct all of their stormwater management facilities on-site; with no regional detention or water quality facilities.



It is recommended that developers be made aware of the advantages of implementing low impact development approaches (LIDA) for stormwater quality and detention purposes. The appropriate LIDA will minimize stormwater runoff generated by the development and is considered the most appropriate method of stormwater management where possible. LIDA shall be designed and constructed in accordance with CWS's 2007 Design and Construction Standards (Section 4.07).

Figure IV-8: Proposed Stormwater System



Cost estimates for the stormwater infrastructure projects in each basin are summarized in Table IV-12.



**Table IV-12: Conceptual Level Cost Estimates for Stormwater Projects by Basin**

Item No.	Description	Total
<b>Coffee Lake Creek Regional Stormwater Facility</b>		
1	2500 CY of Excavation and Grading	\$50,000
2	0.57 AC Landscaping and Temporary Irrigation	\$17,100
3	200 LF Access Road	\$10,000
4	700 LF Access Control Fencing	\$17,500
5	Pre-Treatment (Sedimentation MH)	\$10,000
6	Inlet and Outlet Structures	\$17,500
7	Plant Maintenance	\$3,075
8	5% Erosion Control	\$6,350
	Total Estimated Construction Cost	\$131,525
	45% Contingency, Administration, and Engineering	\$59,186
	Total Estimated Project Cost	\$190,711
	<b>Rounded to</b>	<b>\$191,000</b>
<b>Hedges Creek Regional Stormwater Facility</b>		
1	5100 CY of Excavation and Grading	\$102,000
2	1.04 AC Landscaping and Temporary Irrigation	\$31,200
3	450 LF Access Road	\$22,500
4	1000 LF Access Control Fencing	\$25,000
5	Pre-Treatment (Sedimentation MH)	\$10,000
6	Inlet and Outlet Structures	\$17,500
7	Plant Maintenance	\$8,850
8	5% Erosion Control	\$10,853
	Total Estimated Construction Cost	\$227,903
	45% Contingency, Administration, and Engineering	\$102,556
	Total Estimated Project Cost	\$330,459
	<b>Rounded to</b>	<b>\$331,000</b>
<b>Rock Creek Regional Stormwater Facility</b>		
1	6000 CY of Excavation and Grading	\$120,000
2	1.17 AC Landscaping and Temporary Irrigation	\$35,100
3	475 LF Access Road	\$23,750
4	1100 LF Access Control Fencing	\$27,500
5	Pre-Treatment (Sedimentation MH)	\$10,000
6	Inlet and Outlet Structures	\$17,500
7	Plant Maintenance	\$8,850
8	5% Erosion Control	\$12,135
	Total Estimated Construction Cost	\$254,835
	45% Contingency, Administration, and Engineering	\$114,676
	Total Estimated Project Cost	\$369,511
	<b>Rounded to</b>	<b>\$370,000</b>
<b>Conveyance Infrastructure</b>		
1	1800 LF 18-inch Diameter Storm Sewer Trunk Piping	\$270,000
2	1800 LF 24-inch Diameter Storm Sewer Trunk Piping	\$315,000
3	(9) 48-inch Diameter Manholes	\$47,835
	Total Estimated Construction Cost	\$632,835
	45% Contingency, Administration, and Engineering	\$284,776
	Total Estimated Project Cost	\$917,611
	<b>Rounded to</b>	<b>\$918,000</b>



## **E. Infrastructure Financing Analysis**

The infrastructure financing analysis summarizes the projected infrastructure costs and funding sources associated with the development of the Tonquin Employment Area. The intent of the analysis is to discover if any financial gaps exist between the costs to prepare the Tonquin Employment Area for development and the fees that such development will generate as it occurs.

The analysis categorizes costs into three main categories:

- **Development site costs:** These are costs that are internal to development parcels such as driveways, internal circulation, utility extensions, and utility connections to buildings. Developers typically are responsible for such costs as a part of development. Thus, the analysis excludes development site costs.
- **Onsite costs:** These costs are for improvements within the Tonquin Employment Area boundaries (hence, "onsite") that will benefit many different properties and are not attributable to any single development site. In this analysis, onsite costs that will be a public financing obligation are limited to the main east-west connector road (and its associated underground utilities) and one roundabout that will be located at the intersection of SW Oregon Street and the east-west collector.
- **Offsite costs:** Offsite costs are for infrastructure investments that will be made outside the Tonquin Employment Area boundaries, but that are necessary to serve the level of development planned in the Area.

The infrastructure financing analysis summarizes the cost estimates for infrastructure improvements in each of the main infrastructure categories: transportation, water, sanitary sewer, stormwater, and parks. It includes summaries of the anticipated costs and a comparison of those costs to the anticipated revenues from development under a 20-year development horizon. As described in this section, the analysis indicates that mandatory fees and charges that private developers are assessed at the time of development are expected to generate enough revenues to finance all required onsite and offsite infrastructure improvements. Although fees from development are expected to fully fund the needed infrastructure, the analysis concludes with a description of public financing tools that could be utilized to help offset developer costs as an incentive to spur new investment and job creation.

### **1. Transportation**

#### ***Transportation Costs***

The transportation infrastructure analysis, developed by DKS Associates and included in Section IV.C of this report, identifies transportation infrastructure improvements that will be required in the Tonquin Employment Area to serve development over the next 20+ years.





The projected cost of onsite transportation infrastructure in the Tonquin Employment Area is \$6.4 million. This includes \$5.6 million for the construction of a 4,000-foot east-west collector street from SW Oregon Street to SW 124th Street, which will serve as the primary access road through the area. It also includes \$800,000 for one roundabout on SW Oregon Street to connect to the future east-west collector. Based on the consultant team's assessment of transportation needs, development in the Tonquin Employment Area is not anticipated to trigger any offsite transportation improvements.

### ***Transportation Revenues***

Development in the Area will contribute to transportation funding in three primary ways:

- Development site infrastructure. Developers will be responsible for improvements within development parcels.
- City of Sherwood TIF. The City of Sherwood assesses a transportation impact fee (TIF) on all new development, which is assigned to one of six general use categories: residential, recreational, institutional/medical, commercial/services, office, or port/industrial. TIFs are calculated based on the total trips a development is projected to generate. Within each general use category, a fee is assigned to different types of facilities and reflects the magnitude of the impacts the facility is anticipated to have on the local transportation system. For example, the fee for a specialty retail center (\$10,961 per 1,000 square feet of gross leasable area) is higher than the fee for a general light industrial facility (\$2,421 per 1,000 square feet of gross floor area) because retail uses, which attract visitors throughout the day, generate more trips—and, thus, have a much greater impact on the transportation system—than industrial uses, which have a low job density and relatively few visitors. TIF fees generated by new development will be used to finance required Area transportation improvements such as the east-west collector road.
- Washington County TDT. Washington County assesses a transportation development tax (TDT) when a building permit or occupancy permit is issued for new development. Remodeling, temporary uses, and state and federal government buildings are exempt. Calculated on a per-unit basis for residential development and on a varying basis for different types of commercial and industrial development, the TDT is based on the estimated traffic generated by each type of development. The TDT is collected and distributed to cities for use in making transportation capital improvements designed to



accommodate growth. Eligible projects are on major roads, including sidewalks and bike lanes, as well as transit capital projects.<sup>23</sup>

Figure IV-1, shows the Tonquin Employment Area Concept Plan and its associated subareas. Table IV-13 below shows projected 20-year TIF revenues for the area. Development in the Tonquin Employment Area is projected to produce \$4.6 million in TIF revenues, which may be used to finance the east-west collector and other onsite transportation improvements.

**Table IV-13: Projected TIF Revenues for Tonquin Employment Area**

Subarea/ Employment Type	Total Acres	Buildable Acres	FAR	Building Area (s.f.)	% Developed in 20 Years	Building Area (s.f.) in 20 years	Land Use Category	TIF Assessment	TIF Assessment Unit	Estimated TIF Assessment
<b>A - All</b>	<b>129.1</b>	<b>101.8</b>								
Retail/Commercial Services		5.0	0.35	76,230	100%	76,230	Specialty Retail Center	\$10,961	per 1,000 SF of GLA	\$835,523
Light Industrial		96.8	0.20	843,322	70%	590,325	General Light Industrial	\$2,421	per 1,000 SF of GFA	\$1,429,248
<b>B(1) - All</b>	<b>71.0</b>	<b>67.3</b>								
Retail/Commercial Services		5.0	0.35	76,230	100%	76,230	Specialty Retail Center	\$10,961	per 1,000 SF of GLA	\$835,523
Light Industrial		62.3	0.20	542,758	70%	379,930	General Light Industrial	\$2,421	per 1,000 SF of GFA	\$919,857
B(2) Light Industrial	48.1	36.3	0.20	316,246	50%	158,123	General Light Industrial	\$2,421	per 1,000 SF of GFA	\$382,834
B(3) Light Industrial	47.9	29.8	0.20	259,618	25%	64,904	General Light Industrial	\$2,421	per 1,000 SF of GFA	\$157,141
<b>Total</b>	<b>296.1</b>	<b>235.2</b>		<b>2,114,402</b>		<b>1,345,743</b>				<b>\$4,560,127</b>

Source: Leland Consulting Group and the City of Sherwood

Table IV-14 shows projected 20-year TDT revenues for the Area. Development in the Tonquin Employment Area is projected to produce \$8.6 million in TDT revenues, which may be used to finance the east-west collector and other onsite transportation improvements.

<sup>23</sup> Levied countywide and in effect since July 2009, the TDT replaced the Washington County Traffic Impact Fee (TIF). The TDT doubled the TIF rates developers pay for the impact new development has on the transportation system. The new rate is being phased in over 4 years, through July 1, 2012. After July 1, 2013 the rates can increase at a rate of no more than 10% per year, based on an index tracking the costs of road construction material, labor, and right-of-way. Non-residential developments which had land use approvals prior to July 1, 2009 are charged based on the prior TIF rates. Developments may also receive credits for constructing eligible transportation improvements.



**Table IV-14: Projected TDT Revenues for Tonquin Employment Area**

Subarea/ Employment Type	Buildable Acres	Average FAR	Building Area (s.f.)	% Developed in 20 Years	Building Area (s.f.) in 20 years	Land Use Category	TDT Assessment Fee (7/1/2012)	TDT Assessment Unit	Estimated TDT Assessment
A - All	101.8								
Retail/Commercial Services	5.0	0.35	76,230	100%	76,230	Specialty Retail Center	\$10,913	per 1,000 SF of GFA	\$831,898
Light Industrial	96.8	0.20	843,322	70%	590,325	General Light Industrial	\$5,835	per 1,000 SF of GFA	\$3,444,547
B(1) - All	67.3								
Retail/Commercial Services	5.0	0.35	76,230	100%	76,230	Specialty Retail Center	\$10,913	per 1,000 SF of GFA	\$831,898
Light Industrial	62.3	0.20	542,758	70%	379,930	General Light Industrial	\$5,835	per 1,000 SF of GFA	\$2,216,893
B(2) Light Industrial	36.3	0.20	316,246	50%	158,123	General Light Industrial	\$5,835	per 1,000 SF of GFA	\$922,647
B(3) Light Industrial	29.8	0.20	259,618	25%	64,904	General Light Industrial	\$5,835	per 1,000 SF of GFA	\$378,717
<b>Total</b>	<b>235.2</b>		<b>2,114,402</b>		<b>1,345,743</b>				<b>\$8,626,600</b>

Source: Leland Consulting Group and Washington County

At \$13.2 million, the TIF and TDT fees generated by development in the Tonquin Employment Area during the next 20 years are projected to significantly exceed the cost of onsite transportation costs (\$6.4 million). However, depending on the pace of development, the east-west collector may need to be constructed in two phases if sufficient revenues are not available to finance the entire project at once.

Within the broader Tonquin Employment Area, it is anticipated that Subareas A and B (1), which have the best existing access and visibility, will develop first. Much of Subarea A, which includes the proposed retail/commercial services center at the intersection of 124th and Tualatin-Sherwood Road, can be accessed from existing roadways and could develop prior to the construction of the east-west collector. If Subarea A achieves 50 percent build out (including full development of the five-acre commercial center) early on, for example, TIF and TDT revenues assessed to new development would exceed the estimated \$3.6 million needed to construct half of the east-west collector and the roundabout at SW Oregon Street and SW Tualatin-Sherwood Road. Further, any development that occurs in Area B is anticipated to require access from the new east-west collector. Thus, development in Area B could help finance the first phase of the east-west collector on a “pay as you go” basis. Developers who provide upfront financing for the east-west collector may be eligible for a TDT or TIF credit.

**2. Water**

**Water Costs**

The Water System Concept Design, developed by CH2M HILL and included in Section IV.D of this report, identifies water system infrastructure improvements that will be required for the Tonquin Employment Area, which will be served by the City of Sherwood.





The total construction cost estimate for Tonquin Employment Area water improvements is \$2.6 million and includes a 45 percent contingency for engineering, legal, and management expenses.

### ***Water Revenues***

The water system improvements described above are considered development site improvements that would be the responsibility of developers. Thus, while the City of Sherwood may be required to finance the upfront costs associated with providing water facilities in conjunction with the east-west collector, there will be no public utility obligations to fund water infrastructure in the Tonquin Employment Area.<sup>24</sup>

Development within the Tonquin Employment Area will generate revenues based on system development charges (SDCs) that are levied on development as it occurs. These fees, assessed by the City of Sherwood, will enable the city to build and maintain the internal capacity to serve the area. The City of Sherwood assesses a one-time water SDC to new development to help finance costs associated with building capital facilities needed to accommodate growth. The SDC ranges from \$6,319 for a ¾" meter to \$568,781 for an 8" meter.

## **3. Sanitary Sewer**

### ***Sanitary Sewer Costs***

The Sanitary Sewer System Concept Design developed by CH2M Hill (see Section IV.D) identifies sanitary sewer system infrastructure improvements that will be required for the Tonquin Employment Area, which will be served by the City of Sherwood and Clean Water Services (CWS).

The total construction cost estimate for area sanitary sewer system improvements is \$6.9 million. This includes approximately \$4.4 million in trunk sewer improvements and \$2.5 million in local sewer improvements within the development to extend the sewer from the trunk to individual lots.

### ***Sanitary Sewer Revenues***

Based on CH2M HILL's analysis of sanitary sewer infrastructure requirements, it is assumed that private development will bear the total cost of sanitary sewer improvements associated with build out in the Tonquin Employment Area.

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<sup>24</sup> As development occurs, the City will be reimbursed for these water system improvements through system development charges generated by new development.



Specifically, developer requirements will include:

- Development site infrastructure. Developers will be responsible for all onsite infrastructure costs.
- Connection fees/SDCs. Depending on the diameter of the sewer line, the City of Sherwood or CWS will assess SDCs to new development to finance connection charges, which may include:
  - a. Direct connections to the district sewer system;
  - b. Indirect connections to the district sewer system including, but not limited to, building additions, or expansions, which include sanitary facilities;
  - c. Change in the use of an existing connection; and
  - d. Substantial increase(s) in the flow of or alteration of the character of sewage to an existing connection.

For commercial and industrial uses, connection fees will be calculated as Dwelling Unit Equivalents (DUEs) based on the estimated or actual metered flow in incoming water, or metered effluent. The fees are calibrated to match the expected true cost of any offsite improvements required by the development. Thus, there will be no unmet funding obligation as a result of development in the Area.

#### **4. Stormwater**

##### ***Stormwater Costs***

The Stormwater System Concept Design developed by CH2M HILL (see Section IV.D) identifies storm drainage system infrastructure improvements that will be required for the Tonquin Employment Area, which will be served by the City of Sherwood.

The total construction cost estimate for area stormwater improvements, including a 45 percent contingency for administration and engineering expenses, is \$918,000. This includes improvements to three regional stormwater treatment facilities as well as conveyance infrastructure improvements.

##### ***Stormwater Revenues***

Based on CH2M HILL's analysis of stormwater infrastructure requirements, it is assumed that private development will bear the total cost of stormwater improvements associated with development of the area.



Specifically, developer requirements will include:

- Development site infrastructure. Developers will be responsible for all development site infrastructure costs, including, at a minimum, the provision of stormwater detention facilities.<sup>25</sup>
- Regional stormwater treatment facilities (assuming developers are not required to construct all their stormwater management facilities on site).
- SDCs. The City of Sherwood will assess the following SDCs to new development to finance local and regional storm drainage facilities:
  - a. Water quantity SDC
  - b. Water quality SDC
  - c. Storm drainage SDC

Regional water quantity and water quality SDCs established by the City of Sherwood are calculated as Equivalent Service Units (ESUs) based on the total area of impervious surface attributed to a new development.<sup>26</sup> The City's storm drainage SDC is calculated on a per-square-foot basis, based on the total area of impervious surface attributed to a new development.<sup>27</sup> These fees are calibrated to match the expected true cost of any offsite local and regional stormwater improvements required by the development. Thus, there will be no unmet funding obligation as a result of development in the Tonquin Employment Area.

## 5. Parks

Although the analysis of the Area's onsite infrastructure and public facilities needs does not specifically identify any parks projects, the Area could include public parks and open space.

The City of Sherwood assesses a Parks SDC of \$75 per employee on new development. As shown in Table IV-15, based on proposed development projections, the Tonquin Employment Area is projected to generate \$172,000 in Parks SDC revenues.

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<sup>25</sup> Developers could be required to construct all stormwater management facilities within development sites. Under this scenario, no regional water quality facilities would be needed.

<sup>26</sup> One ESU = 2,640 square feet of impervious surface. Currently, CWS assesses new development a water quantity SDC of \$275 per ESU and a water quality SDC of \$225 per ESU.

<sup>27</sup> Currently, the City of Sherwood's storm drainage SDC is \$0.043 per square foot of impervious surface.



**Table IV-15: Projected Parks SDC Revenues for Tonquin Employment Area**

Subarea/ Employment Type	Total Acres	Buildable Acres	FAR	Building Area (s.f.)	% Developed in 20 Years	Building Area (s.f.) in 20 years	Job Density (empl. per 1,000 s.f.) <sup>11</sup>	Total Jobs in 20 Years	Sherwood Parks SDC Assessment	Parks SDC Assessment Unit	Estimated Parks SDC
<b>A - All</b>	<b>129.1</b>	<b>101.8</b>									
Retail/Commercial Services		5.0	0.35	76,230	100%	76,230	2.5	191	\$75	per employee	\$14,000
Light Industrial		96.8	0.20	843,322	70%	590,325	1.6	945	\$75	per employee	\$71,000
<b>B(1) - All</b>	<b>71.0</b>	<b>67.3</b>									<b>\$0</b>
Retail/Commercial Services		5.0	0.35	76,230	100%	76,230	2.5	191	\$75	per employee	\$14,000
Light Industrial		62.3	0.20	542,758	70%	379,930	1.6	608	\$75	per employee	\$46,000
B(2) Light Industrial	48.1	36.3	0.20	316,246	50%	158,123	1.6	253	\$75	per employee	\$19,000
B(3) Light Industrial	47.9	29.8	0.20	259,618	25%	64,904	1.6	104	\$75	per employee	\$8,000
<b>Total</b>	<b>296.1</b>	<b>235.2</b>		<b>2,114,402</b>		<b>1,345,743</b>		<b>2,290</b>			<b>\$172,000</b>

<sup>11</sup> Employment density figures derived from the City of Sherwood Economic Development Strategy.

Source: Leland Consulting Group and the City of Sherwood

### F. Financing Tools

After a thorough examination of potential financing tools, Leland Consulting Group has identified a range of funding tools that may be used to finance transportation and public facilities infrastructure in the Tonquin Employment Area. As described in the Section E above, mandatory fees and charges assessed to new development in the Tonquin Employment Area are anticipated to exceed the cost of required onsite and offsite transportation and infrastructure improvements. Nevertheless, additional funding tools could be used to reduce the obligations of developers as an investment incentive to attract high quality projects that support local and regional planning and economic development objectives.

The funding tools presented below have been selected based on their track record of use in the region. Several transportation funding tools are funded via the Oregon Department of Transportation (ODOT) through competitive grants that are offered annually or biannually. Local funding tools, such as urban renewal and Local Improvement Districts (LIDs), may be used to finance capital improvements within designated geographic areas or special districts. Tools that have little likelihood of being used in the Tonquin Employment Area (e.g., federal earmarks, City general fund money, etc.) are not represented on the list. It is important to note that none of these funding sources are actually committed today. However, now is the time to start laying the groundwork so that they are in place when funds are needed. This groundwork may include tasks such as applying for grants and adding Tonquin Employment Area improvements to local and regional transportation plans<sup>28</sup>. Seeking financial assistance through

<sup>28</sup> This would include identifying the new East/West Collector and the roundabout on SW Oregon as projects in the Sherwood TSP and Metro’s RTP.



a range of programs and initiatives is a strategy that is likely to increase opportunities to attract the types of industries and employment that the City and the region have targeted for the Area.

## 1. Local Funding Tools

### ***Tax Increment Financing/Urban Renewal***

Tax increment financing (TIF) is one of the most powerful public funding tools for revitalization. TIF is a mechanism where public projects are financed by debt borrowed against the future growth of property taxes in a defined urban renewal district. The assessed value of all properties within the district is set at the time the district is first established (the frozen base). As public and private projects enhance property values within the district, the increase in property taxes over the base (the increment) is set aside. Debt is issued, up to a set maximum amount (the maximum indebtedness), to carry out the urban renewal plan and is repaid through the incremental taxes generated within the district. The duration of urban renewal districts typically ranges from 15 to 25 years. When the district is retired, the frozen base is removed and all property taxes in the district return to normal distribution. The City would need to prepare an urban renewal plan, which would identify specific projects to be funded and the likely funding capacity from tax increment revenues.

### ***Local Improvement District***

A Local Improvement District, or LID, is a special assessment district where property owners are assessed a fee to pay for capital improvements such as sidewalks, underground utilities, shared open space, and other features. LIDs are typically petitioned by, and must be supported by, a majority or supermajority of the affected property owners. Since LIDs are funded by private property owners, they can help share the funding burden in a public-private partnership. Further, since it requires private property owner support, it is a good mechanism to help organize property owners around a common goal. Such a mechanism could be a useful tool to fund shared amenities and infrastructure in the Tonquin Employment Area.

### ***Washington County Major Street Transportation Improvement Program (MSTIP)***

The MSTIP is a Washington County funding mechanism that uses property tax revenues to issue bonds for capital construction of major transportation projects with countywide benefit. Most of these projects take place on county roads. The program, which generates approximately \$26 million annually, will allocate approximately \$140 million for at least 19 major projects over the next five years. The amount of funding individual projects receive varies greatly depending on the size and scale of the project. Improvements to 124th and Tualatin-Sherwood Road are examples of projects in the Tonquin Employment Area that may be eligible for MSTIP funds.





## 2. Regional Funding Tools

### ***Metropolitan Transportation Improvement Program (MTIP)***

Federally funded by the Federal Highway Administration and the Federal Transit Administration, and administered through Metro, MTIP grants are generally authorized for transportation projects. Funds have been allocated for the 2010-2013 funding cycle currently underway. However, now would be the time to seek funding for the next cycle. A project must be listed in the Regional Transportation Plan (RTP) in order to be eligible for MTIP funds. The extension of 124th Street, which includes the construction of a new five-lane street from SW Tualatin-Sherwood Road to SW Tonquin Road, is identified as a project in the RTP. This project is scheduled for completion between 2008 and 2017 at an estimated cost of \$82.5 million. Other identified transportation improvements such as the east-west collector could potentially be added to the list for funding.

## 3. State/Federal Funding Tools

### ***Special Public Works Fund***

Business Oregon's (formerly the Oregon Community and Economic Development Department) Special Public Works Fund (SPWF) provides funds for publically owned facilities that support economic and community development in Oregon. Funds are available to public entities (e.g., cities, counties, tribal entities, etc.) for planning, designing, purchasing, improving and constructing publically owned facilities, such as roadways and bridges, storm drainage, wastewater and water systems, and the purchase of land, rights of way and easements necessary for a public facility. While primarily a loan program, grants are available for projects that will create or retain traded-sector jobs. Low interest loans typically range from \$100,000 to \$9 million. Loan terms can be up to the lesser of 25 years or the useful life of a project. Grants are limited to the lesser of \$500,000 or 85 percent of the project cost. The grant amount per project is based on up to \$5,000 per eligible job created or retained.

### ***Oregon Department of Transportation Grant Programs***

The Oregon Department of Transportation (ODOT) has numerous grant programs to assist local government and public agencies on projects that encourage "smart" land use and transportation planning, enhance community livability and promote pedestrian and bicycle access and safety. The programs are funded through federal and state transportation funds. The Tonquin Employment Area includes transportation improvements that may be eligible for select ODOT grants.

- Oregon Pedestrian and Bicycle Program (ODOT). A range of pedestrian and bicycle improvements will be a part of the Tonquin Employment Area transportation infrastructure. ODOT provides grants for crosswalks, bike lane striping, and pedestrian crossing islands that fall within the rights-of-way of streets, roads and highways. During the 2010-11 funding cycle, approximately \$5 million in grants ranging from \$100,000 to





\$600,000 were awarded to 16 jurisdictions, including smaller cities, such as Talent and Sweet Home, and larger cities and counties, such as Gresham and Deschutes County.

- Oregon Transportation Enhancements (TE) Program. Using federal transportation funds, ODOT TE grants are awarded to local governments and other public agencies to support projects that improve communities and enhance the experience of traveling. New sidewalks, bike lanes, and pedestrian amenities such as benches and streetlights are eligible TE projects, as are the restoration of historic railroad stations, bus stations, and bridges. During the 2009-11 funding cycle, approximately \$11 million in grants ranging from \$280,000 to \$1.2 million were awarded to 14 jurisdictions throughout Oregon. Pending availability of additional funding, approximately \$5 million was approved for projects on the “reserve” list. Local governments must contribute 10 percent of the project’s cost.

### ***State Transportation Improvement Program (STIP)***

The STIP is Oregon’s adopted four-year investment program for major state and regional transportation systems, including interstate, state, and local highways and bridges, public transportation systems, and federal and tribal roads. It covers all major transportation projects for which funding is approved and project implementation is expected to occur during a certain time frame. The STIP includes all major transportation projects and programs in Oregon that are funded with federal dollars. It also includes state-funded projects that relate to the state highway system, and “regionally significant” locally funded projects in metropolitan areas that affect the state’s transportation system.

### ***Immediate Opportunity Fund (IOF)***

The IOF program is administered by the ODOT Financial Services’ Economics and Policy Analysis Unit. It was created in 1988 by the Oregon Transportation Commission (OTC) in order to quickly process and fund transportation improvements that would attract or retain jobs. The fund is a collaborative effort between Business Oregon and ODOT. It is intended as quick-response or incentive funding for either targeted business development projects or business district revitalization projects. Projects are either pulled from a city or county’s transportation system plan (TSP), or are small projects that are not listed in the TSP and may be added onto other larger projects.

The IOF program funds three types of projects, several of which could support development in the Tonquin Employment Area.

- Type A: Specific economic development projects that affirm job retention and job creation opportunities. Maximum grant: \$1,000,000.
- Type B: Revitalization of business or industrial centers to support economic development. Maximum grant: \$250,000.



- Type C: Preparation of Oregon Certified Project Ready Industrial Sites. Maximum grant: \$500,000.

#### 4. Other Funding Initiatives

The financial landscape is changing rapidly and new funding mechanisms are emerging to address a variety of community infrastructure and economic development needs, in particular smart growth projects that link transportation and land use, as well as development that supports energy efficiency and sustainability goals. Examples of recent funding tools and initiatives that the City may wish to track include:

##### ***Sustainable Communities Initiative***

The Sustainable Communities Initiative is a new collaboration formed in early 2010 between the Department of Housing and Urban Development (HUD), the U.S. Environmental Protection Agency (EPA), and the U.S. Department of Transportation (DOT) encourages better coordination in planning to support smart growth and more efficient development. Currently, most grants are focused on either transportation improvements or planning projects.

##### ***Transportation Investment Generating Economic Recovery (TIGER) Discretionary Grants***

As part of the 2009 American Recovery and Reinvestment Act, the federal government appropriated \$1.5 billion in discretionary grants to finance capital investments in surface transportation projects that will have a significant impact on the nation, a metropolitan area or a region. While the TIGER grants, which are administered through the Department of Transportation and available to state and local governments through September 2011, have already been awarded, it is possible that the federal government will renew this program or fund a similar program in the future.

## V. Implementation Policies

### A. Existing Policies

The City of Sherwood has identified a series of goals, objectives and an action plan in its Economic Development Strategy that will guide future community discussions and decisions on economic growth in the city. The overall economic development vision articulated in the Economic Development Strategy is:

#### *City of Sherwood Economic Development Strategy – Vision Statement*

*The City of Sherwood will drive economic development and support businesses that provide jobs for our residents by building on our assets and developing the necessary infrastructure to retain existing businesses and support new businesses. Economic development also will be supported by maintaining our livability and character as a clean, healthy, and vibrant suburban community where one can work, play, live, shop and do business.*



The Economic Development Strategy includes short-term and long-term strategies to enhance Sherwood's economic opportunities. The Strategy states:

*In the short-term, Sherwood should develop a proactive marketing strategy aimed at further defining, enhancing, and attracting existing high-growth industry clusters, including industries such as:*

- *Small to mid-size light manufacturing establishments*
- *Specialty contractors and construction firms*
- *Creative service individuals and establishments*
- *Amusement, recreation, sporting and lodging services*
- *Educational facilities*
- *Nursing and health care support services*

*Long term strategies should include planning for new industrial sites (with integrated commercial and residential development) within future master-planned employment districts in Area 48. New zoning codes may be needed to accomplish this objective.*

Specific to the Tonquin Employment Area (Area 48) the Strategy notes:

*Effective economic development strategies must also confront challenges regarding cost effective delivery of adequate project ready sites. At issue is the additional industrial land supply that was brought into the Portland Metro UGB in 2002 and 2004. While the majority of this land does not yet have adequate public roads, sewer, and water lines, the supply increase will likely create a short term industrial land surplus. Hence, Sherwood must carefully evaluate prospective land absorption and return on public investment before making major fiscal expenditures aimed at increasing its industrial land base.*

## **B. Proposed Policies**

The following proposed goal and policies are intended to implement the city's objectives for attracting state-identified industry clusters in the Tonquin Employment Area and to support the rationale for include the planning area in the Urban Growth Boundary. Once adopted, it is possible that these goals and policies could be applied to existing employment areas to support a change in land use designation, but they are principally intended to describe opportunities in the TEA and future urban expansion areas.



One of the Oregon Business Development Department's stated goals, as articulated in the 2009 Strategic Plan,<sup>29</sup> is to help existing businesses retain jobs while growing and attracting sustainable businesses by focusing value-added services in key industries. The identified industries are Clean Technology, Wood and Forest Products, Technology and Advanced Manufacturing, and Outdoor Gear & Active Wear. Of these four key industries, only one - wood and forest products - is not compatible with the city's and the region's employment goals for the TEA and other employment areas planned for urban levels of development.

Of the proposed policies for the EI zone, only one is specific to the Tonquin Employment Area and would not be applicable to other areas within the city. This policy, proposed Policy 5, acknowledges the need for a 50-acre parcel within the area, a requirement imposed when the land became part of the Metro urban growth boundary. If the EI designation is to be applied to urban reserve areas in the future, than the city may desire, or may be required, to modify the policy language to include special circumstances or requirements associated with these new areas.

*Tonquin Employment Area Development Goal:*

*To expand and diversify the Sherwood industrial economic base by establishing 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. Employment Industrial areas provide for:*

- 1. Large and medium-sized parcels for industrial campuses and other industrial sites that can accommodate a variety of industrial companies and related businesses in the following preferred industry sectors:*

*Clean Technology*

- Renewable energy/energy efficiency*
- Sustainable environmental products*

*Technology & Advanced Manufacturing*

- Manufacturing/metals*
- High technology*
- Biotechnology and bio-pharmaceuticals*

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<sup>29</sup> <http://www.oregon4biz.com/assets/docs/agency-strategic-plan.pdf>



### Outdoor Gear & Active Wear

- Sports apparel/recreation products

2. *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.*

### *Policies*

1. *Facilitate and foster the siting, development, and growth of employers whose operations can be described as part of the preferred industry sectors desired for Employment Industrial areas.*
2. *Provide development opportunities for employers of varying sizes within the Employment Industrial areas for manufacturing and other industrial uses that fall within preferred industry sectors.*
3. *Encourage business that supply and support preferred industries and that benefit from close proximity to the industry served to located in Employment Industrial areas.*
4. *Permit light industrial uses not associated with the preferred industry sectors in Industrial Employment areas provided that such uses are not incompatible with the types of industry preferred for these areas.*
5. *Only retail and commercial service uses that support employers and employees within and adjacent to the Tonquin Employment Area shall be permitted.*
6. *Encourage and accommodate the creation of larger industrial parcels including at least one parcel 50-acre or larger parcel within Sub-area "A" of the Tonquin Employment Area through zoning provisions that facilitate land assembly consolidations and/or partitioning to create large campus-like industrial sites.*
7. *Encourage aesthetically attractive, well designed industrial uses and sites within development approved for construction in the Industrial Employment areas.*
8. *Where applicable, require development in Industrial Employment areas to be designed within the context of adjacent existing or future employment areas, in particular with respect to site design, building orientation, and the continuation of the existing transportation system.*





9. *Encourage future development designs that are sensitive to the existing natural features of the area and support development proposals that incorporate, preserve, and enhance natural features.*

#### *Implementation*

1. *The City of Sherwood shall amend the Zoning and Community Development Code to include an Employment Industrial zone that implements the goals and policies in this section.*
2. *The Employment Industrial zone may be applied only to those properties within city limits, or upon their annexation to the city.*

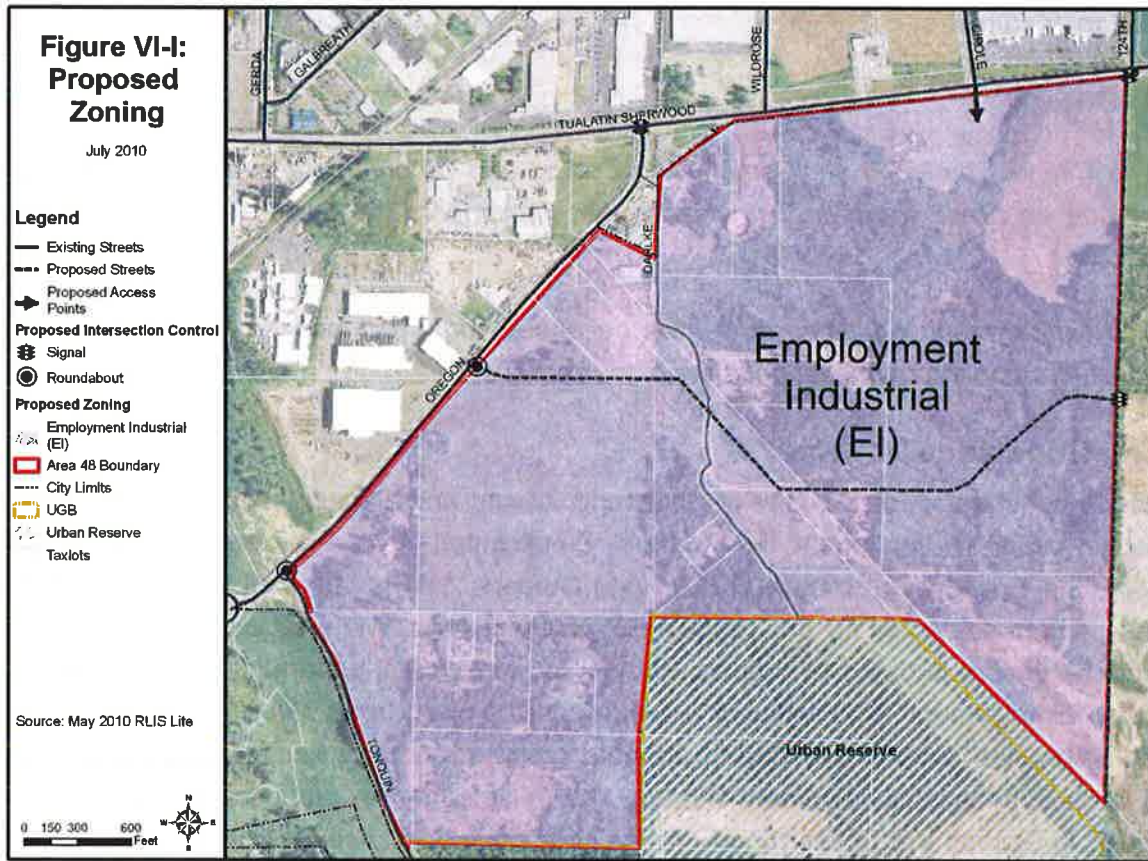
## **VI. Zoning Code Requirements**

A proposed new chapter for the City of Sherwood Zoning and Development Code has been developed in order to implement the Tonquin Employment Area Preferred Concept Plan. Specifically, the Employment Industrial (EI) zone (Appendix B) is intended to implement the city's development strategies for the Tonquin Employment Area. While supportive of economic growth, the EI zone is targeted to support the type of employment opportunities envisioned for the Tonquin Employment Area when it was included in the Urban Growth Boundary. As described below, the zone is intended to promote preferred industry sectors that the city has targeted in its Economic Development Strategy, as reflected in the proposed Comprehensive Plan policies in Section V.B of this report. At the same time, the zone restricts uses that would impede or be inconsistent with the types of employment uses targeted for the area. The EI zone also implements the land division requirements of Metro's Title 4. Figure VI-1 shows the application of the EI zone to the Tonquin Employment Area.





Figure VI-1: Proposed Zoning



Guidance for the development of the Employment Industrial (EI) zone came from the participants in a Tonquin Employment Area Economic Development Meeting, November 2009, discussing the topic of future employment uses in the area. Participants included key members of the Tonquin Employment Area Concept Plan development team, Tom Nelson, the City's Economic Development Manager, and commercial real estate brokers. Additional input from City staff refined the approach and resulted in the proposed draft EI zone chapter.

The model for the draft Employment Industrial (EI) zone chapter is the city's existing Light Industrial zone. The EI zone is distinguishable from the city's existing LI zone by the new zone's purpose statement, the permitted uses, and dimensional standards addressing the retention of a large (50 acre) parcel. The following purpose statement has been drafted for the EI zone that reflects the proposed policy language and emphasizes that areas with the EI zone designation are intended to be attractive to and suitable for key industries and the businesses that supply them.

#### *Purpose*

*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 Commission.*

Reflecting the conversation at the Tonquin Employment Area Economic Development Meeting, the challenge with regulating new employment areas can be characterized as the tension between aspirations, as described in the EI policies and reflected in the purpose statement, and the current, market-driven demand that exists today. In anemic growth periods such as exists today it is politically unpopular to deny permitting any business or industry that brings employment opportunities. However, permitting uses that do not fulfill long-term economic



development objectives may result in short-term employment gains but future land uses that hinder or preclude the identified desired industries. The intent of the proposed EI zone is to provide a unique place for emerging technologies and for the possibility of synergistic clusterings of similar uses, while at the same time allowing for more traditional light industrial uses that could be sited in, or compatibly among, industrial park or campus developments.

Consistent with the zone's purpose statement, uses associated with the three identified key industries are permitted outright. Through a conditional use permit process, uses that can be shown to be "consistent with, or a variation of" target industry uses will also be permitted. No other new uses have been included in the EI zone, but many LI permitted uses have been modified to better meet the objectives of the new employment area(s). Some uses that are permitted in the LI zone are not recommended for the EI zone because they are not closely related to the targeted industries or are uses that have the potential to remove a large amount of buildable land from the available inventory without providing the type of employment envisioned for the EI designated-areas.

The city has recently modified both the Light Industrial (LI) and the General Industrial (GI) zone chapters to include Metro Title 4 limitations on commercial uses in industrial zones. The proposed EI zone also includes these requirements, but they are located in the standards, not the use, section of the chapter. In addition to standards that are identical to the existing LI zone, the EI zone includes provisions that apply to only the Tonquin Employment Area.

Finally, some additional definitions will need to be adopted to describe new terms in the EI zone. Draft definitions have been included at the end of the Employment Industrial (EI) Zone document for convenience, but ultimately should be incorporated into the definitions section of the Zoning and Community Development Code. Proposed definitions have been modified from definitions readily available via dictionary and industry-related internet sites.

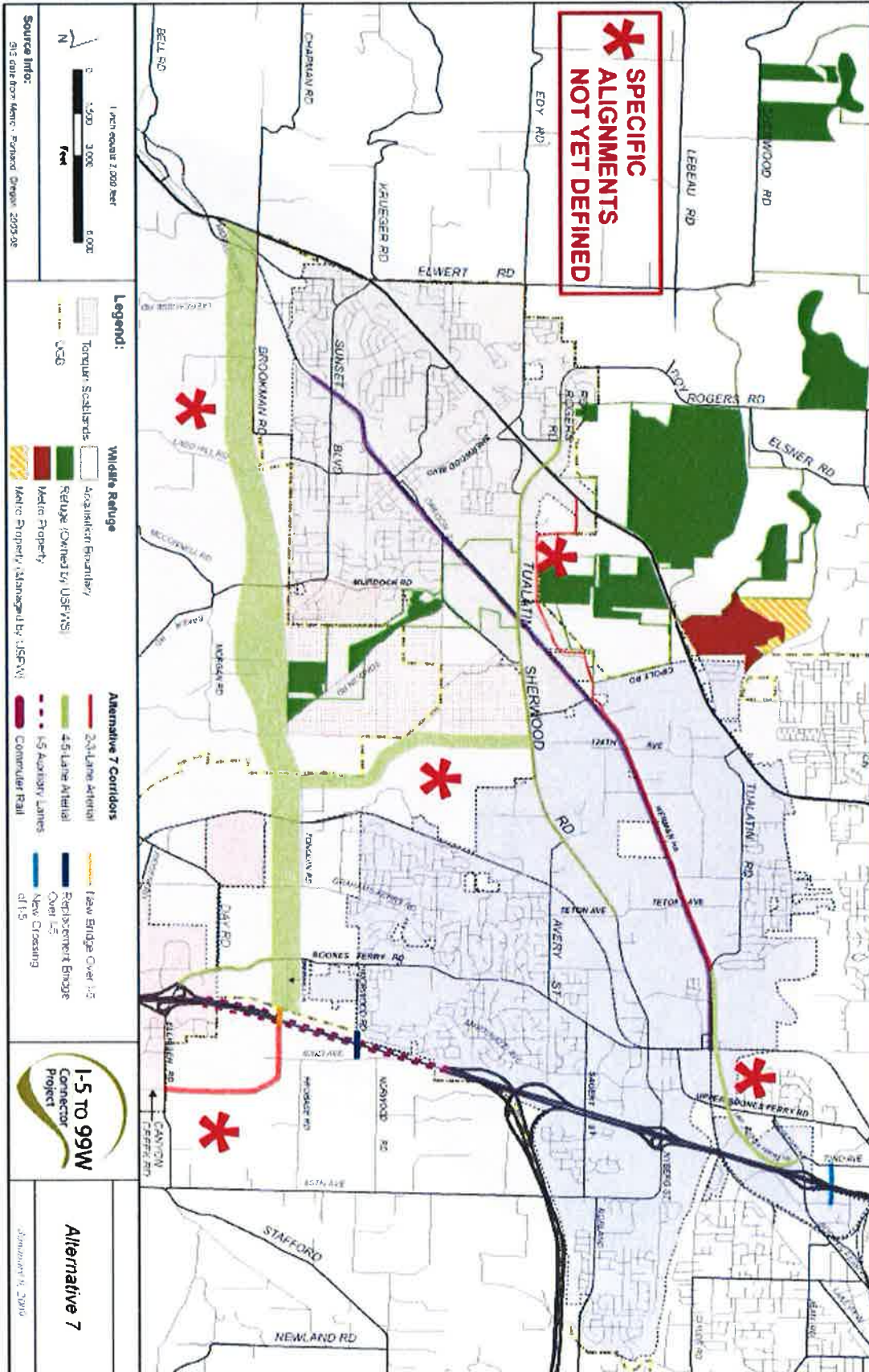


# APPENDIX











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**Chapter 16.31****EMPLOYMENT INDUSTRIAL (EI)****Sections:**

- 16.31.010 Purpose**
- 16.31.020 Permitted Uses**
- 16.31.030 Conditional Uses**
- 16.31.040 Prohibited Uses**
- 16.31.050 Commercial Use Restrictions**
- 16.31.055 Tonquin Employment Area (TEA) Commercial Use Restrictions**
- 16.31.060 Dimensional Standards**
- 16.31.070 Community Design**
- 16.31.080 Flood Plain**

**16.31.010 Purpose**

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 Commission.

**16.31.020 Permitted Uses**

The following uses are permitted outright, provided such uses meet the applicable environmental performance standards contained in Division VIII.



- A. Manufacturing, compounding, processing, assembling, packaging, treatment, fabrication or wholesaling of articles or products associated with the preferred industry sectors identified for the EI zone, including uses associated with the following:
  - 1. Renewable energy/energy efficiency
  - 2. Sustainable environmental products
  - 3. Advanced manufacturing
  - 4. High technology
  - 5. Biotechnology and biopharmaceuticals
  - 6. Sports apparel and other recreation products
- B. Contractor's offices, and other offices associated with an approved use in the EI zone.
- C. Public and private utilities.
- D. Laboratories.
- E. Dwelling unit for one (1) security person employed on the premises, and their immediate family.
- F. PUDs subject to the provisions of Chapter 16.40.
- G. Temporary uses, including but not limited to construction and real estate sales offices, subject to Chapter 16.86.
- H. Wireless communication antennas co-located on an existing tower or on an existing building or structure not exceeding the roof of the structure provided the applicant can demonstrate to the satisfaction of the City that the location of the antenna on City-owned property would be unfeasible.
- I. Manufacture, compounding, processing, assembling, packaging, treatment, fabrication or wholesaling of any articles not prohibited in Section 16.31.040.
- J. Incidental retail sales or display/showroom directly associated with a permitted use pursuant to 16.31.020. Sales or display space shall be limited to a maximum of 10% of the total floor area of the business.

**16.31.030 Conditional Uses**

The following uses are permitted as Conditional Uses provided such uses meet the applicable environmental performance standards contained in Division VIII and are approved in accordance with Chapter 16.82:

- A. Any use not otherwise listed that can be shown to be consistent with the uses associated with allowed uses in 16.31.020(A).
- B. Government facilities, including but not limited to postal, police, fire, and vehicle testing stations.
- C. Light metal fabrication, machining, welding and electroplating and casting or molding of semi-finished or finished metals.
- D. Transmitters and wireless communication towers except for towers located within 1,000 feet of the Old Town District which are prohibited.
- E. Restaurants without drive-thru that meet the requirements of 16.31.050 or 16.31.055, as applicable.
- F. Commercial trade schools.



- G. Power generation plants and associated facilities serving a permitted use.
- H. Daycares, preschools, and kindergartens that meet the requirements of 16.31.050 or 16.31.055, as applicable.
- I. Public or private recreational facilities including parks, playfields and sports and racquet courts.
- J. Personal services, including but not limited to financial, medical and dental, social services, and similar support services that meet the requirements of 16.31.050 or 16.31.055, as applicable.
- K. Business services, including but not limited to financial, real estate, legal, copying and blueprinting, and similar support services that meet the requirements of 16.31.050 or 16.31.055, as applicable.
- L. Postal substations that meet the requirements of 16.31.050 or 16.31.055, as applicable.
- M. Automotive service stations, including tire and wheel balancing, and incidental repair, when conducted entirely within an enclosed building and that meet the requirements of 16.31.050 or 16.31.055, as applicable.
- N. Automotive, light truck and small equipment repair and service, when conducted entirely within an enclosed building and that meet the requirements of 16.31.050 or 16.31.055, as applicable.

**16.31.040 Prohibited Uses**

Any use that is not permitted or conditionally permitted under Section 16.31.20 or Section 16.31.030 is prohibited in the EI zone. In addition, the following uses are expressly prohibited, subject to the provisions of Chapter 16.48 Non-Conforming Uses:

- A. Adult entertainment businesses.
- B. Meat, fish and poultry processing.
- C. Auto wrecking and junk or salvage yards.
- D. Manufacture, compounding, processing, assembling, packaging, treatment, fabrication, wholesale, warehousing, or storage 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.
- E. Rock crushing facilities.
- F. Aggregate storage and distribution facilities.
- G. Concrete or asphalt batch plants.
- H. General purpose solid waste landfills, incinerators, and other solid waste facilities.
- I. Restaurants with drive-thru facilities.
- J. Warehousing and storage not associated with a permitted use.



**16.31.050 Commercial Use Restrictions**

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. New buildings for stores, branches, agencies or other retail uses and services shall not occupy more than 5,000 square feet of sales or service area in a single outlet and no more than 20,000 square feet of sales or service area in multiple outlets in the same development project.

**16.31.055 Tonquin Employment Area (TEA) Commercial Use Restrictions**

1. Within the Tonquin Employment Area (TEA), only commercial uses that directly support industrial uses located within the TEA are permitted as conditional uses.
2. A maximum of one commercial development, not to exceed five (5) acres in size, may be permitted on each side of the collector street connecting 124<sup>th</sup> Avenue to Oregon Street (*See 2010 Tonquin Employment Area Preferred Concept Plan*), for a maximum of ten (10) total acres of “stand alone” commercial development within the TEA.
3. Commercial development may not be located within 300 feet of 124<sup>th</sup> Avenue.

**16.31.060 Dimensional Standards**

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.

A. Lot Dimensions

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

1.	Lot area:	10,000 sq ft
2.	Lot width at front property line:	100 feet
3.	Lot width at building line:	100 feet
4	Parcels larger than 50 acres:  Lots or parcels larger than 50 acres 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.	



5	<p>Partitioning 50 acre parcel:</p> <p>Lots or parcels 50 acres or larger, including those created pursuant to paragraph (4) 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.</p>	
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**B. Setbacks**

Except as otherwise provided, required minimum setbacks shall be:

1.	Front yard:	Twenty (20) feet, except when abutting a residential zone, then there shall be a minimum of forty (40) feet.
2.	Side yard:	None, except when abutting a residential zone, then there shall be a minimum of forty (40) feet.
3.	Rear yard:	None, except when abutting a residential zone, then there shall be a minimum of forty (40) feet.
4.	Corner lots:	Twenty (20) feet on any side facing a street, except when abutting a residential zone, then there shall be a minimum of forty (40) feet.

**C. Height**

Except as otherwise provided, the maximum height shall be fifty (50) feet, except that structures within one-hundred (100) feet of a residential zone shall be limited to the height requirements of that residential zone.

**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, see Divisions V, VIII and IX.

**16.31.080 Flood Plain**

Except as otherwise provided, Section 16.134.020 shall apply.





## **New Definitions**

**Advanced Manufacturing.** The application of cutting edge concepts in electronics, computers, software and automation to enhance manufacturing capabilities and improve production. Advanced manufacturing technology is used in all areas of manufacturing, including design, control, fabrication, and assembly. This family of technologies includes robotics, computer-aided design (CAD), computer-aided engineering (CAE), manufacturing resource planning, automated materials handling systems, electronic data interchange (EDI), computer-integrated manufacturing (CIM) systems, flexible manufacturing systems, and group technology.

**Biopharmaceuticals.** Medical drugs derived from biological sources and produced using biotechnology.

**Biotechnology.** Technology based on biology, especially when used in agriculture, food science, and medicine, and includes any technological application that uses biological systems, living organisms, or derivatives thereof, to make or modify products or processes for specific use.

**Clean Technology.** A diverse range of products, services, and processes that harness renewable materials and energy sources, dramatically reduce the use of natural resources, and cut or eliminate emissions and wastes. Clean technology includes wind power, solar power, biomass, hydropower, biofuels, information technology, green transportation, electric motors, and innovations in lighting and other appliances related to energy efficiency.

**High Technology.** Scientific technology involving the production or use of highly advanced, sophisticated, or specialized systems or devices, especially those used in the fields of electronics and computers.

**Renewable Energy.** Energy derived from, or effectively using resources which may be naturally replenished. such as sunlight, wind, rain, tides and Renewable energy technologies include those associated with solar power, geothermal heat, wind power, hydroelectricity, and biofuels used for transportation.

**Sustainable environmental products.** Products that are designed to lessen negative impacts on the natural environment or to enhance the potential longevity of vital human ecological support systems, such as such as the planet's climatic system and systems of agriculture, industry, forestry, fisheries, and the systems on which they depend.



can be provided in conjunction with development.

- Where impacts on residential areas can be minimized.

4) Neighborhood Commercial (NC)

This designation is intended to provide for neighborhoods serving small scale retail and service uses consistent with sound site planning in the following general areas:

- Areas which are within reasonable walking distance from living areas and/or convenient access by way of collector or arterial streets.
- Areas where retail or service uses can be adequately screened from adjoining living areas so as to enhance rather than detract from the residential character of the neighborhood. Site review standards relating to setbacks, landscaping, buffering, signs, access and architectural features shall assure compatibility with surrounding uses.
- Where a full range of urban facilities and services are available or can be provided in conjunction with development.

5) Old Town (OT)

The OT zoning district is an overlay district generally applied to commercially zoned property, and residential properties with the potential for commercial conversion, in the Smockville Subdivision, also known as Old Town. The OT zone recognizes the unique and significant characteristics of Old Town, and is intended to provide development flexibility with respect to uses, site size, setbacks, heights, and site design elements, in order to preserve and enhance the area's commercial viability and historical character.

**J. INDUSTRIAL LAND USE**

**1. FINDINGS**

a. Growth and Current Distribution

Existing industrial development currently comprises 8% of developed land in the City and 6% of developed land in the urban area. Only 26% of incorporated land and 2% of unincorporated land which is industrially zoned is currently developed. Industrial development is generally located along the railroad track near the downtown grid and extending northeast along the tracks along Edy Rd.

and Tualatin-Sherwood Road to Cipole Road.

Industrial growth in the Planning Area has been slowed by lack of major utility service to the northeast industrial area. Land extensive industrial uses have recently been developed in the unincorporated portion of the urban area.

Existing industrial uses in the City including a tannery have produced conflicts with surrounding residential uses.

A fully developed northeast industrial area will require improved major road access to Highway 99W and I-5. Soils with poor support strength and poor drainage will require careful siting considerations in much of the northeast industrial area. Scattered development of unincorporated land and extensive industrial land has resulted in inefficient land usage, premature demand for urban services, a lessened demand for higher cost incorporated sites, and a worsening of conditions on important regional road linkages.

b. Industrial Space Needs

Although for many years a free standing community, Sherwood economically depends on the Portland Metropolitan area for its basic employment. Housing survey results (City of Sherwood 1978) show that about 85% of Sherwood's labor force works outside of the Urban Area. General projections of industrial employment and space requirements for the Sherwood urban area have been provided by Metro. However, Sherwood continues to maintain a longstanding goal of achieving a proper balance between residential and non-residential uses.

**K. INDUSTRIAL PLANNING DESIGNATIONS**

**1. GENERAL OBJECTIVES:**

- a. To encourage the development of non-polluting industries in designated, well planned industrial areas.
- b. To locate industrial development so as to assure its compatibility with the natural environment and adjoining uses.
- c. To establish criteria for the location of designated classes of industrial uses.
- d. To promote diversification of the City's economic base by promoting business retention and expansion, business recruitment and marketing.
- e. To assure that public facilities are extended in a timely and economic fashion to areas having the greatest economic development potential.

## 2. POLICIES AND STRATEGIES

In order to address the above general objectives, the following policies for industrial development are established.

**Policy 1 Industrial uses will be located in areas where they will be compatible with adjoining uses, and where necessary services and natural amenities are favorable.**

**Strategy:**

- Only non-polluting industries meeting specific performance standards relating to noise, glare, vibration, water, air and land pollution will be allowed.
- Industrial uses will be subject to special design and site review standards including those assuring proper access, landscaping, buffers, setbacks and architectural design. Buffers shall be established between industrial uses and designated greenways, wetlands and natural areas.
- Industrial uses will be encouraged to locate in industrial planned unit developments.
- Industrial development will be allowed only on suitable land and soils which have adequate support strength.
- Industrial development will be restricted to those areas where adequate major roads, and/or rail, and public services can be made available.

**Policy 2 The City will encourage sound industrial development by all suitable means to provide employment and economic stability to the community.**

**Strategy:**

- The City will allocate land to meet current and future industrial space needs which will provide an appropriate balance to residential and commercial activities.
- The City will encourage clean capital and labor intensive industries to locate in Sherwood.
- The City will prohibit the development of large-scale retail uses with significant traffic impacts and large parking requirements on industrially zoned land.

## L. INDUSTRIAL PLANNING DISTRICT OBJECTIVES

### 1. Employment Industrial (EI)

Minimum Site Standards: 10,000 square feet

The 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.

**2. Light Industrial (LI)**

Minimum Site Standards: 10,000 square feet

This designation is primarily intended to provide for the manufacturing, processing, assembling, packaging, and treatment of products which have been previously prepared from raw materials. Processes involved should not produce significant amounts of vibration, noise, glare, air, water and land pollution as defined and limited by DEQ. The designation is applicable in the following general areas.

- Where there are sites with suitable soil and terrain and of sufficient size to provide ample space for expansion, parking, landscaping and buffering.
- Where light industrial development will be compatible with existing or planned long range land use patterns and will not detract from existing environmental assets. Generally, this designation encourages the development of suitable uses into industrial subdivisions or parks.
- Where a full range of urban services are available or can be provided in conjunction with development and where the provision of services to a future expanded industrial area is feasible.
- Where adequate major road and/or rail access is available to serve the proposed uses.

**2. General Industrial (GI)**

Minimum Site Standards: 20,000 square feet/site

This designation is intended to provide for the manufacturing, processing, or assembling of products from previously prepared or raw materials, excepting those processes which cause significant amounts of vibration, noise, glare, air, water and land pollution as defined and limited by DEQ. This designation is applicable in the following general areas.

- Where there are sites with suitable soil and terrain and of sufficient size to provide ample space for expansion, parking, landscaping and buffering.
- Where more intensive industrial uses may be accommodated in areas adequately separated from and not suitable for retail commercial, residential and related uses.
- Where a full range of urban services are available or can be provided in conjunction with development and where the provision of services to a future expanded industrial area is feasible.
- Where adequate major road and/or rail access is available to serve proposed uses.
- Where industrial uses will not unduly detract from existing environmental assets.

**M. INSTITUTIONAL, PUBLIC AND SEMI-PUBLIC LAND USE**

Public and semi-public uses serve to complement and support residential, commercial, and industrial activities. Public uses include facilities and services provided by government agencies and special districts such as utilities, libraries, schools, police and fire protection, recreation facilities, open space, and governmental buildings. Semi-public uses include services provided by quasi-public agencies, and organizations. Semi-public is broadly defined to include facilities and services provided by non-profit private groups as well as government supported and/or regulated agencies providing a public service. These uses include day care centers, fraternal organizations, hospitals, retirement homes, churches, electric natural gas and telephone facilities. All existing institutional, public, and quasi-public areas are planned and zoned Institutional/Public (IP).

**N. THE PLAN/ZONE MAP**

**1. INTRODUCTION**

The Plan/Zone Map is the graphic expression of the objectives and policies contained in each Plan section, as well as the designated zoning of all properties. In some cases it is supplemented by more detailed maps contained in other plan sections. The essential purpose of the Plan/Zone Map is to serve as a tool to shape the future land use pattern so



## URBAN GROWTH BOUNDARY ADDITIONS

### A. INTRODUCTION

The urban growth boundary (UGB) has largely remained unchanged since it was drawn in the 1980s. The planning period of the last “periodic review” of the Comprehensive Plan in 1991 was extended from 2000 from the original adoption of the Comprehensive Plan – Part 1 (1980) to 2010. Conversely, the City of Sherwood experienced rapid growth in the 1990s and continues to add more residents in the twenty-first century. Policy makers did not anticipate rapid changes to the UGB when policies were established over fifteen years ago and the 1990 population was 3,093.

The Metro Council added over approximately 700 acres to the Sherwood portion of the regional UGB in two separate decisions in 2002 and 2004. Metro will consider additional lands in 2007 to meet a twenty year supply of residential land in a five year periodic review interval. Metro requires a “concept plan” prior to annexation by a local jurisdiction. A concept plan is similar to a master plan, but with less detail; it outlines the future land uses, public facilities, and other urban services, but does not mandate the specifics associated with an actual development proposal.

In order to plan for the projected period of strong growth pressure in the Sherwood Urban Area the City has developed a new element to the Comprehensive Plan – Part 2 referred to as Chapter 8 – Urban Growth Boundary Additions. This Chapter will support and reinforce the adopted policies in Chapter 4 – Growth Management and will overlap in other areas. Additions are considered lands that are officially added to the regional UGB and the growth management policies are intended to guide the decision-making process prior to addition of more land and while land is ready to urbanize. The ultimate level, rate, and direction of growth can, to a large extent, depend on the urban growth management policies and objectives of the City, Metro, and the State. This Chapter of the Plan contains the data, assumptions, policy goals, objectives, and implementation strategies to accomplish the community’s needs and vision as expressed in the respective concept plans as well as general goals and objectives for consistent UGB additions. A brief narrative of each concept plan is also included to capture the unique and historical aspects of the concept planning process.

This Chapter will also summarize the results and recommendations of each concept plan over time as new additions are made to the UGB the Plan can respond accordingly. Sections are organized by each concept plan that reinforces the overall policy goals and objectives. For example, in 2004 the City established the Area 59 Citizens Advisory Committee (CAC) to make recommendations to be reviewed and revised by the Planning Commission and City Council. This Plan element designates specific land, such as Area 59, within the UGB to meet the needs of a projected population increase; provides for the orderly and economic extension of urban services; and specifies policies for the conversion of rural, agricultural and urbanizable land to certain urban uses. The overall purpose of this Chapter is to establish policies for the management of the City's UGB additions consistent with LCDC Goal 14 and Title 11 of the Metro Urban Growth Management Functional Plan (i.e. Functional Plan).

Until 1985, this Plan was a complementary plan, that is, it applied within the City limits. The

Washington County Comprehensive Plan continued to apply to land within the Sherwood Planning Area, but outside of the City limits, via the Sherwood Community Plan. The Washington County/Sherwood Urban Planning Area Agreement (UPAA) was developed to meet intergovernmental coordination requirements of LCDC Goal 1, and details the on-going relationship between the City and County in developing, implementing, and revising their respective Comprehensive Plans for the Sherwood Planning Area. This agreement was updated biennially, the most recent in ~~1988~~2010 (Resolution 2010-010). ~~Recent amendments to the agreement have been approved by the City Council in 2006 (Resolution 2006-037) and are incorporated into this section.~~ Additional amendments will be adopted and reviewed separately from any plan amendment process for a concept plan.

**B. URBAN GROWTH BOUNDARY DATA & ASSUMPTIONS**

The Sherwood Urban Growth Boundary (UGB) is currently defined as the area west of Cipole Road, east of Elwert Road, north of Brookman Road, and south of the Tualatin River National Wildlife Refuge and is included within the regionally adopted Metro Urban Growth Boundary.

The growth assumptions developed and selected for Sherwood during the previous Plan preparation in 1991 were low. At that time, the Plan projected 5,355 people in the urban area by 1988 as opposed to an actual 10,600 people by 2000 projected in the 1980 Plan. This difference arose from a projected 7% to 12% annual increase anticipated by connection of the Sherwood sewer system to the Durham Sewage Treatment Plant owned and operated by Clean Water Services. Since then growth has overwhelmed Sherwood: the population according to the 2000 US Census was 11,791 and 14,410 in 2005 inside the City limits, according to an estimate by Portland State University’s Population Research Center.

Sherwood has become a bedroom community for families that work elsewhere in the Portland Metro area. According to the Washington County Tax Assessor’s Office, the residential to non-residential tax base ratio is 80 percent residential and 20 percent non-residential. This jobs housing imbalance does not provide a sustainable economy for providing urban services and has repercussions on providing cost-effective urban services.

The Metro Region 2040 Growth Concept Map designates land use for future urban growth areas. The following table summarizes the acreage, planned land use designation, applicable planned densities, and the year the land was brought into the UGB.

**Table VIII -1 - Summary of UGB Additions 2002-2004**

UGB Addition	Year	Acres	2040 Land Use Type	Planned Density*
Area 59	2002	85	Outer Neighborhood	7.3 to 10 units per acre
Area 54-55	2002	235	Inner Neighborhood	9.6 to 10 units per acre
99W Areas	2002	23	Employment/Industrial	N/A
Area 48	2004	354	Industrial	N/A

\*Metro Code 3.07.170 describes the design type as persons per acre versus units per acre. This metric is converted to planned density for comparison purposes.

As the above table illustrates, the design types provide a range of net densities within developable areas. The Metro Housing Rule (OAR 600-007-035) requires Sherwood to plan

for six (6) units per acre. The maximum density of ten (10) units per acre is a requirement under Title 11 of the Metro Functional Plan where the minimum density threshold is set by the design type in the 2040 Growth Concept Map. Concept plans for UGB additions will need to account for these minimum and maximum ranges. For the purposes of concept planning UGB additions, 25 percent of each subject area is netted from the gross density calculation to plan for public facilities, including streets, utilities, stormwater retention, and dedicated open space. Dedicated parks and civic uses are not counted towards a density calculation.

**Table VIII – 2: Concept Plan Summary by Area**

Land Use	Acres	Planned Density
<b>AREA 59</b>		
Single-family detached	19	5 – 8 units per acre
Single-family attached	5	8 – 10 units per acre
Live-Work / Neighborhood Commercial	3	8-10 units per acre
Civic/Institutional Public	29	
Open Space (Goal 5)	12.5	
Neighborhood Park	3.5	
Streets (right-of-way)	12	
<b>Area 54-55 – Brookman</b>		
Commercial –retail	2.07	
Employment – Office	13.32	
Employment – Industrial	13.32	
Medium Density Residential Low	85.53	5.6-8 units per acre
Medium Density Residential High	10.39	5.5-11 units per acre
High Density Residential	12.07	16.8-24 units per acre
Park (community and neighborhood)	8.25	
<del>Area 48 – Tonquin</del> <del>Industrial/Tonquin</del> <del>Employment Area</del> <del>Employment Industrial</del>	<del>TBD300</del>	
<b>Adams Avenue North Concept Plan area</b>		
Light Industrial	34.2	
99W Area (west side of 99W)	TBD	

Annexation in Sherwood requires voter approval. Sherwood has the choice of devising an annexation plan that would determine the pace, criteria, and size of future annexations. An annexation plan is a Title 11 requirement, but this is intended to address the delivery of services among multiple jurisdictions. It is assumed that Sherwood will provide most urban service short of emergency response, and continue to have a voter annexation process. This policy choice will substantially limit the amount of developable property because annexations require a petition by the owner to be referred to the ballot and voter approval.

During the 1989-90 Plan update the City adopted an additional provision to be incorporated into the Urban Planning Area Agreement, which governs the administration of planning duties

between the City and Washington County. Since the Sherwood Comprehensive Plan employs a one-map system wherein an illustrative requirement fulfills a dual role by serving as both Plan Map and Zone Map, the map establishes land use designations or zones for unincorporated portions of the Urban Planning Area. Therefore, to simplify the process, the agreement provides that with adequate notice to the affected property owners, upon annexation of any property within the urban planning area to the City, the land use designation specified by the Sherwood Comprehensive Plan and Zone Map is automatically applied to the property on the effective date of the annexation (as authorized by ORS 215.130(2)a and after adequate notice to the property owner). As it relates to the concept planning process, a general land use designation, such as residential, civic, or commercial is proposed and approved consistent with the Region 2040 Growth Concept Map. Subsequently, through the implementation or legislative process, actual zoning designations are applied through a plan amendment to the Plan and Zone Map for adoption.

**C. GENERAL POLICY GOALS AND OBJECTIVES**

Goal 1: To adopt and implement an orderly urban growth boundary addition and management policy which will accommodate future growth consistent with established growth limits, planned residential densities, neighborhood oriented services, employments opportunities, and land carrying capacity based on environmental quality and livability.

**OBJECTIVES**

- Policy 1            Focus growth into areas contiguous to existing development rather than "leap frogging" over developable property.
- Policy 2            Encourage development within areas that have access to public facility and street extensions in the existing city limits.
- Policy 3            Encourage annexation inside the UGB where City services area available and can be extended in a cost-effective and efficient manner.
- Policy 4            When Metro and Sherwood designates future urban growth areas, consider lands with poorer agricultural soils before prime agricultural lands, lands that are contiguous to areas planned for urban services, and land that resides in Washington County to reduce confusion over jurisdictional administration and authority.
- Policy 5            Achieve the maximum preservation of natural and historic resources and features consistent with Goal 5 of the Statewide Land Use Planning program and Chapter 5 of this Plan.
- Policy 6            Provide multi-modal access and traffic circulation to all new development that reduces reliance on single occupant vehicles (SOV) and encourages alternatives to cars as a primary source of transportation.
- Policy 7            Establish policies for the orderly extension of community services and public

facilities to areas added for new growth consistent with the ability of the community to provide necessary services. New public facilities should be available in conjunction or concurrently with urbanization in order to meet future needs. The City, Washington County, and special service districts should cooperate in the development of a capital improvements program in areas of mutual concern. Lands within the urban growth boundary shall be available for urban development concurrent with the provision of the key urban facilities and services.

Policy 8 Provide for phased and orderly transition from rural to suburban or urban uses. Larger UGB expansion areas shall include a phased development plan to achieve a sustainable transition over time.

Policy 9 To provide a regionally consistent population projection methodology and the accurate allocation of people, a revised population projection for Sherwood should be developed and coordinated with other County jurisdictions, Washington County, and Metro during periodic review of the Metro UGB and Sherwood's Comprehensive Plan.

Policy 10 - The City of Sherwood shall lead the concept planning for areas contiguous to the existing UGB. The City of Sherwood and special districts, such as Tualatin Valley Fire & Rescue, are the primary service providers. Washington County does not want to provide urban services outside of city limits. Sherwood will work cooperatively with the County, special districts, and neighboring cities, including Tualatin, to determine urban service boundaries, service delivery, and when feasible share resources, such as public facilities to encourage cooperation, cost-effective delivery, and economic development in future growth areas.

Policy 11- As part of the concept planning process, the City will submit findings from any study or technical analysis to inform Metro on appropriate future revisions to the Urban Growth Boundary (UGB) in conformance with the Metro 2040 Growth Concept Plan and the need to accommodate urban growth to the year 2017 and beyond. The City will work with neighboring cities, Washington County, and Metro on an "urban reserve" program that identifies future lands beyond a 20 year planning horizon to facilitate efficient and well planned public facilities and services.

Policy 12 - Changes to concept plans can be made prior to implementation based on supported evidence and may be proposed by the City, County, special districts, and individuals in conformance with City, County, and Metro procedures for amendment of their respective Comprehensive Plans. Concept plan maps shall be adopted in this Chapter and new development shall conform to the land uses, transportation network, parks and open space, and other applicable concept level designs.

Policy 13 - Generally, new concept plans shall conform to Title 11 requirements and any conditions of approval related to the addition of the land. Concept plans shall



strive to balance the needs of existing and new residents and businesses to ensure a sustainable tax base to deliver services. Mixed residential and mixed use shall be considered for each concept plan as an opportunity to provide neighborhood and civic oriented services within walking distance, efficient, transportation alternatives, and a variety of housing and employment choices.

Policy 14 - Generally, new neighborhoods shall be designed and built based on architectural form as opposed to land based regulatory tools, such as setbacks, lot sizes, and lot coverage. In lieu of these requirements more shared and usable open space and parks can be dedicated to the public in addition to any non-buildable areas. Furthermore, a form-based code is preferable to reduce regulatory hurdles and costs for customers and the City, respectively.

Policy 15 - The City shall work with the Tualatin River National Wildlife Refuge on a long term urbanization plan that could include provision of urban services and preservation of additional lands for fish and wildlife habitat.

Policy 16 - Consistent with Goal 1, the City shall establish an advisory committee to develop evaluation criteria and a concept plan for any area over 20 acres while collecting input from affected agencies, property owners, and other stakeholders.

~~Policy 17 - As new UGB areas are added and approved through the concept planning process, the geographic boundaries of Sherwood will change. Specifically, a new UGB boundary with Tualatin needs to be determined through the concept planning process for Area 48 (Quarry Area).~~

Policy ~~18-17~~ - Regarding the concept planning process, the following steps shall be required to initiate the concept plan through annexation:

- (1) Governance: Determine jurisdictional boundaries and urban service providers.
- (2) Concept Plan: Develop a concept plan consistent with Metro 2040 Growth Concept.
- (3) Implementation: Adopt comprehensive plan policies, zoning codes, etc. by ordinance.
- (4) Annexation: Allow property owners to petition the City for annexation after concept plan implementation is substantially complete.

Policy ~~19~~18 City plan and zoning designations will be determined consistent with the Metro 2040 Growth Concept Design Types illustrated on the 2040 map, unless the 2040 map designation is inappropriate, in which case the City will propose that Metro change their map consistent with City policy.

Policy ~~20-19~~ The City shall find outside sources of funds, including participation in Metro's Construction Excise Tax program, to finance the concept planning in lieu of general funds.



and the southern parcel as General Commercial. The power line easements were proposed to be used for parking and a dog park as uses that are potentially allowed by both Portland General Electric (PGE) and Bonneville Power Administration (BPA).

The following map illustrates the adopted concept plan for the North Adams Avenue Area.

#### **D. 4. Area 48- Tonquin Employment Area**

##### *Background*

The Tonquin Employment Area (TEA) was added to the Urban Growth Boundary (UGB) by the Metro Council in 2004 (Ordinance 04-1040B). Metro identified this area for industrial land in order to increase the amount of employment land in the region. The Sherwood City Council initiated the public process to comprehensively plan for the area prior to annexation and development in early 2009.

##### *Public Involvement*

The City established a stakeholder advisory committee, technical advisory committee and steering committee to develop a preferred concept plan alternative. The groups met three times each and two public open houses were held.

##### *Tonquin Employment Area Development Goal*

The goal of the Tonquin Employment Area is to expand and diversify the Sherwood industrial economic base by establishing 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. Employment Industrial areas provide for:

1. Large and medium-sized parcels for industrial campuses and other industrial sites that can accommodate a variety of industrial companies and related businesses in the following preferred industry sectors:

##### Clean Technology

Renewable energy/energy efficiency

Sustainable environmental products

##### Technology & Advanced Manufacturing

Manufacturing/metals

High technology

Biotechnology and bio-pharmaceuticals

Outdoor Gear & Active Wear

- Sports apparel/recreation products

2. 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.

Policies

1. Facilitate and foster the siting, development, and growth of employers whose operations can be described as part of the preferred industry sectors desired for Employment Industrial areas.

2. Provide development opportunities for employers of varying sizes within the Employment Industrial areas for manufacturing and other industrial uses that fall within preferred industry sectors.

3. Encourage business that supply and support preferred industries and that benefit from close proximity to the industry served to located in Employment Industrial areas.

4. Permit light industrial uses not associated with the preferred industry sectors in Industrial Employment areas provided that such uses are not incompatible with the types of industry preferred for these areas.

5. Only retail and commercial service uses that support employers and employees within and adjacent to the Tonquin Employment Area shall be permitted.

6. Encourage and accommodate the creation of larger industrial parcels including at least one parcel 50-acre or larger parcel within Sub-area "A" of the Tonquin Employment Area through zoning provisions that facilitate land assembly consolidations and/or partitioning to create large campus-like industrial sites.

7. Encourage aesthetically attractive, well designed industrial uses and sites within development approved for construction in the Industrial Employment areas.

8. Where applicable, require development in Industrial Employment areas to be designed within the context of adjacent existing or future employment areas, in particular with respect to site design, building orientation, and the continuation of the existing transportation system.



9. Encourage future development designs that are sensitive to the existing natural features of the area and support development proposals that incorporate, preserve, and enhance natural features.

Implementation

1. The City of Sherwood shall amend the Zoning and Community Development Code to include an Employment Industrial zone that implements the goals and policies in this section.

2. The Employment Industrial zone may be applied only to those properties within city limits, or upon their annexation to the city.

Land Use

A new zone, the Employment Industrial (EI) zone, was created in order to implement the Tonquin Employment Area Preferred Concept Plan. The EI zone is intended to implement the city's development strategies for the Tonquin Employment Area. While supportive of economic growth, the EI zone is targeted to support the type of employment opportunities envisioned for the Tonquin Employment Area when it was included in the Urban Growth Boundary. The zone is intended to promote preferred industry sectors that the city has targeted in its Economic Development Strategy. At the same time, the zone restricts uses that would impede or be inconsistent with the types of employment uses targeted for the area. The EI zone also implements the land division requirements of Metro's Title 4.

The following map illustrates the adopted concept plan for the Tonquin Employment Area.



# Tonquin Employment Area Preferred Concept

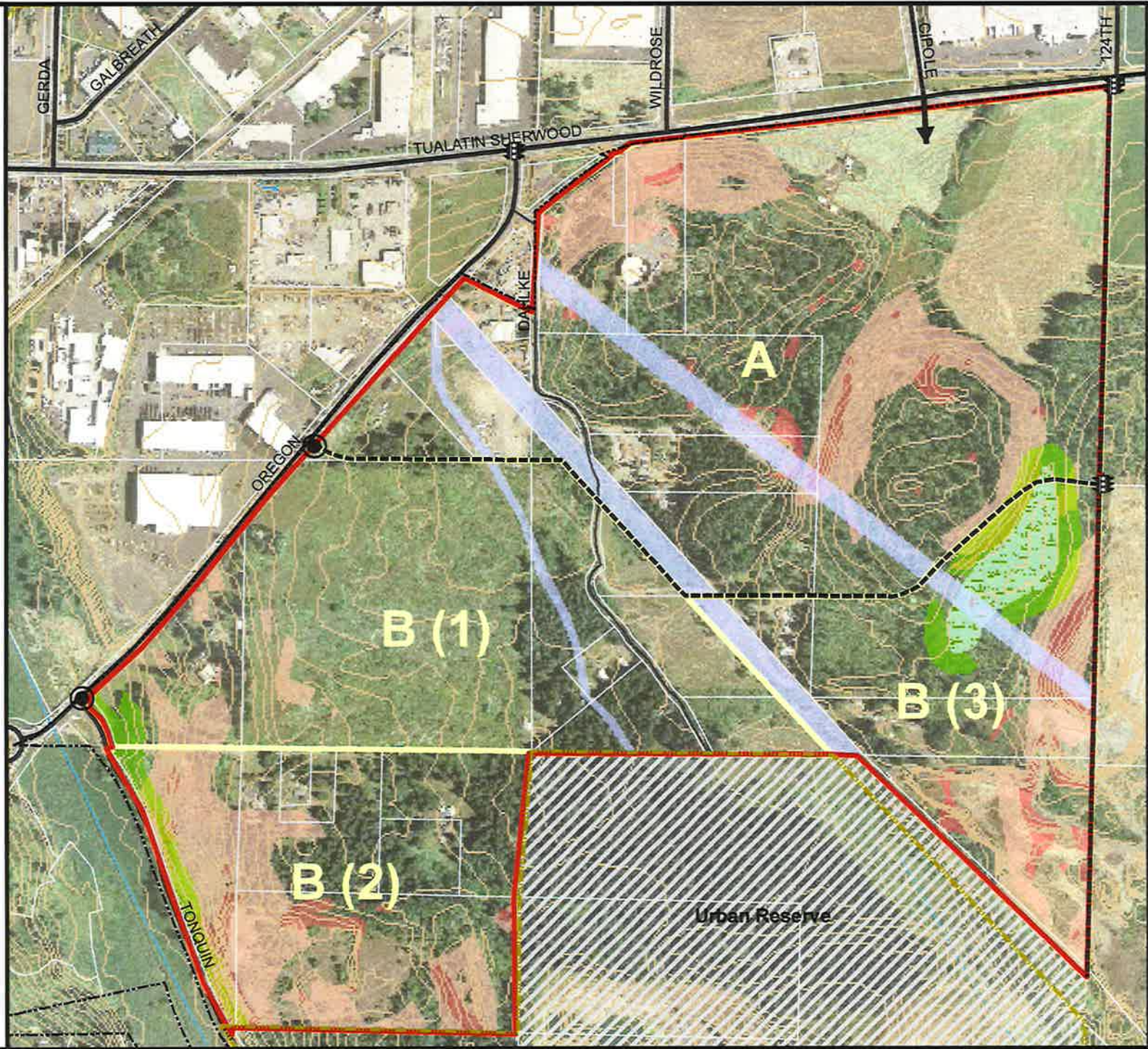
July 2010

## Legend

- Existing Streets
- Proposed Streets
- Proposed Intersection Control**
- Signal
- Roundabout
- Proposed Access Point
- Area 48 Boundary
- Concept Plan Subareas
- UGB
- City Limits
- Urban Reserve
- Taxlots
- Easements / Right-of-Ways
- Streams
- Water Bodies
- Wetlands
- Title 13 Habitat Conservation Areas (High Value)
- 5' countours
- Slope**
- 10-25%
- >25%

Note: Easement locations are approximate.  
 Note: TEA Planning Area is Zoned Employment Industrial (EI).

Source: May 2010 RLIS Lite





## Chapter 16.82 CONDITIONAL USES\*

Sections:

### 16.82.010 GENERALLY

### 16.82.020 PERMIT APPROVAL

\* Editor's Note: Some sections may not contain a history.

#### 16.82.010 GENERALLY

##### 1. 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.

##### 2. Changes in Conditional Uses

Changes in use or expansion of a legal non-conforming use, structure or site, or alteration of structures or uses classified as conditional uses, that either existed prior to the effective date of this Code or were established pursuant to this Chapter shall require the filing of a new application for review confirming to the requirements of this Chapter if the proposed changes would increase the size, square footage, seating capacity or parking of existing permitted improvements by twenty percent (20%) or more.

Conditional uses may be authorized for a larger development (i.e. business campus or industrial park), to include future tenants of such development, if the range of uses allowed as conditional uses are considered, and specifically approved, at the time of original application.

##### 3. Application and Fee

An application for a Conditional Use Permit (CUP) shall be filed with the City and accompanied by the appropriate fee pursuant to Section 16.74.010. The applicant is responsible for submitting a complete application which addresses all criteria of this Chapter and other applicable sections of this Code.

#### 16.82.020 PERMIT APPROVAL

##### 1. Hearing Authority Action

The Hearings Authority shall conduct a public hearing pursuant to Chapter 16.72 and take action to approve, approve with conditions, or deny the application. Conditions may be imposed by the Hearings Authority if necessary to fulfill the requirements of the adopted Comprehensive Plan, Transpiration System Plan, or the Zoning and Community Development Code. The decision shall include appropriate findings of fact as required by this Section, and an effective date.

##### 2. Final Site Plan

Upon approval of a conditional use by the Hearing Authority, the applicant shall prepare a final site plan for review and approval pursuant to Section 16.90.010. 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 conditional use.

### 3. Findings of Fact

No conditional use shall be granted unless each of the following is found:

A. 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.

B. 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.

C. 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.

D. 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.

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

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

G. For a proposed conditional use permit in the Neighborhood Commercial (NC), Office Commercial (OC), Office Retail (OR), Retail Commercial (RC), General Commercial (GC), Light Industrial (LI), and General Industrial (GI) zones, except in the Old Town Overlay Zone, the proposed use shall satisfy the requirements of Section 16.108.080 Highway 99W Capacity Allocation Program, unless excluded herein.

For wireless communication facilities, no conditional use permit shall be granted unless the following additional criteria is found:

H. The applicant shall demonstrate 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.

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

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

K. 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.

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



The following criteria apply to transportation facilities and improvements subject to Conditional use approval (in addition to criteria A-G). These are improvements and facilities that are (1) not designated in the adopted City of Sherwood Transportation System Plan (TSP), and are (2) not designed and constructed as part of an approved subdivision or partition subject to site plan review.

M. The project preserves or improves the safety and function of the facility through access management, traffic calming, or other design features.

N. The project includes provisions for bicycle and pedestrian access and circulation consistent with the Comprehensive Plan, the requirements of this Code, and the TSP.

O. Proposal inconsistent with TSP: If the City determines that the proposed use or activity or its design is inconsistent with the TSP, then the applicant shall apply for and obtain a plan and/or zoning amendment prior to or in conjunction with conditional use permit approval.

P. State transportation system facility or improvement projects: The Oregon Department of Transportation (ODOT) shall provide a narrative statement with the application demonstrating compliance with all of the criteria and standards in Section A-G and M-P. Where applicable, an Environmental Impact Statement or Environmental Assessment may be used to address one or more of these criteria.

The following criteria apply to all development within the Tonquin Employment Area:

1. The average job density for the type of business proposed shall be a minimum of two (2) jobs per 1,000 square feet of the building proposed.

2. The proposed development maximizes use of the developable area on the site while maintaining trees and other natural resources where possible.

3. The architecture of the building is consistent with styles generally used by the key industrial users targeted for the Tonquin Employment Area (Clean Technology; Technology and Advanced Manufacturing; and Outdoor Gear and Active Wear).

4. Outdoor storage shall be internalized to a development and shall not be visible external to the site.

#### 4. Additional Conditions

In permitting a conditional use or modification of an existing conditional use, additional conditions may be applied to protect the best interests of the surrounding properties and neighborhoods, the City as a whole, and the intent of this Chapter. These conditions may include but are not limited to the following:

A. Mitigation of air, land, or water degradation, noise, glare, heat, vibration, or other conditions which may be injurious to public health, safety or welfare in accordance with environmental performance standards.

B. Provisions for improvement of public facilities including sanitary sewers, storm drainage, water lines, fire hydrants, street improvements, including curb and sidewalks, and other above and underground utilities.

C. Increased required lot sizes, yard dimensions, street widths, and off-street parking and loading facilities.

D. Requirements for the location, number, type, size or area of vehicular access points, signs, lighting, landscaping, fencing or screening, building height and coverage, and building security.

E. Submittal of final site plans, land dedications or money-in-lieu of parks or other improvements, and suitable security guaranteeing conditional use requirements.

F. Limiting the number, size, location, height and lighting of signs.

G. Requirements for the protection and preservation of existing trees, soils, vegetation, watercourses, habitat areas and drainage areas.

H. Requirements for design features which minimize potentially harmful environmental impacts such as noise, vibration, air pollution, glare, odor and dust.

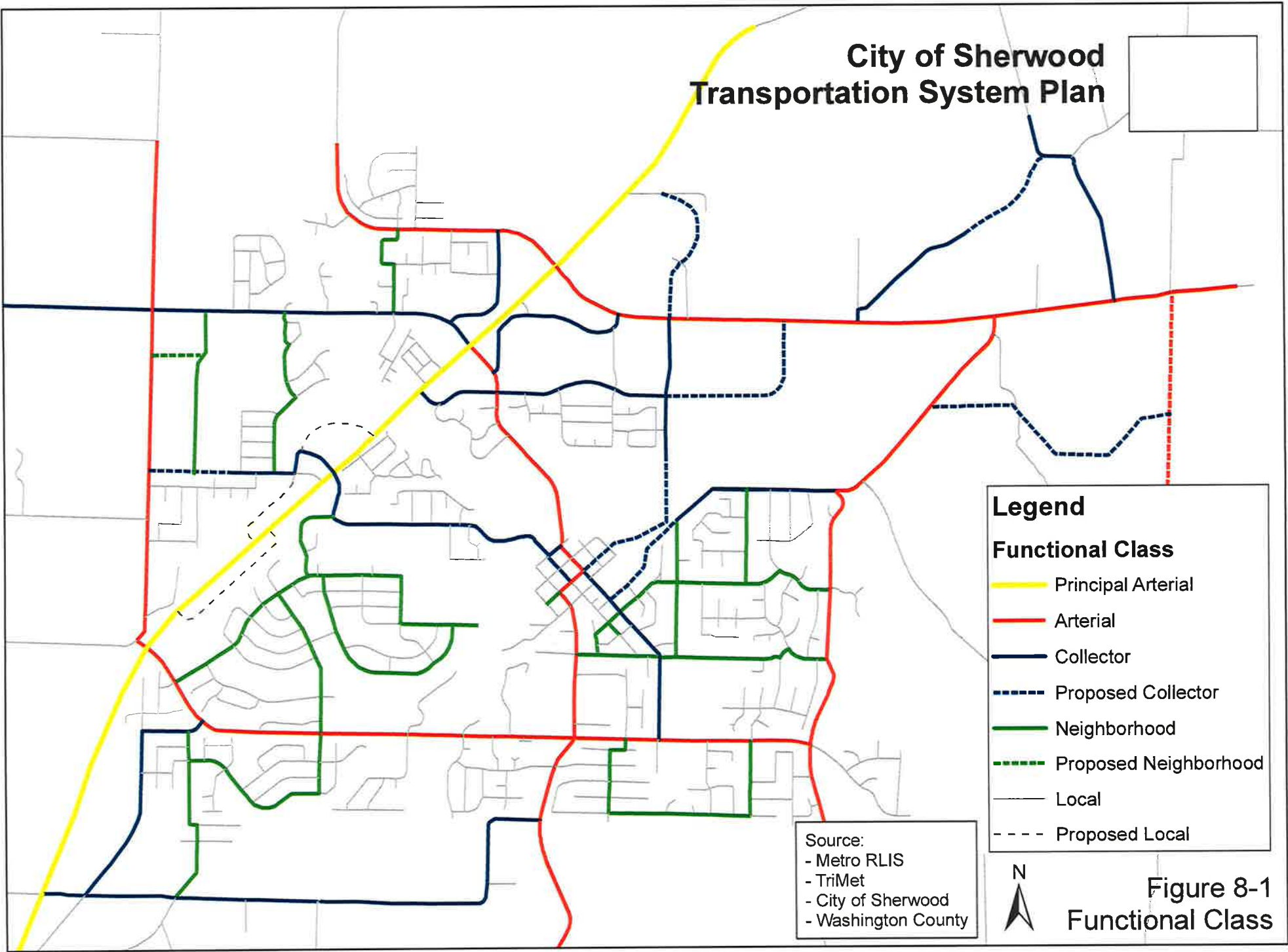
#### 5. Time Limits

Unless approved under Section 16.82.010 for a larger development to include future tenants of such development, authorization of a conditional use shall be void after two (2) years or such lesser time as the approval may specify unless substantial construction, in the City's determination, has taken place. The Hearing Authority may extend authorization for an additional period, not to exceed one (1) year, upon a written request from the applicant showing adequate cause for such extension, and payment of an extension application fee as per Section 16.74.010.

#### 6. Revocation

Any departure from approved plans not authorized by the Hearing Authority shall be cause for revocation of applicable building and occupancy permits. Furthermore, if, in the City's determination, a condition or conditions of CUP approval are not or cannot be satisfied, the CUP approval, or building and occupancy permits, shall be revoked.

# City of Sherwood Transportation System Plan



**Legend**

**Functional Class**

- Principal Arterial
- Arterial
- Collector
- Proposed Collector
- Neighborhood
- Proposed Neighborhood
- Local
- Proposed Local

Source:  
- Metro RLIS  
- TriMet  
- City of Sherwood  
- Washington County



**Figure 8-1**  
**Functional Class**





## MEMORANDUM

City of Sherwood  
22560 SW Pine St.  
Sherwood, OR 97140  
Tel 503-625-5522  
Fax 503-625-5524  
www.ci.sherwood.or.us

Mayor  
Keith Mays

Council President  
Dave Heironimus

Councilors  
Dave Grant  
Linda Henderson  
Lee Weislogel  
Del Clark  
Robyn Folsom

City Manager  
Jim Patterson

**DATE:** July 6, 2010  
**TO:** Planning Commission  
**FROM:** Julia Hajduk, Planning Manager  
**SUBJECT:** Code Clean-Up Project Packet Materials – Public Notice

At the last Planning Commission work session the Commission requested that staff review the proposed public notice language to ensure a higher level of involvement/engagement for public projects and to modify the posted notice requirements to allow a more clear message to be conveyed.

To that end, the following modifications are proposed:

Attachment 1 – modification of the neighborhood meeting requirements to require more notice for public projects. Originally, the Commission suggested more notice of the land use application; however that has the potential of simply bringing more people to the Commission hearings wanting to affect policy and being frustrated when that is not what the Commission is considering. By focusing energy on the neighborhood meetings before an application is submitted, more conversation can be had regarding policy prior to the hearing. It is not suggested that a specific “additional” source of notice be specified because it is unknown if any specific source could be relied upon long term. It is recommended that notice requirements be tied to the notice specified in the code, with a specific note that additional notice is encouraged

Attachment 2 – Staff has modified the language to specify what should be on the on-site posted notice sign and specified the intent. Staff has not proposed specific size and font requirements at this time, as this affects budget. Staff will be prepared to discuss this in greater detail at the work session.

These proposed changes are in addition to the draft changes discussed at the last meeting and are in preparation for an August 10, 2010 public hearing.



Division III. ADMINISTRATIVE PROCEDURES

Chapter 16.70 GENERAL PROVISIONS\*

Sections:

16.70.010 PRE-APPLICATION CONFERENCE

16.70.020 APPLICATION MATERIALS 16.70.020 APPLICATION REQUIREMENTS

16.70.030 APPLICATION SUBMITTAL

16.70.040 AVAILABILITY OF RECORD FOR REVIEW

16.70.050 APPLICATION RESUBMISSION

\* Editor's Note: Some sections may not contain a history.

16.70.010 PRE-APPLICATION CONFERENCE

Pre-application conferences **are encouraged and** shall be scheduled to provide applicants with the informational and procedural requirements of this Code; to exchange information regarding applicable policies, goals and standards of the Comprehensive Plan; to provide technical and design assistance; and to identify opportunities and constraints for a proposed land use action. An applicant may apply at one time for all permits or zone changes needed for a development project as determined in the pre-application conference.

(Ord. 91-922 § 3; 86-851)

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, with adjacent property owners within 1,000 feet of the subject application and recognized neighborhood organizations prior to submitting their application to the City. Affidavits of mailing, sign-in sheets and a summary of the meeting notes shall 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.

16.70.030 APPLICATION ~~MATERIALS~~ 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.

(Ord. 91-922 § 3)

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 (8 ½ x 11) copy of the full application packet and the required number of hard copies as outlined on the applicable forms prescribed and provided by

16.72.020 PUBLIC NOTICE AND HEARING

~~A. For Type II, III and IV actions on zoning map amendments, conditional uses, variances, site plans, planned unit developments, minor land partitions, subdivisions, annexations, landmarks, private access to streets and other land use action specific to a property or group of properties, the City shall send written notice by regular mail to owners of record of all real property within one hundred (100) feet from the property subject to the land use action, Oregon Department of Transportation (ODOT), Metro and the applicable transit service provider. If the subject property is located adjacent to or split by a railroad crossing ODOT Rail Division shall be sent public notice.~~

~~1A. Newspaper Notice~~

~~Notices of all public hearings for Type III, IV and V land use actions required by this Code shall be published in a newspaper of general circulation within the City in each of the two (2) calendar weeks prior to the initial hearing before the Hearing Authority.~~

~~(Ord. 2003-1148 § 3; 99-1079; 98-1053; 91-922; 86-851)~~

~~2B. Posted Notice~~

~~1. Notices of all Type II, III, IV and V land use actions required by this Code shall be posted by the City in no fewer than five (5) conspicuous locations within the City, not less than fourteen (14) calendar days in advance of the staff decision on Type II applications or twenty (20) calendar days in advance of the initial hearing before the Hearing Authority for Type III, IV and V applications.~~

~~2. Additionally, signage shall be posted on the subject property either fourteen (14) calendar days in advance of the staff decision on Type II applications or and twenty (20) calendar days in advance of the hearing before the Hearing Authority for Type III, IV and V applications.~~

- ~~a. on-site posted notice shall provide a general description of the land use action proposed, the project number and where additional information can be obtained.~~
- ~~b. On-site posted notice shall be designed to be read by motorists passing by; the exact size and font style to be determined by the City.~~
- ~~c. On-site posted notice shall be located on the property in a manner to be visible from the public street. For large sites or sites with multiple street frontages, more than one sign may be required. The location, size and content of the sign shall be subject to the approval of the City Planner.~~

~~(Ord. 2003-1148 § 3; 99-1079; 98-1053; 91-922; 86-851)~~

~~3C. Mailed Notice~~

~~A1. For Type II, III, IV and V actions on zoning map amendments, conditional uses, variances, site plans, planned unit developments, minor land partitions, subdivisions, annexations, landmarks, and other land use action specific to a property or group of properties, the City shall send written notice by regular mail to owners of record of all real property within one thousand hundred (1000) feet from the property subject to the land use action. Written notice shall also be sent to ; Oregon Department of Transportation (ODOT), Metro, the applicable transit service provider and other affected~~





**In any City forum or meeting:**

- Individuals may not impugn the character of anyone else, including but not limited to members of the community, the reviewing body, the staff, the applicant, or others who testify. Complaints about staff should be placed in writing and addressed to the City Manager. If requested by the complainant, they may be included as part of the public record. Complaints about the City Manager should be placed in writing and addressed to the Mayor. If requested by the complainant, they may be included as part of the public record.
- Comment time is 4 minutes with a Commission-optional 1 minute Q & A follow-up.
- The Chair of a meeting may have the ability to modify meeting procedures on a case-by-case basis when especially complicated issues arise, or when the body is involved in extraordinary dialogue, but only after receiving the advice and majority consent of the body. The Chair may also cut short debate if, in their judgment, the best interests of the City would be served.  
(Note: Written comments are encouraged, and may be submitted prior to the meeting by mail, or at the meeting. There is no limit to the length of written comment that may be submitted)

**Persons who violate these rules** may be asked to stop their comments by any member of the body. Community Comments beyond the 4-minute limit may not be included in the record of the meeting. Persons who impugn the character of anyone will be required to stop immediately. Their comments will not be included in the record of the meeting, and they will forfeit their remaining time. Any person who fails to comply with reasonable rules of conduct or who causes a disturbance may be asked or required to leave and upon failure to do so becomes a trespasser.

\*\*\*\*\*

*I have read and understood the Rules for Meetings in the City of Sherwood.*

Agenda Item: Citizen Comment

I am: Applicant:  Proponent:  Opponent:  Other

Name: R. Claus

Address: \_\_\_\_\_

City/State/Zip: Sherwood

Email Address: N/A

I represent:  Myself  Other

If you want to speak to Commission about more than one subject, please submit a separate form for each item.

**Please give this form to the Recording Secretary prior to you addressing Planning Commission. Thank you.**



PLEASE MAKE THIS PART OF THE PUBLIC RECORD

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\*\*\*\*\*

*I have read and understood the Rules for Meetings in the City of Sherwood.*

Agenda Item: TEA

I am: Applicant:  Proponent:  Opponent:  Other

Name: JACQUELYN KIRSCH

Address: 17850 SW Cereghino Ln

City/State/Zip: Sherwood OR 97140

Email Address: Oscar.jadu@venzon.net

I represent:  Myself  Other

If you want to speak to Commission about more than one subject, please submit a separate form for each item.

**Please give this form to the Recording Secretary prior to you addressing Planning Commission. Thank you.**

EXHIBIT G



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Agenda Item: \_\_\_\_\_

TEA - Hearing QA

I am: Applicant:  Proponent:  Opponent:  Other

Name: \_\_\_\_\_

Susan CLAY

Address: \_\_\_\_\_

22211 SW Pacific Hwy

City/State/Zip: \_\_\_\_\_

Sherwood, OR 97140

Email Address: \_\_\_\_\_

I represent: \_\_\_\_\_

Myself

Other

*Please make this part of the hearing Record.*

*I object to these "Rules". Are they the Rules for*

If you want to speak to Commission about more than one subject, please submit a separate form for each item.

*Are they the Rules for this public hearing? What is this form?*

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Agenda Item: 9a

I am: Applicant:  Proponent:  Opponent:  Other

Name: R. Claus

Address: \_\_\_\_\_

City/State/Zip: Sherwood

Email Address: W/A

I represent:  Myself  Other

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Agenda Item: TEA Plan

I am: Applicant:  Proponent:  Opponent:  Other

Name: Karen DePriest

Address: 14250 SW Tanguin Rd

City/State/Zip: Sherwood OR 97140

Email Address: kdepriest@comcast.net

I represent:  Myself  Other

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**Date:** 7/12/11      **Agenda Item:** SP 11-03 Head Old Town Change of use

**Please mark your position/interest on the agenda item**  
**Applicant:**       **Proponent:**       **Opponent:**       **Other**

**Name:** Gene + Jacqueline Head

**Address:** 22344 SW Main St

**City/State/Zip:** Sherwood, OR 97140

**Email Address:** jacqueline.head@comcast.net

**I represent:**  **Myself**       **Other**

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Agenda Item: \_\_\_\_\_ 7/13/10

I am: Applicant:  Proponent:  Opponent:  Other

Name: STEVE BILES

Address: 28800 S.W. Wood Hill Rd

City/State/Zip: Sherwood, OR 97140

Email Address: STEVE.BILES@UBS.COM

I represent: \_\_\_\_\_ Myself A Other FAMILY

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# **APPROVED MINUTES**

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**City of Sherwood, Oregon**  
**Planning Commission Minutes**  
**July 13, 2010**

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**Commission Members Present:**

Chair Allen  
Jean Lafayette  
Matt Nolan  
Raina Volkmer

**Staff:**

Julia Hajduk, Planning Manager  
Heather Austin, Senior Planner  
Karen Brown, Recording Secretary

**Commission Members Absent:**

Lisa Walker  
Michael Kerry  
Russell Griffin

**Council Liaison – Mayor Mays**

1. **Call to Order/Roll Call** – Chair Allen called the meeting to order. In light of technical difficulties with the audio recording system Chair Allen announced that the meeting would be recorded by two hand held tape recording systems. He explained the public hearing would be open, the staff report will be given and any public testimony will be allowed; however the Commission will not deliberate at this meeting as hearing from the audience will be affected as well as the recording system.
2. **Agenda Review** – Public hearing – Tonquin Employment Area Concept (TEA) Plan PA 09-03, then Work Session continuation of the Code Cleanup.
3. **Consent Agenda – Minutes from March 23, 2010** – Commissioner Lafayette made a motion to approve the Consent Agenda. Commissioner Nolan seconded the motion and the minutes were approved.
4. **Staff Announcements** – Planning Manager Julia Hajduk gave an update on the Cannery Project. It is still under appeal with LUBA and a date has not been set yet. There will be a Code Update Hearing on August 10<sup>th</sup>. Currently the Planning Department is trying to coordinate a walk for the Planning Commission, Council and Parks Board along the proposed Cedar Creek Trail from Stella Olsen and Pacific Hwy. More details to follow.
5. **City Council Comments** – Mayor Mays reminded everyone that the Robin Hood festival would be held during the coming weekend and invited everyone to attend.

**Community Comments** – Robert James Claus 22211 SW Pacific Hwy. Sherwood, OR commented on the blue testimony sheets. He also stated that the format of the Planning Commission minutes is offensive. He went onto to tell the Commission that he is concerned about them working on hidden agendas. He believes that the zoning for the Cannery had been sold as well as a work contract in 2008 and that the Planning Commission was not aware of that, but that the Staff knew about it.

**6. New business – PA 09-03 Tonquin Employment Area.**

Senior Planner Heather Austin presented the Staff Report by explaining that the City has been working on this area for the past 2 years. In 2004 Metro brought the area into the Urban Growth Boundary for Industrial/Employment purposes. Part of the plan includes a new zone type labeled Employment Industrial Zone.

The attachments to the Staff Report include: the concept plan, changes to the Comprehensive Plan Chapters 4 and 8 and proposed map amendment. In addition, a new section, 16.31 (Employment Industrial), is proposed to be added and text changes to Section 16.82 (Conditional Uses) are proposed to amend the Sherwood Zoning and Community Development Code. The Transportation System Plan functional plan map is also proposed to be updated.

Exhibits attached include: Exhibit A, a letter from Columbia Corrugated Box, Exhibit B, a letter of endorsement from Metro, Exhibit C, a letter from the City of Tualatin speaking to points 1,2,3,4 and 5, Exhibit D, Barnard/Walker public testimony, Exhibit E, Biles public testimony and Exhibit F, staff responses to errors identified previously by Commissioner Lafayette.

Frank Angelo from Angelo Planning continued with information about the project which is specifically zoned Employment Industrial. All areas around the proposed area were notified of the changes. There were Stakeholder meetings and public open houses held to discuss the project. They also held two technical advisory meetings which included ODOT, City of Tualatin, Metro, Clean Water Services, Washington County and others that all provided input. The area included 300 acres and a new east/west connector which has not yet been defined. It will provide an employment area with a potential of 2,290 jobs over 20 years. The Employment Industrial zone is patterned after the light industrial zone, narrowing the allowed uses, targeting some key industries. This zone also includes the opportunity for two retail centers of up to 5 acres, one north of the east/west connector and one south. Another element of the area includes the requirement by Metro Title 4 that any lots of 50 acres or greater be preserved in some form. This applies to one lot within this area.

DKS Associates has done a traffic study on the area and conclude that given the identified projects in the regional transportation plan and the Sherwood TSP, in conjunction with the east/west collector, the system will meet the City's traffic performance standards.

The Tonquin Trail has been discussed throughout the development of this plan and while the alignment is yet to be specifically defined it will likely come through this area or near it.

Since the last version of the Concept Plan present to the Commission on work session, they have added additional information about natural resources in the area and added an additional policy regarding natural resource protection.



They have also added discussion on the City's Annexation Policy. This area has not yet been annexed into the City.

At Chair Allen's request Julia explained the annexation processes, City initiated vs. Property Owner initiated Annexation.

Commissioner Lafayette asked for clarification of the "A" and "I" uses in the zoning requirements, they seem very similar if not the same.

Mr. Angelo agreed with Commissioner Lafayette that those definitions need to be looked at more closely without being too restrictive.

Chair Allen reminded the audience and everyone present that the nature of their decision will be a recommendation to the City Council who will then make the final decision. He then opened the meeting up for public testimony related to this project.

*Jacquelyn Kirscht 17850 SW Cerrighino Lane, Sherwood, OR* has concerns with what types of jobs and businesses, as well as what types of people, will be targeted for the new employment area and will that match up with the types of people already living in Sherwood. Are there businesses currently interested in this area and are there any incentives being offered to attract specific businesses? She also has concerns with the traffic impacts. She also questioned if the wetland area would be approved by the Wildlife Refuge.

*Karen Depriest 14250 SW Tonquin Road, Sherwood OR*, indicated she is fairly new to the area and has two children in the Sherwood School District. She has concerns about development impacting the area she spent much time looking for when looking to buy a new home. She is very concerned about the impacts to her family as well as the wildlife in her area. She would like Sherwood to be considered as a place to live not a place to work.

*Robert Claus 22211 SW Pacific Hwy, Sherwood OR*, requested that the record be left open for two weeks as he feels the document was not prepared in a timely enough fashion. He has concerns regarding the endangered species act and this project area fronting on the National Wildlife Refuge. He is also concerned with how this development relates to the Langer Development and the traffic impacts that development may create.

*Susan Claus 22211 SW Pacific Hwy, Sherwood, OR* asked Chair Allen what actually goes on to City Council from the Planning Commission. She has concerns about what information is forwarded to the City Council regarding testimony, deliberation and minutes.

Chair Allen responded that the Planning Commission could send to the City Council recommendations with respect to the Concept Plan, the Comprehensive Plan, and possible recommendations related to the Zoning and Development Code and Transportation Plan. Chair Allen suggested testifying at both levels of meetings.

Mrs. Claus continued discussing the process and what she has understood it to be. She would like more information given as to which process is being followed, quasi-judicial or legislative and what code section is being used. She also asked about what the appeal body would be and what part of the City Charter is being invoked.

Chair Allen read from the code to answer regarding Type 5 approvals. He also agreed to continue making an effort to make it clear at the beginning of each meeting which type of hearing it is.

She also had concerns and questions regarding the “blue” testimony cards and which rules apply. She asked that the record be left open due to issues with the tape recordings and asked if testimony would be allowed at the next meeting as well. She went on to ask if there is any comprehensive traffic study being required for this project. She thinks it would be important to find out about traffic issues ahead of time and look to see what has already been approved, what is under appeal for approval and what is likely going to happen with the Cannery site. She asked if there is a point that the infrastructure cannot handle what is being proposed.

*Steve Biles 28800 SW Ladd Hill Road, Sherwood, OR* has provided a 2 and a half page letter and wanted to touch on some of the main issues. He owns 38 acres that border Oregon Street and Tonquin Road. He expressed appreciation to the City for the efforts made to this point to communicate with the property owners. The one issue he has is that he would like to see the word “proposed” changed to “conceptual”. He believes that radiates more flexibility. He also supports City annexation as that would follow an orderly plan and would prevent a chaotic situation with individual owners trying to annex their properties at different times.

Commissioner Lafayette discussed with Mr. Biles his feelings about the maps showing areas where the water line may intersect his property. He indicated that he prefers a conceptual theme rather than lines on the map with can be construed as fact.

Chair Allen closed public testimony and discussed how to move forward. He has two clusters of issues; economic issues and traffic issues.

Commissioner Nolan and Commissioner Lafayette brought up a question regarding the I-5/99 connector and what was considered in the study done by DKS. Commissioner Lafayette also has great concerns about what is being done to promote a habitat friendly process as well as connectivity for transportation alternatives.

Chair Allen proposed that the transportation issues be brought back prior to deliberation.

Commissioner Volkmer also voiced concerns about traffic issues and employment matching existing residents and who is being invited into Sherwood.

Chair Allen asked that the consultant address the types of jobs and how they match the demographics.

Frank Angelo responded to Chair Allen by referring to page 55 of the plan. Leland Consulting Group has prepared the economic analysis. In terms of the types of key

industries they have tried to work with the City's economic development strategy to identify key industry targets which include: clean technology, technology and advanced manufacturing, outdoor gear and active wear to name a few. Regarding the question about how they are being incentivized he wants to do more research before the next hearing.

He then referred to page to page 12, table 4-1 which shows the assumptions that were built into the Tonquin Employment area forecast and breaks things down by category of jobs; retail commercial, light industrial to name a few. He emphasized these are assumptions.

Commissioner Lafayette and Heather discussed the proposed language regarding commercial lot sizes.

Commissioner Volkmer believes that more details are needed. She feels this project is taking Sherwood from a beautiful bedroom community and wanting to take it into a completely different direction.

The Commissioners continued to discuss the types of employment and salary ranges that they can foresee using this zoning, and the need for more specific requirements regarding types of employment.

Chair Allen asked Tom Nelson the City's Economic Development Manager if there are demographics regarding the types of jobs held by Sherwood citizens and where they go to perform those jobs.

Tom responded by explaining that the census data does not show where people are working. We do know that the median household income in Sherwood is among the highest in the state. They tend to be knowledge workers employed by such places as Intel and OHSU and industries like this. We have such an imbalance right now in the amount of people that live here and actually work here. We would like to encourage them to work here and get them off the roads. If we can provide an opportunity for these people to work in Sherwood, that would provide us more property tax base which would help take the burden off citizens for city and county services as well as eliminating some of the traffic issues if people are staying in Sherwood, rather than commuting.

Heather read the Sherwood Employment Demographics from the Tonquin Employment Area Existing Conditions report which provided specific details.

Tom added that Broadband access is one of the incentives that are being provided which is very appealing to the knowledge worker types of employment vs. smoke-stack employment.

Discussion ensued about narrowing down the definitions of what would be allowed being careful to not make it too limiting, taking into consideration wage and profile bases and bringing that information back to the next hearing.

Chair Allen determined that this discussion would be continued and the record would be left open for further information. The hearing will be continued to August 10<sup>th</sup>, 2010 and

the Commission requested that new notices be posted giving the public an opportunity to provide input.

Commissioner Lafayette moved to continue PA 09-03 to August 10, 2010 and leave the record open for both oral and written public testimony. Commissioner Nolan seconded the motion. All commissioners present were in favor, the motion carried.

**Chair Allen** closed the public hearing and the Commission moved into work session.

End of minutes.