

City of Sherwood, Oregon  
**Planning Commission Meeting**  
**March 19, 1996**

**1. Call to Order/Roll Call**

Chairman Birchill called the meeting to order at 7:05 PM.

Commission Members present:

George Bechtold (approx 8:30 PM)  
Gene Birchill  
Susan Claus  
Chris Corrado  
Rick Hohnbaum  
Ken Shannon  
Marge Stewart

Staff:

Planning Director Carole Connell  
Asst. Planner Lisa Nell  
City Manager Jon Boromet  
Secretary Roxanne Gibbons

Honored Guests:

Mayor Walter Hitchcock

**2. Minutes of February 20, 1996 Commission Meeting**

Chairman Birchill asked if there were any corrections, additions or deletions to the minutes of February 20, 1996.

Marge Stewart moved the Plannig Commission accept the February 20, 1996 minutes as presented. Seconded by Chris Corrado.

**Vote for Passage: 5 - Yes, 0 - No, 0 - Abstain**

Carole Connell announced the March 5, 1996 minutes will be available for the April 2, 1996 Commission meeting.

**3. Community Comments**

Chairman Birchill called for comments from the audience regarding any items not on the printed agenda.

**Presentation to Commissioners Gene Birchill and Ken Shannon**

Mayor Walt Hitchcock thanked Gene Birchill and Ken Shannon on behalf of the City for their many years of service and a job well done. He presented plaques to Mr. Birchill and Mr. Shannon.

**The meeting was recessed for a brief reception honoring Mr. Birchill and Mr. Shannon and reconvened at approximately 7:20 PM. Mr. Shannon did not attend the rest of the meeting.**

Susan Claus asked that the previous motion approving the February 20, 1996 minutes be amended to reflect she and her husband have some very key loans being brokered and negotiated through Washington Mutual (page 9, paragraph 4).

**Susan Claus moved the February 20, 1996 minutes be amended to state, "Susan Claus announced she and her husband have two commercial loans in process and being brokered with Washington Mutual Bank." Page 9, paragraph 4. Seconded by Marge Stewart.**

**Motion to Amend Minutes: 5 - Yes, 0 - No, 0 - Abstain**

**Chairman Birchill asked if there was anyone else who wished to provide community comments.**

Mike Wagner, 17039 SW Edy Road, Sherwood, Oregon 97140, addressed the Commission. Mr. Wagner presented a petition signed by local residents who live within a quarter mile, including within 200 feet, who disagree with the proposed application by Alexander Oil Company for a cardlock fueling facility. Very few residents were notified of this development because of the lack of residents being within 100 feet of the development. The petition stated that the location of this type of facility should be in an Industrial Park. He understood the record was closed 7 days after the March 5, 1996 public hearing on this application. None of the residents who signed the petition had heard about the cardlock facility and wanted the petition to be available to the Commission prior to the Commission making a decision at the April 2, 1996 Commission meeting. Chairman Birchill clarified that the record for the public hearing was now closed and action on the application was tabled to April 2. Carole Connell stated the applicant had submitted additional information within the 7 day period. At this time the record is closed.

Chairman Birchill said he would allow Ms. Connell to review the petition and determine if there is any new information being submitted. However this would not be a part of the record. Mr. Wagner was invited to attend the April 2 meeting and provide comments under "Community Comments", if he so desired. Ms. Connell advised there is no requirement to post a sign on the property for a Conditional Use Permit.

There were no further community comments.

#### **4A. Street Design Standards**

Carole Connell announced this is the first policy discussion meeting of the Commission. The first item being discussed is street design standards which are a part of the Transportation Planning Rule Amendments. Staff will be presenting an outline of the issues tonight and then a formal presentation and Code revisions at a future Commission meeting. Tonight they would be talking about reducing the street widths and possibly redesignating some streets such as arterials, collectors or local streets. One other issue which the Commission had discussed in the past was redesignating Adams Avenue.

Jon Bormet, City Manager, referred the Commission to the City's Transportation Plan. He discussed his philosophy regarding street designs and noted:

- Because Sherwood is located at the perimeter of the UGB there are not a lot of people passing through the City. This affects the types of streets which are needed in the City. The key is to make sure traffic problems are primarily due to the residents. He questioned whether the definition of "minor arterials" in the plan was correct. It appears that a minor arterial, according to the City's traffic engineers, is designed to carry 10,000-18,000 cars a day. Tualatin-Sherwood Road carries about 20,000 cars per day. The City is in the process of building Sunset Boulevard, Murdock Road, Sherwood Boulevard, Oregon Street, and Meinecke Road to carry 10,000-18,000 cars a day.
- The last time the City projected traffic counts for 1995 was in 1979. This has not been updated in 16 years. Staff will be developing current statistics.
- The City is spending extraordinary amounts of taxpayer dollars for streets. A problem exists in overbuilding streets. There is also the question of how the City is going to maintain the streets.

Tonight the Commission would be brainstorming different ideas regarding street design standards. Staff will make a formal proposal at a future Commission meeting. The Commission looked at several different slides showing various street designs throughout the City.

Mr. Bormet discussed several of the slides and noted:

- After the School District, the City should no longer concrete mailboxes or utility poles into sidewalks.

- Traffic should not be encouraged to go through some neighborhoods because of the street width.
- Narrow streets cost less to build and maintain.
- Narrow streets reduce the negative impacts of stormwater runoff.
- Narrow streets reduce the negative environmental impacts of street construction.
- Narrow streets encourage more efficient land use.
- Narrow streets increase traffic safety.
- Narrow streets improve neighborhood character.

The Commission discussed South Sherwood Boulevard, in particular where the new School District Administration Building is located. Mr. Hohnbaum said a sidewalk was to be installed from the Administration Building to the railroad tracks prior to the beginning of the 1995 school year. There is no City money involved, the money was from a grant, and the City has botched it. Mr. Bormet said the City is still going to use the money for the sidewalk, but it needs to be done right.

Chairman Birchill asked if the City was willing to put up no parking signs and enforce them on the narrow streets. Mr. Bormet responded on most of the minor arterials there was never parking proposed. Chairman Birchill said he was referring streets in the subdivisions, in and around the buildings. Mr. Bormet responded the City needs to go back to the 32 foot street as a standard. Chairman Birchill stated he was concerned that the narrow street still provide access for emergency vehicle response. He asked if Mr. Bormet was ready to say when streets are narrower than the recommended standards of the State Fire Code, Tualatin Valley Fire District Code, and National Fire Protection Standards that the City will be installing sprinklers in houses.

Mr. Bormet said he would like to talk more generically about safety. Chairman Birchill said narrower streets will increase emergency vehicle response time, decrease the maneuverability of the engines, decrease the alternate available ways of getting to the problem, decrease the maneuvering path of one piece of equipment past another. Time is the enemy when it comes to firefighting. The more time that is put into the response, the worse the situation is and sprinklers make up for that time. In response to Ms. Claus's question, Chairman Birchill said the National Fire Standard is 20 feet of unobstructed driving surface. TVRFD said the 32 foot street, with parking on both sides, still does not provide the 20 feet of unobstructed driving surface. He said he would like to see some compromise. If the streets are narrowed, then give the fire service something in its place, such as sprinkler systems. The East Coast has a horrendous loss of life in single family dwellings, partly because of the narrow street and partly because of the age of the buildings. The City is building new buildings now, but in 50-100 years, the residents are going to be living in older buildings. This means more fire and more fire deaths. There needs to be some plans for this situation now. Chairman Birchill said the City should consider what they are doing for fire protection now and what they are doing for it 50-100 years from now.

Marge Stewart said she wanted to look at street standards in another way. The City needs to be planning 50 years ahead, not 20 years back. The City's problem is they need some wide streets, north and south and east and west, at least one each way. This will keep traffic from going through downtown to get to work. The City needs some through streets for this purpose. Neighborhood streets should not be used as through streets.

The Commission discussed the engineering services currently being provided to the City and the options that are available. Mr. Bormet proposed the street standards be narrowed and that bike lanes be put off of the street. Staff will probably come back to the Commission with not only the idea of narrower streets, but creating separated bike paths using the space created by narrower streets. Chairman Birchill asked if the City was going to maintain the same right-of-way width. Mr. Bormet responded it was not clear at this time.

In conclusion, Mr. Bormet said a report and recommendation will probably be made within 30 days for the Commission's review. The Commission agreed this should be done as quickly as possible.

#### **4B. Limited Land Use Decision Procedures**

Carole Connell referred the Commission to the memorandum regarding Limited Land Use Decision, Expedited Land Divisions and Other Procedural Changes to Code. The purpose of the limited land use decision is to:

- Comply with ORS 197.195
- Reduce the number of quasi-judicial applications that require Planning Commission approval.
- Increase Commission time spent on long range land use planning.
- Expedite the development process.

Applications subject to a limited land use review are (any or all, or additional):

- Partitions and Subdivisions
- Site Plans

The procedures for a limited land use decision are:

- Notice to property owners within 100 feet.
- 14-day response period.
- Decision based on code criteria.
- Decision Notice supplied to applicant and commentors who may appeal.
- Appeal to Planning Commission.

Ms. Connell said when the choice is made concerning which applications will be subject to a limited land use, the Commission is giving the Staff the authority to interpret the Code, make the conditions and the decision with the procedures as outlined. The limited land use decision should be limited to decisions that are specifically tied to certain criteria, not discretionary decisions.

The Commission discussed posting of the public notice and whether the public notice should be published on the proposed site. Ms. Connell said the Code requires the public notice be posted in 5 places within the City. The notice is also published in The Times. The Commission agreed that the public notice should be posted on the affected property by the applicant. Mr. Bormet suggested the Commission adopt the minimums are required by law, but as a policy they could extend beyond the minimum requirements.

#### **4C. Expedited Land Division Procedure**

Carole Connell reviewed the expedited land division as contained in the report. This procedure is mandated by state statute. The purpose of the expedited land division is to:

- Comply with HB 3065
- Expedite certain land division applications

Eligible land divisions are:

- Inside a UGB
- Partially or all zoned residential.
- Solely for residential use (can have a park site).
- Meets street connectivity standards.
- Maintains designated open space.
- Must result in 80% or more of maximum net density, or create 3 or fewer parcels.
- Process must be requested by applicant.

The procedures for an expedite land division are:

- Within 21 days Staff must determine if application is complete or incomplete.
- Provide notice to property owners within 100 feet.
- Commentors must respond within 14 days.
- No hearing.
- Decision required within 63 days of receiving a completed application.
- Written decision including a summary statement explaining decision.
- If not decided in 63 days, applicant may apply to Circuit Court for Writ of Mandamus.
- May grant extension to 63 day deadline if extraordinary increase in applications. Cannot exceed 120 days.
- Appeal only to a local referee or hearings officer, not an employee of the City.
- If appealed, opportunity for a local public hearing provided.
- Must establish an application fee based on application and appeal processing costs. Fee must be reviewed within one year.

Ms. Connell reported that not very many cities have this process incorporated. The City of Beaverton put out an RFP for a local referee and received two responses. Mr. Hohnbaum said Beaverton's requirements were very high. Ms. Connell said the City is required to use the expedited land division process and will need to find a local referee. This is a separate process from the limited land use decision process.

The Planning Commission has talked a lot about having a hearings officer. She thought if the City uses the limited land use decision process, a hearings officer will not be necessary. The Planning Commission will still review variances, conditional uses, planned unit developments and plan amendments.

Marge Stewart asked for a copy of HB 3065.

Chairman Birchill said it is important that people be notified of changes that are happening. Ms. Connell said the Commission could change the process if it does not work. Susan Claus said it is very beneficial to receive input from the community during the decision-making process on the applications. Ms. Connell said the majority of future applications will be site plans.

Following further discussion of the limited land use decision and expedited land division processes, the Commission concurred with the recommendations as presented. Staff will provide a summary of staff reports to the Commission regarding all of the applications which have been reviewed, approved or denied by Staff. This will be provided within the appeal time period. The Commission will also receive a copy of the Decision Notices with appropriate plans and/or maps. They also reaffirmed the posting of the notice on the property, within the boundaries of the property.

Mr. Bormet stated that having an expedited process for plan reviews will be a major factor in bringing a major employer to the City. Making government responsible to a major employer is a positive move when it comes to trying to bring business to town.

Ms. Connell advised the Commission that the proposed procedural changes affect many sections of the Code and will be a lengthy amendment. The report also included miscellaneous procedural changes from the 1995 Legislature which will be incorporated into the Code.

There being no further business to discuss, the meeting was adjourned at 10:00 PM.

Respectfully submitted,

Roxanne Gibbons  
Secretary