

ORDINANCE 2003-1144

AN ORDINANCE OF THE CITY OF SHERWOOD APPROVING THE FIRST AMENDMENT TO THE SHERWOOD URBAN RENEWAL PLAN AND DIRECTING THAT NOTICE OF APPROVAL BE PUBLISHED.

WHEREAS, the Sherwood Urban Renewal Agency (the "Agency") has prepared and has proposed to the Sherwood City Council for its approval a First Amendment (the "Amendment") to the urban renewal plan for an urban renewal area within the boundaries of the City of Sherwood which urban renewal plan is known as the Sherwood Urban Renewal Plan (the "Plan"); and

WHEREAS, the First Plan amendment and its accompanying Report have been prepared in conformity with the requirements of ORS 457.085; and

WHEREAS, the Plan and Report on the First Amendment were forwarded to the Sherwood Planning Commission for recommendations and the Planning Commission has reviewed the amended Plan and Report on the Amendment and made certain recommendations with respect thereto; and

WHEREAS, the Plan and Report on the First Amendment were forwarded to the affected taxing bodies with an invitation to meet to discuss the Amendment, or to submit written comments on the Amendment; and

WHEREAS, the Council has considered any written recommendations received from the affected taxing bodies (please reference attachment 1), and:

WHEREAS, on February 4, 2003, the Sherwood Planning Commission recommended approval of the First Amendment to the Sherwood Urban Renewal Plan; and

WHEREAS, on February 11, 2003, pursuant to ORS 457.095, the Sherwood City Council has reviewed the First Amendment to the Sherwood Urban Renewal Plan, and held a public hearing to consider the First Amendment, and

WHEREAS, the Sherwood City Council finds the First Amendment to the Sherwood Urban Renewal Plan should be adopted and approved, based on the findings listed below,

NOW THEREFORE, THE CITY OF SHERWOOD DOES ORDAIN AS FOLLOWS:

Section 1. Findings: In support of its adoption of the First Amendment to the Sherwood Urban Renewal Plan, the following findings of fact and conclusions are adopted:

FINDINGS

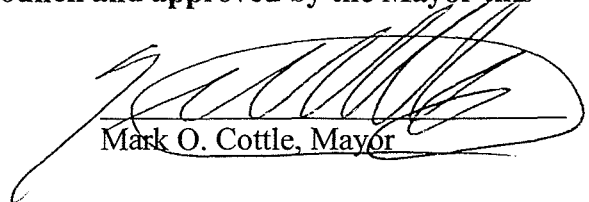
1. That the area described in the Sherwood Urban Renewal Plan is blighted.
2. That rehabilitation and redevelopment is necessary to protect the public health, safety, or welfare of the City of Sherwood.
3. That the First Amendment to the Sherwood Urban Renewal Plan conforms to the City's Comprehensive Plan as a whole, and provides an outline for accomplishing the projects that the Sherwood Urban Renewal Plan proposes.
4. That provisions have been made to house displaced persons within their financial means and in accordance with ORS 281.045-ORS - 281.105 and, except in the relocation of elderly or handicapped individuals, without displacing on priority lists persons already waiting for existing federally subsidized housing.
5. That the acquisition of real property provided for is necessary to carry out the goals and objectives of the urban renewal plan, and to carry out public and private development activities described in the Urban Renewal Plan.
6. That the adoption and carrying out of the First Amendment to the urban renewal plan is economically sound and feasible.
7. That the City shall assume and complete any activities prescribed it by the urban renewal plan.
8. That the Sherwood City Council hereby incorporates by reference the First Amendment to the Sherwood Urban Renewal Plan, attached to this Ordinance as Exhibit "A", as support for its above-mentioned findings.
9. That the Sherwood City Council further relies on the Report on the First Amendment to the Sherwood Urban Renewal Plan, attached to this Ordinance as Exhibit "B", which is incorporated by reference, the report of the Planning Commission, the public hearing and the entire record before the Sherwood City Council in this matter.

CONCLUSIONS

1. The Sherwood City Council hereby adopts and approves the First Amendment to the Sherwood Urban Renewal Plan, based upon City Council consideration of the First Amendment, of City Planning commission recommendations, and of public testimony, and directs the City Recorder to publish notice of the adoption of this Ordinance in accordance with the requirements of ORS 457.115.

2. The Sherwood City Council directs the City Recorder to record a copy of the Ordinance approving the First Amendment to the Sherwood Urban Renewal Plan with the Recording Officer of Washington County, Oregon, pursuant to ORS 457.125, and directs the City Recorder to send a copy of this Ordinance to the Sherwood Urban Renewal Agency

This Ordinance adopted by the Sherwood City Council and approved by the Mayor this 25th day of February 2003.



Mark O. Cottle, Mayor

ATTEST



C.L. Wiley, City Recorder

	<u>AYE</u>	<u>NAY</u>
Weislogel	✓	_____
Grant	✓	_____
Heironimus	✓	_____
Durrell	✓	_____
Mays	✓	_____
Fox	✓	_____
Cottle	✓	_____

**Exhibit A
CITY OF SHERWOOD
SHERWOOD URBAN RENEWAL PLAN
FIRST AMENDMENT**

INTRODUCTION

The Sherwood Urban Renewal Plan was adopted August 29, 2000, by Ordinance number 2000-1098. This is the First Amendment to the Sherwood Urban Renewal Plan.

The First Amendment to the Sherwood Urban Renewal Plan makes the following changes to the Urban Renewal Plan:

- Inserts a list of properties proposed to be acquired by the urban renewal agency
- Revises the description of project activities to clarify the Agency's intent to participate in funding of a multi-use public facility
- Revises the definition of "substantial" amendments to the Urban Renewal Plan, to be consistent with the type of amendments specifically cited in ORS 457.085(i)
- Inserts a section providing information on the benefit provided to the renewal area by public buildings.
- Inserts a corrected boundary map, reflecting the boundary of the renewal area that was described in the Plan legal description adopted by Ordinance number 2000-1098.

The First Amendment to the Sherwood Urban Renewal Plan will be undertaken as an amendment to the Plan requiring adoption by a non-emergency Ordinance of the City Council. Prior to the Council hearing on the Ordinance, the First Amendment will be sent to the City Planning Commission for comment, and to affected taxing bodies for their review and comment. The First Amendment to the Plan does not change the maximum indebtedness that can be undertaken under the Plan, or add land in excess of 1% of the plan acreage, and therefore does not require special notice as provided in ORS 457.120

In the following sections, additions and new wording are shown in ***Bold Italics***, deleted wording is shown in ~~strikeover~~. The sections of the Urban Renewal Plan changed by the First Amendment follow.

Section 100B of the Plan is changed as follows:

100. THE URBAN RENEWAL PLAN

B. The Renewal Plan Area Boundary

The boundary of the renewal area is shown in ***First Amendment to*** Exhibit 1, attached to this plan.

Section 500 of the Plan is changed as follows:

500. DESCRIPTION OF PROJECTS TO BE UNDERTAKEN

503. Acquisition and Redevelopment of Property

C. Properties to be acquired

~~At the time this plan is prepared, no properties are identified for acquisition. If plan amendments to acquire property are approved, a map exhibit shall be prepared showing the properties to be acquired and the property will be added to the list of properties to be acquired. A list of properties proposed to be acquired will be is shown in this section of the Plan. The map exhibit list shall be appropriately numbered and shall be included in Part Two as an official part of this Urban Renewal Plan.~~

***SHERWOOD URBAN RENEWAL PLAN
LIST OF PROPERTIES TO BE ACQUIRED***

<u>Tax Map Number</u>	<u>Tax Lot Number</u>	<u>Address/Comments</u>
2S132BD	900	Not assigned (vacant).
2S132BD	Right-of-way (railroad)	North of/ adjacent to: t.l.

#4600 & 5301

504. PUBLIC IMPROVEMENTS

Anticipated Improvements

5. Facilities supportive of the residential and business development of the renewal area, such as meeting, conference, educational, recreational, or cultural spaces. ***These facilities include a new multi-purpose public facility in the renewal area, which is expected to provide space for a new library, public meeting facilities, and municipal offices. The Agency is authorized to participate in the funding of this multi-purpose public facility. The benefits to the renewal area are described in Section 1200 of this plan.***

Section 700 of the Plan is changed as follows

700. AMENDMENTS TO THE RENEWAL PLAN

It is anticipated that this Renewal Plan will be reviewed periodically during the execution of the Project. The plan may be changed, modified, or amended as future conditions warrant. Types of Plan amendments are:

A. Substantial Amendments

Substantial amendments consist of

1. Increases in the urban renewal area boundary, in cumulative excess of 1%, shall be a substantial amendment requiring approval per ORS 457.095, and notice as provided in ORS 457.120.
2. Increasing the maximum amount of indebtedness to be issued under the plan shall be a substantial amendments requiring approval per ORS 457.095, and notice as provided in ORS 457.120.
3. ~~The addition of improvements or activities which represent a substantial change in the purpose and objectives of this Plan, and which cost more than \$500,000, shall be a substantial amendment requiring approval per ORS 457.095, but not requiring notice as provided in ORS 457.120. The \$500,000 amount will be adjusted annually from the year 2000 according to the "Engineering News Record" construction cost index for the Northwest area.~~

D. Amendments requiring approval per ORS 457.095

1. ***The addition of improvements or activities which represent a substantial change in the purpose and objectives of this Plan, and which cost more than \$500,000, shall be an amendment requiring approval per ORS 457.095, but not requiring notice as provided in ORS 457.120. The \$500,000 amount will be adjusted annually from the year 2000 according to the "Engineering News Record" construction cost index for the Northwest area.***

A new Section 1200 is added to the Plan, as follows:

1200. PUBLIC BUILDINGS BENEFIT TO RENEWAL AREA

Pursuant to ORS457.085(j), this section of the Plan provides information on the benefits of public buildings proposed for funding by the Renewal Agency. The following public buildings have been identified for funding by the Urban Renewal Agency.

A. Multi-Purpose Public Facility

The Renewal Agency will participate in the funding of a multi-purpose public building to be developed within the renewal area. The Renewal Agency will fund a portion of the cost of the public facility. Agency funding reflects the significant benefit the renewal area will derive from locating the facility there. Benefits of the multi-purpose facility include:

1. ***Help achieve the objectives of the urban renewal plan.***

Section 302 F. of the Sherwood Urban Renewal Plan makes the development of public facilities an important component of the redevelopment and renewal of the historic center of Sherwood. Section 302F states as its goal:

"Maintain, remodel, and construct public facilities, including the existing City Hall, Library, the Old School, the Hite House, Old City Hall, and a potential library expansion or relocation,

to strengthen and reinforce Old Town as the historic center of Sherwood and to serve as an anchor for the Old Town's economy."

2. Provide an attractor to increase public utilization of the Old Town area of Sherwood.

A major emphasis of the urban renewal plan is to stimulate new investment in the historic center of Sherwood, and make it a focal point of community activity. Consolidating library, community meeting facilities, and municipal offices in a single facility will bring hundreds of new users into the renewal area on a daily basis, and will provide nighttime activity currently lacking in the area. A one-week count of library users in January, 2003 showed 2889 persons using the facility in the survey period. The lowest average hourly usage during the period was 46 persons per hour. The daily and hourly counts could be expected to rise with a larger, more modern facility, and be of substantial benefit to creating a market for further investment in the renewal area.

3. Help stimulate new private investment in the renewal area.

Construction of new public facilities is a common tool for making significant physical improvements to an urban renewal area, and leading the way for new private investment. The physical improvement to the historic area, and the increase in people making use of the area are expected to act as a catalyst for further private investment in the area. In addition, a market study prepared for the Sherwood Renewal Agency in December 2000 noted that the population of the intermediate (5 mile radius) market area for the Old Town area was rapidly growing. There will be substantial benefit to the renewal area by providing facilities to draw this growing population into the renewal area.

4. Support the overall plan strategy of developing the renewal area as a cultural center.

The overall development strategy for the Sherwood urban renewal plan envisions Old Town Sherwood as a hub of cultural and arts activity for Sherwood and the surrounding community. Locating a library in the Old Town area will support this cultural and arts strategy for the renewal area.

Exhibit B

**SHERWOOD URBAN RENEWAL PLAN
REPORT ON THE FIRST AMENDMENT TO THE PLAN**

INTRODUCTION TO THE REPORT ON THE FIRST AMENDMENT

The Sherwood Urban Renewal Plan was adopted August 29, 2000, by Ordinance number 2000-1098. This is the First Amendment to the Sherwood Urban Renewal Plan.

The First Amendment makes the following changes to the Report on the Urban Renewal Plan:

- Revises the project cost allocations in Table 1 of Section VI of the Report.
- Corrects the acreage of the Plan area

In the following sections, additions and new wording are shown in ***Bold Italics***, deleted wording is shown in ~~strikeover~~. The sections of the Report on the Urban Renewal Plan changed by the First Amendment follow.

Sections IIA (2) of the Report on the Plan is changed as follows:

IIA. Physical Conditions

2. Compliance with Land Area Requirements of ORS457

ORS 457.420(2)(a)(B) provides that the total land area of a proposed urban renewal area, when added to the land area of existing active urban renewal plans, may not exceed 25% of the City's total land area. The total acreage within the City of Sherwood is 2580 acres. The acreage within the urban renewal area is ~~410.6~~ ***591*** acres, or ~~15.9%~~ ***22.9%*** of the total acreage in the City.

Table 1 of Section VI of the Report on the Plan is changed as follows:

TABLE 1 - COST OF PROJECT ACTIVITIES

	Cost, Year 2000	Cost, Inflated
Curb, Sidewalk Streets		
Support traffic and beautification improvements along Hwy. 99W	\$500,000	\$650,000
Downtown streetscape-curb extensions and ADA ramps	\$1,105,000	\$1,436,500
Oregon Street Realignment and Improvements	\$2,195,000 \$2,695,000	\$2,853,500 \$3,503,500
N. Sherwood Blvd Imp	\$1,200,000	\$1,560,000
Alley improvements	\$260,000	\$338,000
Traffic management improvements in Old Town	\$100,000	\$130,000
Adams Street Enhancements	\$1,125,000	\$1,462,500
Edy Road impr. related to Police Station	\$45,000	\$58,500
Washington Hill Area Improvements	\$2,012,000	\$2,615,600
Gateway project - Century Drive/N. Sherwood Blvd.	\$50,000	\$65,000
Parks and Open Space		
Old Town Square and Open Space	\$2,500,000 \$3,500,000	\$3,250,000 \$4,550,000
Park expansion project at public works shop site	\$700,000 \$100,000	\$910,000 \$130,000
Trails and general improvements to Cedar Creek Parkway	\$40,000	\$52,000
Improve park connections from Old Town	\$100,000	\$130,000
Public Facilities		
Civic Building Reuse/Revitalization	\$1,875,000	\$2,437,500
Performing Arts Strategy	\$3,300,000 \$4,900,000	\$4,290,000 \$6,370,000
Participate in funding of library improvements	\$3,000,000 \$500,000	\$3,900,000 \$650,000
Joint public use facility with School District	\$100,000	\$130,000
Parking	\$450,000	\$585,000
Old Town Police Storefront support	\$100,000	\$130,000
Building Rehabilitation		
Old Town Housing, rehab & redevelopment	\$250,000	\$325,000
Comm. Revitalization - Commercial building rehab. assistance	\$375,000	\$487,500
Washington Hill Area Housing Rehabilitation	\$250,000	\$325,000

Redevelopment and New Construction		
N. Railroad Area Redevelopment	\$1,060,000	\$1,378,000
Cannery Area Redevelopment	\$1,860,000	\$2,418,000
Tannery Clean-up Technical Assistance	\$100,000	\$130,000
Cedar Creek Greenway Expansion and Redevelopment	\$1,000,000	\$1,300,000
 Total, capital Costs	 \$25,652,000	 \$33,347,600
 Project Administration, Planning, Technical and Finance services, renewal area marketing, and support	 \$2,000,000	 \$2,000,000
 Total Project Costs	 \$27,652,000	 \$35,347,600

There are no changes to other sections of the Report on the Plan.

ATTACHEMENT 1

Dear : **City of Sherwood Urban Renewal District**

Like all local governments in Oregon, at Tualatin Valley Fire and Rescue (TVF&R) we are interested in ways that we can maintain service levels while responding to the challenges of a depressed economy, increased costs, and progressively greater demands for service. To that end, we have watched with both envy and intrigue as cities and counties throughout the state have met some of these challenges through the creation of urban renewal and tax increment financing districts.

Although such tools are not currently available to special districts, implementation within district boundaries can profoundly affect both short-term and long-term service levels. While generally viewed favorably by the Board, we are sometimes caught off-guard as we learn that significant territories within the district are either being considered, or have been included in a newly formed urban renewal district. As you are aware, certain types of urban renewal can, at the same time, reduce anticipated short-term revenue and increase the demand for service, thereby potentially worsening our insurance rating.

Because I know that you share these concerns, I believe there is merit in inviting the fire district's input, early on, in these discussions. Like all local governments, we derive great benefit from the sort of sound financial planning that such discussions will provide. Moreover, because certain types of growth can have a significant impact on how we conduct business, you may wish to consider whether a particular project justifies infrastructure enhancements in the provision of fire and emergency services.

I have enclosed a copy of our recently approved Board Policy on urban renewal for your review. You will note that while the Board's position is generally supportive, the adoption of such a policy demonstrates our concern for the potential impacts.

Thank you for your consideration and please do not hesitate to contact me if you have any questions.

Sincerely,

TUALATIN VALLEY FIRE AND RESCUE

Jeffrey D. Johnson
Fire Chief

ATTACHEMENT 1 (Cont.)

SECTION 1.16 URBAN RENEWAL / TAX INCREMENT FINANCING POLICY

- A. The following serves as general policy relating to urban renewal districts and tax increment financing. Regardless of the policy articulated below, however, the proposed creation of each urban renewal district shall be individually reviewed and scrutinized for economic and operational impact.
- B. ORS 457.085 requires that urban renewal agencies "shall consult and confer" with each affected taxing district prior to presenting an urban renewal plan for approval, but does not require consultation with such districts during a plan's development. Therefore, TVF&R shall ensure that each municipality within TVF&R's jurisdiction has on file a current notification from TVF&R that TVF&R desires early notification, consultation, and involvement with the development of all urban renewal plans. Such notification shall be given as necessary to be current, but not less than once every two years.
- C. ORS 457.085 (5) provides that any written recommendations of the governing body of a taxing district affected by a proposed urban renewal plan shall be accepted, rejected or modified by the governing body of the municipality in adopting the plan. Accordingly, it shall be the policy of this Board to specify to the governing body of the municipality approving the plan, in writing, any of its recommendations that are not included in the proposed plan.
- D. Staff shall evaluate each proposed urban renewal plan for its short-term and long-term economic costs and benefits, for its costs and benefits based upon life cycle costing, and for its operational impact on TVF&R. Such evaluation shall include a long term financial analysis comparing the costs and benefits with and without the urban renewal plan.
- E. As part of its involvement in the development of urban renewal plans, TVF&R shall seek to require as part of the urban renewal plan, projects and expenditures which benefit TVF&R and which offset the costs of the plan to TVF&R; provided, however, that such projects and expenditures shall also benefit and serve the urban renewal project.
- F. Upon review of staff's evaluation and report on a proposed urban renewal plan, the Board may take no position, or one of the following positions:
 - The Board may actively encourage the approval of the proposed urban renewal plan.

- The Board may oppose approval of the urban renewal plan when the urban renewal plan is deemed detrimental to the economic or operational integrity of TVF&R. In this instance, the Board may make written recommendations as specified above in paragraph C.

SECTION 1.16 URBAN RENEWAL / TAX INCREMENT FINANCING POLICY
(Cont.)

- The Board may support approval of an urban renewal plan provided that certain capital improvements, which benefit TVF&R are included within the urban renewal plan. In this instance, the Board may make written recommendations as specified above in paragraph C.

APPROVED:

President of the Board

Secretary of the Board

DATE: May 28, 2002

REVISED: September 24, 2002