



ORDINANCE 2007-002

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN TO INCORPORATE PARKS MASTER PLAN MAP UPDATES

WHEREAS, the need to develop a new parks master plan was added to the CIP 2005-06 Budget to replace the 2000 update and a contract to begin a new Parks Master Plan was authorized by the City Council via Resolution 2005-072; and

WHEREAS, the Parks and Recreation Board, City staff, and Greenplay, LLC, the City's consultant, worked with various stakeholders and the larger community to develop a new master plan that will guide the development of a parks, recreation, open space, and trails system in Sherwood for twenty years; and

WHEREAS, the Parks and Recreation Board held numerous meetings, workshops, interviews, surveys, and public involvement opportunities since January 2006 and recommended approval subsequent to the September 11, 2006 meeting; and

WHEREAS, Section IV.C of the Parks Master Plan, recommendation 1.5 indicates that "as resources become available, the City should look to add facilities that would enhance the leisure and recreation of the City." Further, this section identifies that the Future Acquisitions Map identifies sites that may be suitable but this map is not inclusive of all potential future acquisition sites and all sites identified are not anticipated or required to be acquired; and

WHEREAS, concern was raised over the title of the map and the Council has determined a map title identifying the map as "Potential" future acquisition is more reflective of the intent of the map as a non-regulatory document; and

WHEREAS, the Planning Commission recommended approval on September 26, 2006; and

WHEREAS, the City Council adopted Resolution 2006-057 approving the Parks Master Plan and authorizing initiation of a plan amendment to the Comprehensive Plan on October 17, 2006; and

WHEREAS, The proposal for a Plan Map Amendment (PA 06-04) to include the "GRASP Inventory" map (Exhibit A-1) and "Potential Future Acquisitions" map (Exhibit A-2) was subject to full and proper review and public hearings were held before the Planning Commission on November 14, 2006 and December 12, 2006; and.

WHEREAS, the Planning Commission voted on December 12, 2006 to forward a recommendation of approval to the City Council based on the analysis and findings of the staff

report contained in Exhibit A with modifications to Exhibit A-2 from the original Parks Master Plan acquisition map and the attached map reflects those requested modifications; and

WHEREAS, the City Council held a public hearing on January 16, 2007 and determined that the proposed changes to the Comprehensive Plan to include the two additional maps met applicable criteria.

NOW, THEREFORE, THE CITY OF SHERWOOD ORDAINS AS FOLLOWS:

Section 1 - Approval. The City Council approves the amendment to the Comprehensive Plan to include the "GRASP Inventory" map (Exhibit A-1) and the "Potential Future Acquisitions" map with modifications as recommended by staff and the Planning Commission (Exhibit A-2) based on the findings contained in the staff report (Exhibit A) and public testimony provided at the public hearing on January 16, 2007 and written testimony received by February 20, 2007.

Section 2 - Manager Authorized. The Planning Department is hereby directed to take such action as may be necessary to document this amendment, including preparation of a certified amendment of the Official Comprehensive Plan in accordance with City ordinances and regulations.

Section 3 - Effective Date. This ordinance shall become effective the 30th day after its enactment by the City Council and approval by the Mayor.

Duly passed by the City Council this 6th day of March 2007.


Keith S. Mays, Mayor

ATTEST:


Sylvia Murphy, City Recorder

	<u>AYE</u>	<u>NAY</u>
Weislogel	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Luman	<input checked="" type="checkbox"/>	<input type="checkbox"/>
King	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Henderson	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Heironimus	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Grant	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mays	<input checked="" type="checkbox"/>	<input type="checkbox"/>

TO: Sherwood City Council
FROM: Julia Hajduk, Interim Planning Supervisor
RE: PA 06-04 Parks & Recreation Master Plan initiated by the City Council via Resolution 2006-057 on October 17, 2006.

Signed: _____
Julia Hajduk

I. INTRODUCTION

This staff report and findings of fact are a compilation of master planning proceedings for the development of a new Parks and Recreation Master Plan. Although the plan was approved as a policy document by the City Council via Resolution 2006-057 on October 17, 2006, the plan must be implemented through the Comprehensive Plan (Part 2) to have the force of law for land use planning related decisions. Plan amendments are Type 5 applications (Section 3.201.01E) and require two public hearings, one before the Planning Commission with a recommendation to the City Council and a second before the City Council as the ultimate review authority.

The report is organized by the following sections:

- I. Introduction
- II. Background (Public Involvement & Proposal Overview)
- III. Affected Agencies, Public Notice, and Public Comments
- IV. Type 5 – Legislative Plan Amendment Criteria & Findings of Fact
 - A. SZCDC – Section 4.203.01 Plan Text Amendment
 - B. Transportation Planning Rule (TPR) - OAR 660-012-0060
 - C. Statewide Land Use Planning Goals
 - D. SZCDC - Section 4.203.02 Plan Map Amendment
- V. Recommendation
- VI. Exhibits

II. BACKGROUND

A. Public Involvement

The City and the Parks & Recreation Advisory Board hired a consultant team led by Greenplay, LLC in November 2005. Subsequently, the Board held numerous types of meetings to gather public input and develop a new master plan that replaces an update from 2000 (Resolution 2000-876) and the original “stand alone” plan from 1991 (Resolution 91-505). These meetings included: focus groups, individual stakeholder interviews, regular Parks Board meetings open to the public, two public workshops, three meetings with the Planning Commission, and two meetings with the City Council. Throughout the planning process, electronic notice was sent to an interested parties list. A project website was developed on the Parks Board homepage to provide a clearinghouse for all meeting materials. Copies of materials were also available for public use at City

Hall. Monthly project updates were provided in the *Archer* portion of the *Sherwood Gazette* in addition to numerous newspaper articles that appeared in *The Oregonian* and the *Sherwood Gazette*.

Although a separate technical advisory committee was not established for this process, staff and the consultants did request input from the following affected agencies:

- YMCA
- DLCD
- Metro
- Raindrops to Refuge
- Tualatin Valley Fire & Rescue
- Sherwood School District

The Parks Board met monthly from January 2006 to September 2006 to review the consultant's findings, draft alternatives, and various reports on the development of the master plan. The following table is a summary of all the public meeting dates, types, and audiences conducted throughout the process.

Table 1: Parks Master Plan Meetings

Date	Meeting Type	Audience
January 9, 2006	Focus Group	Parks Board
January 10, 2006	Focus Group	Planning Commission/Cultural Arts Commission
January 11, 2006	Focus Group	General Public
February 27, 2006	Workshop No. 1	General Public
March 6, 2006	Public Meeting	Parks Board
May 1, 2006	Public Meeting	Parks Board
June 5, 2006	Public Meeting	Parks Board
June 5, 2006	Workshop No. 2	General Public
July 18, 2006	Public Meeting/Work Session	Parks Board/Planning Commission
August 7, 2006	Public Meeting	Parks Board
August 8, 2006	Public Meeting	Planning Commission
September 11, 2006	Public Meeting	Parks Board
September 19, 2006	Work Session	City Council
September 26, 2006	Public Meeting	Planning Commission
October 17, 2006	Public Meeting	City Council

B. Proposal Overview

The Parks & Recreation Master Plan is the third “stand alone” plan for parks, recreation, open space, and a trails system in Sherwood. As mentioned above, the City approved two prior plans but only by resolution. To some extent, the 1991 version was integrated into “Chapter 5 - Environmental Resources” of the Comprehensive Plan (Part 2). The primary purpose of this plan amendment is to address outdated policy maps for the existing inventory and future acquisition of lands for parks and open space. A secondary benefit of a plan amendment is that all future development will need to comply, at least on a policy level, with lands identified for preservation or acquisition (i.e. PUD overlay) and the Parks Board has an opportunity to purchase or conserve resources through outright purchase, conservation easements, or some other mechanism. To do this, the plan must be referenced in the comprehensive plan by ordinance. New or amended plan policy goals and strategies (text) are not proposed at this time until a full evaluation and integration process begins during “periodic review” of the Comprehensive Plan which is anticipated to begin in 2008. However, the existing 1991 policies are consistent with the new plan and staff has made findings below to demonstrate compliance.

So, why adopt the new maps? The proposed maps will assist policymakers as new sources of funding are secured, will assist policymakers when land is added by Metro to meet a 20 year land supply for Sherwood, and provide a policy bridge until such time the comprehensive plan can be fully integrated and rewritten. Finally, the new plan does include a recommendation (Action Theme Two) to update policies and codes as part of a larger implementation program.

More specifically, the proposed plan amendment will add to the existing “Natural Resources and Recreation Plan” (Chapter 5, page 6) dated February 1991 in the Comprehensive Plan (Part 2) with two new maps in the Parks & Recreation Master Plan: “Current Level of Service Map” (Appendix I, page 113) (Exhibit A-1) and “Future Acquisitions Map” (Appendix X, page 179) (Exhibit A-2). The existing plan was done with rudimentary technology and is not extremely legible and it does not accurately reflect the existing inventory or amenities and desired future projects. The Future Acquisitions Map illustrates projects that were developed in response to Metro’s Greenspaces Program, referred to as “Nature in Neighborhoods,” and the bond measure that was approved on the November 7 ballot. These projects were approved by the City Council via Resolution 2006-015 in March 2006. The only project that is new on this map is a sports complex that appears on the approved Capital Improvement Plan (CIP). New projects can be added through a recommended five year update (2011) of the master plan. The Planning Commissions recommendation includes modifications to Exhibit A-2 from the map in the Park Master Plan. The modifications recommended remove the Metro designation of “impact area” and add a clarification box to the map making it clear that the areas identified for acquisition are conceptual only and would be used as a tool for policy discussions on funding acquisition.

The only area that is not already fully developed and appears on the existing 1991 map is the Tonquin Scablands. Staff recommends this area be retained through the retention of the existing “Natural Resources and Recreation Plan” map to ensure a policy level of protection before development occurs. Although considerable time and energy has been spent on a neighborhood master plan for

SE Sherwood, and a large expanse has recently been legally clear cut by a property owner, the plan has not been adopted as code and has not gone through the process of demonstrating compliance with local and state planning requirements. Therefore, it would not apply to an application that complied under the current Very Low Density Residential (VLDR) zoning.

III. AFFECTED AGENCY, PUBLIC NOTICE, AND PUBLIC COMMENTS

The City of Sherwood sent electronic notice to affected agencies on October 10, 2006. To date no comments have been received. DLCD was provided notice on August 29, 2006 that exceeded the 45-day notice requirement. Type 5 applications do not require direct notice to property owners. However, e-notice was sent to an interested parties list on October 10 and November 2 that has been maintained throughout the master plan process. Written comments to the Planning Commission were received from R. James Claus on 11/22/06 and were considered by the Planning Commission as they made their recommendation. No other written comments have been received as of the date of this report.

IV. REQUIRED FINDINGS FOR A TYPE 5 PLAN AMENDMENT

The required findings reference the applicable policies and maps described below to implement the Parks & Recreation Master Plan. The applicable criteria in the City of Sherwood Comprehensive Plan Part 2 & Part 3, Transportation Planning Rule (TPR), and Statewide Land Use Planning Goals are referenced with *italics*.

The City shall find that the following criteria are met by the proposed amendment:

A. 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.”

Comprehensive Plan (Part 2) Compliance: The City finds that the proposed policies comply with existing Comprehensive Plan (Part 2), Chapter 5 – Environmental Resources Element, as follows:

Chapter 5: Policy 1 - Open Space will be linked to provide greenway areas (Page 19).

Policy 2 - The City will maximize shared use of recreational facilities to avoid cost duplication. (Page 20)

Policy 4 –The City will encourage and support the private sector in the provision of needed recreational opportunities. (Page 20)

Finding: The above policies are consistent with the proposed maps and the policies that are described in the Parks Master Plan. The Future Acquisitions Map illustrates areas slated for acquisition depending on available funding.

These areas are primarily Goal 5 resources that were identified through an inventory process by Metro with local input. Many of these areas are located in the 100-year floodplain, which link existing greenways with future areas as they develop or can be acquired. The City has an agreement with the Sherwood School District to share facilities, including recreation fields. The planned school facility and recreation area in Area 59 is an example of this continued cooperation. The Parks Master Plan identified a range of alternative providers (Appendix F, page 103) that would serve residents with a variety of parks, cultural arts, and recreation programs and services without City subsidy. The Parks Master Plan also identifies policies that support and encourage private sector involvement (Action Theme Three).

B. Transportation Planning Rule (TPR): The City finds that the proposed master plan either does not apply or 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;

Finding: The City does not propose changes to the LOS policy, underlying land uses, zones, or other policies that would be detrimental to the transportation system. Conversely, the proposed plan does encourage neighborhood based parks and recreation services to be within walking distance thereby reducing reliance on the automobile and increasing use of identified trail corridors consistent with the Transportation System Plan.

C. Statewide Land Use Planning Goals

Goal 1: Citizen Involvement

As mentioned previously, the City held various meetings that resulted in a recommendation from the Parks Board to the Planning Commission, and City Council. The Planning Commission is the designated Citizen Involvement Committee under Goal 1. The Commission provides advisory recommendations to the City Council for review and adoption. A summary of public involvement, including a list of public meetings, can be found under the "Background" section of this staff report.

Goal 2: Land Use Planning

The master planning process weighed a number of parks and recreation services that require varying degrees of land. The consensus was to utilize existing parks to improve service instead of new park land other than UGB additions that will be concept planned under Metro's Title 11 requirements and integrated with the neighborhood.

Goal 3: Agriculture

This goal does not apply.

Goal 4: Forestry

This goal does not apply.

Goal 5: Natural Resources

Regional Goal 5 significant resources were inventoried by Metro and will be adopted via PA 06-02 as part of the Tualatin Basin program implementation slated for December 2006. Impacts to inventoried Goal 5 resources will be minimized through code amendments that encourage habitat-friendly development practices, including green streets, pervious paving surfaces, and other best management practices to improve water quality, protect stream corridors, upland habitat, and tree preservation and mitigation. Overall, the Tualatin Basin Program will use incentives or “carrots” instead of new regulations or “sticks” to acquire, improve, or retain habitat outside of existing City regulations and Metro’s Title 3 buffer standards as administered through Clean Water Services. The proposed acquisition map illustrates Goal 5 areas (upland and riparian habitat only) to allow policymakers to see the connection between the inventoried habitat and future opportunities for open space and recreation to preserve and conserve natural resources.

Goal 6: Air and Water Quality

Sherwood is located in the Portland Metropolitan Air Quality Management Attainment Area. The proposal, through local parks and trail systems, encourages alternative modes to reduce reliance on the automobile and improve air quality.

Goal 7: Natural Hazards

This goal does not apply.

Goal 8: Recreation

This new Parks Master Plan is being developed in accordance with Goal 8. Sherwood does not have any state parks nearby nor is it required to adopt a parks plan. However, a parks master plan became necessary due to the overwhelming growth in the last five years and the need to maintain a quality of life.

Goal 9: Economic Development

A new economic development plan is being developed to replace the Goal 9 section of the Comprehensive Plan. A portion of the new strategy is to enhance quality of life to attract employers and individuals who value amenities such as a top notch parks and recreation system. The Parks Master Plan accomplishes this portion of the strategy.

Goal 11: Public Facilities

This goal does not apply.

Goal 12: Transportation

This goal does not apply directly, however the off-street pedestrian and bicycle system is consistent and complimentary to the Transportation System Plan.

Goal 13: Energy Conservation
This goal does not apply directly.

Goal 14: Urbanization
This goal does not apply.

D. Section 4.203.02 Map Amendment Review Criteria

An amendment to the City Zoning Map may be granted, provided that the proposal satisfies all applicable requirements of the Comprehensive Plan and this Code, and that:

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

Finding: The request is to update the Comprehensive Plan with new policy maps for existing conditions and land acquisitions that will help guide policy makers on future parks and open space acquisition and development as well as required concept plans for UGB additions. Although the applicable criteria are specific to the Sherwood Zone and Plan Map, the Comprehensive Plan includes various policy maps that illustrate the overall goals, objectives, and strategies. Therefore the proposed plan amendment needs to and does comply with the first criterion. As discussed above under “C”, the proposed maps are consistent with regional and state policy as well. Based on the above analysis and findings, the standard is met.

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.

Finding: Through the in-depth development of the master plan, the need for development and acquisition of parks and open space was clearly demonstrated. The proposed maps illustrate existing conditions for parks and open space and identify areas of general concern for future acquisition, preservation, and conservation. The proposal does not suggest new zoning designations. The standard is 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.

Finding: Since the last update to the Comprehensive Plan was completed in 1991, the population of Sherwood has increased by 12,000 new residents. Clearly, the proposal is timely given the rapid level of development since 1991 and 2000 when previous plans were developed and approved. The proposal outlines the need for new parks, recreation, open space, and trails primarily through improvements to the existing system and partnering with the Sherwood School District and the YMCA. The plan identifies a list of capital improvements over the next five years to meet

immediate demand and serve residents more effectively and efficiently given available funding and resources. Therefore, the 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.

Finding: Ostensibly, this criterion is intended for zone change applications for land inside the city limits instead of new master plans or UGB additions. Therefore, this standard does not apply.

V. RECOMMENDATION

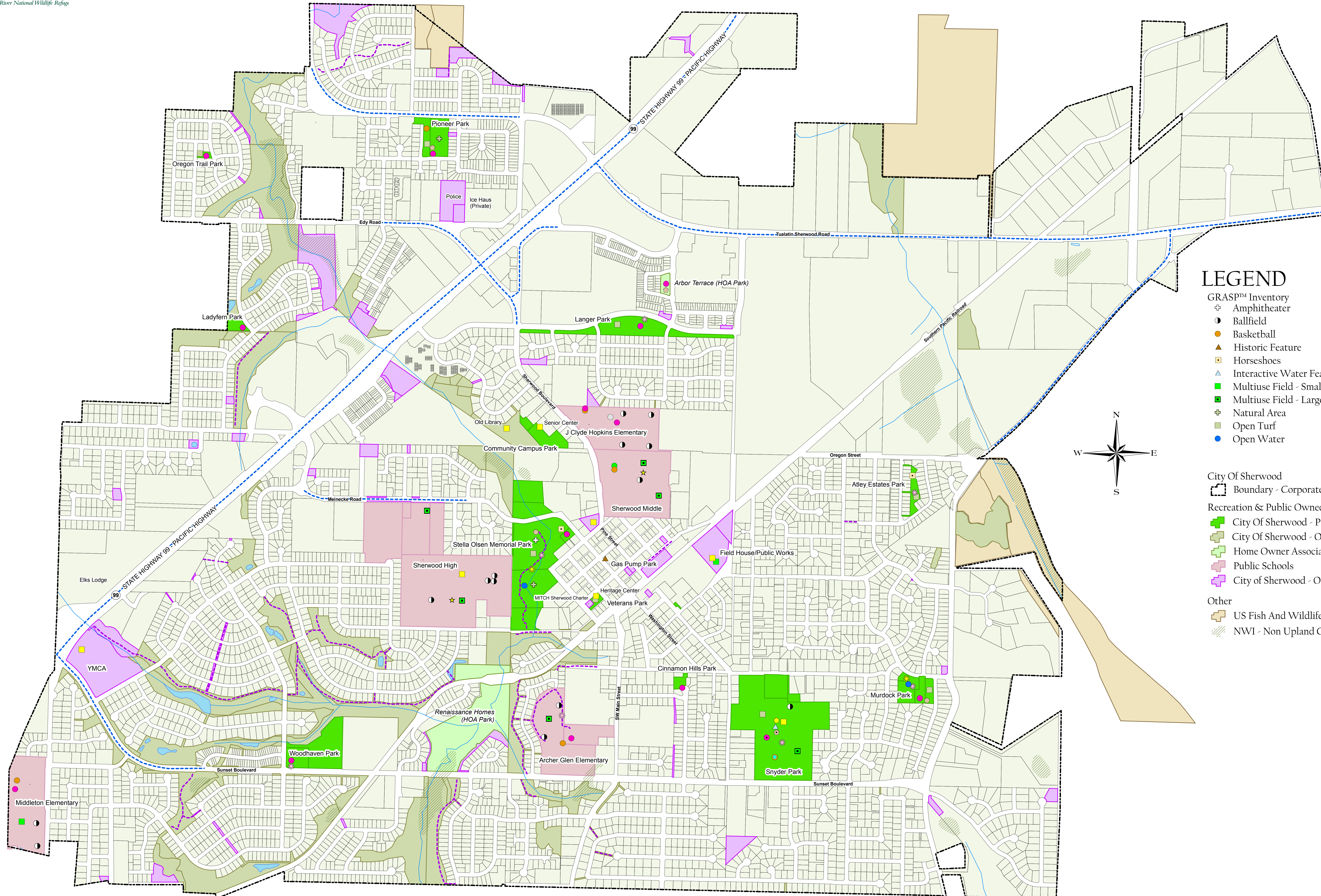
Based on the above findings of fact, and the conclusions of law based on the applicable criteria, the Planning Commission forwarded a recommendation for approval to the City Council of the plan amendments shown in Exhibits A-1 and A-2 (PA 06-04), subject to any amendments, and the following conditions:

1. Prepare an ordinance for City Council review and a public hearing as required for a Type 5 – Legislative application.
2. Replace all applicable plan maps contained in the exhibits and clearly mark with new adoption dates.
3. Upon Council approval send a “Notice of Adoption” to DLCDD within five calendar days and a Notice of Decision to interested parties who requested such.
4. Retain the Tonquin Scablands designation in SE Sherwood and illustrate the policy designation on the “Future Acquisitions Map.”

VI. EXHIBITS

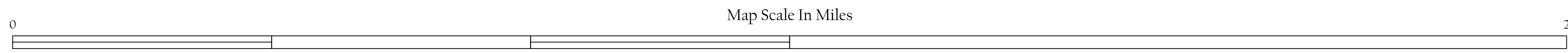
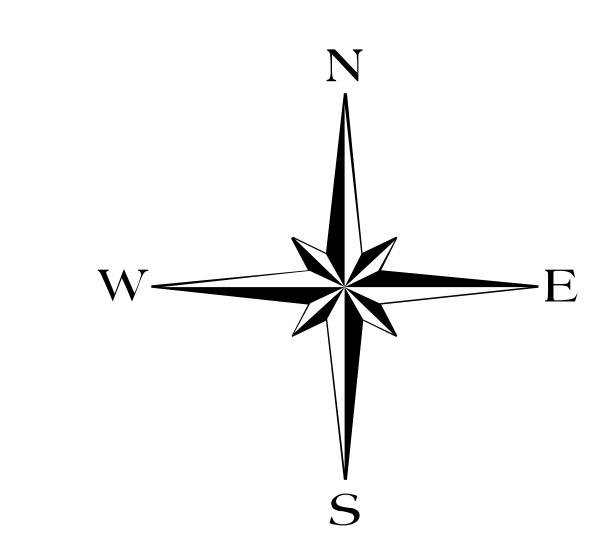
In addition to the reports, findings, and maps from the master plan process attached by reference, the following exhibits are attached.

- Exhibit A-1 GRASP inventory map (Parks & Recreation Master Plan dated October 17, 2006, Appendix I: Current Level of Service Map (page 113))
- Exhibit A-2 Future Acquisition map (modified from Parks & Recreation Master Plan dated October 17, 2006, Appendix X: Future Acquisition Map (page 179))



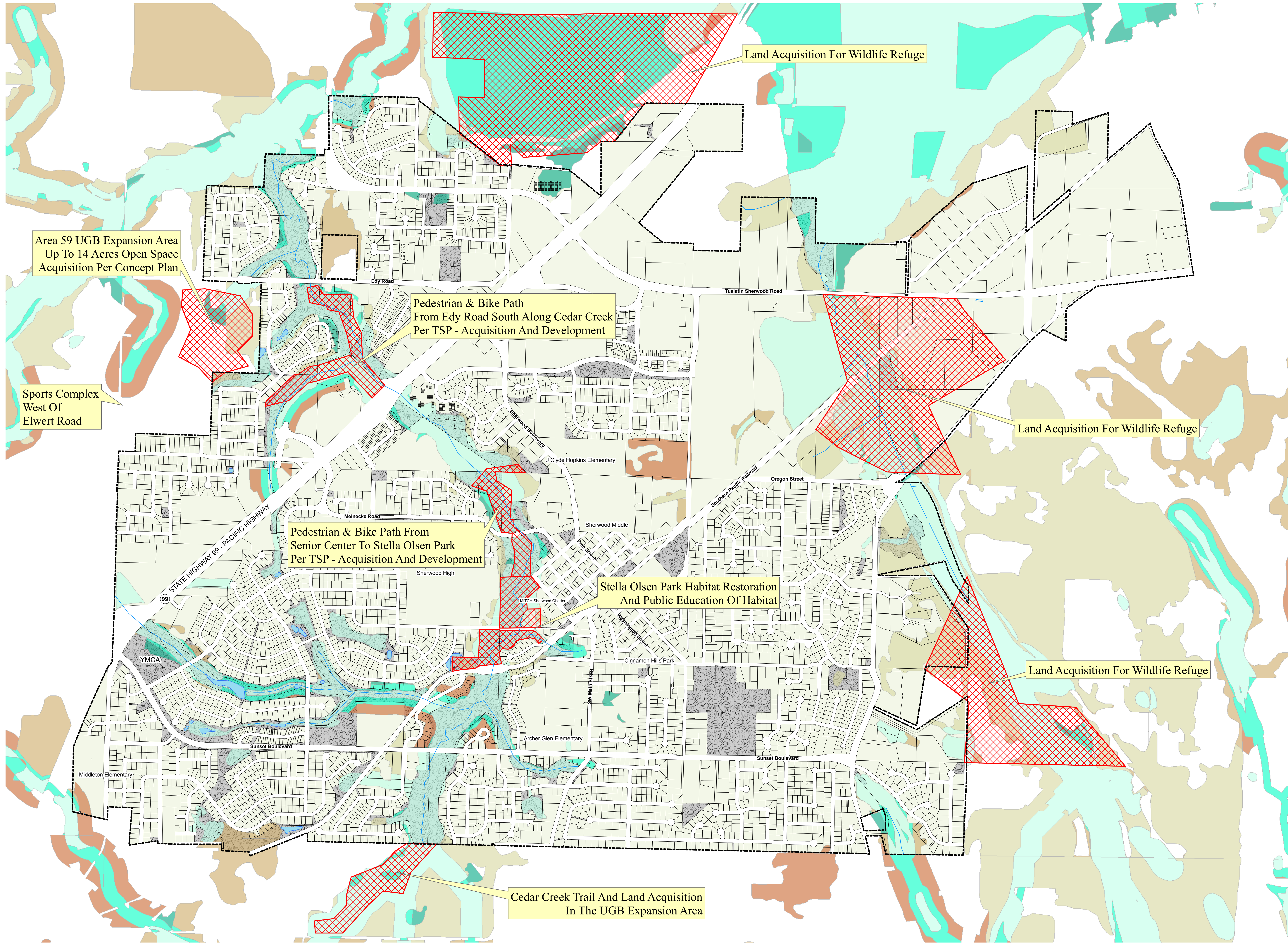
LEGEND

- GRASP™ Inventory**
- ⊕ Amphitheater
 - Ballfield
 - Basketball
 - ▲ Historic Feature
 - ⊠ Horseshoes
 - ▲ Interactive Water Feature
 - Multiuse Field - Small
 - Multiuse Field - Large
 - ⊕ Natural Area
 - Open Turf
 - Open Water
 - Picnic Area
 - Picnic Shelter - Small
 - Picnic Shelter - Large
 - Play Pad
 - Playground - Local
 - Playground - Destination
 - Structure
 - Tennis
 - ★ Track - Competition
 - Trails - Recreational
 - Viewing Deck
 - Bicycle Lane
 - Trail
- City Of Sherwood**
- Boundary - Corporate
- Recreation & Public Owned Properties**
- City Of Sherwood - Park
 - City Of Sherwood - Open Space
 - Home Owner Association (HOA) Parks
 - Public Schools
 - City of Sherwood - Other
- Other**
- US Fish And Wildlife
 - NWI - Non Upland Classifications

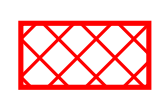
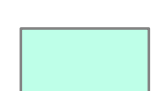





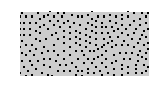




Map Series Produced For The City Of Sherwood, Oregon. This Map Is Intended For Planning & Discussion Purposes Only. Please Refer To The Parks Master Plan Document For Map Details. Data Sources - City of Sherwood, METRO, GRASP™ Team Revised - September 2006

Exhibit A-1



LEGEND

-  Potential 2006 Bond Measure Project Areas
- Goal 5 Areas - 40% Transparency Classification *, **
-  Riparian Wildlife Habitat Class I
-  Riparian Wildlife Habitat Class II
-  Riparian Wildlife Habitat Class III
-  Upland Wildlife Habitat Class A
-  Upland Wildlife Habitat Class B
-  Upland Wildlife Habitat Class C
-  Public Owned Properties - City Of Sherwood
-  Lakes, Ponds, Rivers
-  Rivers, Streams, Irrigation

* Metro Regional Government Goal 5 designations are assigned values based on a fish and wildlife habitat inventory completed in 2002. Future acquisition of all lands depicted will be dependent on available funding and regulatory conditions and requirements.

** Class I, II and III refers to regionally significant riparian habitat areas. Class I is the highest value riparian habitat and generally consists of the highest quality wetlands, floodplains and buffers. Class III is the lowest value riparian habitat and generally consists of degraded wetlands and floodplains that still provide significant habitat value for fish and wildlife.

Class A, B and C refers to regionally significant upland wildlife habitat areas. Class A is the highest value which includes the larger patches that are in close proximity to other patches and have access to water. Class C is the lowest value and generally consists of smaller isolated patches.

Areas Identified For Acquisition Are Conceptual And To Be Used As A Tool For Policy Discussions Regarding Acquisitions As Funds Become Available Or Comprehensive Plan Amendments Are Considered.