



Home of the Tualatin River National Wildlife Refuge

ORDINANCE 2019-010

REGARDING A ZONE CHANGE APPLICATION FOR WASHINGTON COUNTY MAP AND TAX LOT NUMBER 2S131BA 2000

WHEREAS, the city received a land use application, PA 19-01 / PUD 19-01, requesting a comprehensive plan and zoning map amendment on an approximately 2.66 acre portion of the property located at 22211 SW Pacific Highway and identified on Washington County Tax Assessor's map as 2S131BA 2000; and

WHEREAS, the applicant seeks a comprehensive plan and zoning map amendment to change the zoning on the subject property from Medium Density Residential High to General Commercial, as identified in Exhibit 1; and

WHEREAS, the proposed comprehensive plan and zoning map amendment was reviewed by planning staff for compliance and consistency with the Comprehensive Plan and regional and state regulations and found to be fully compliant, and planning staff recommended approval; and

WHEREAS, the proposed amendment was subject to full and proper notice and review and a public hearing held before the Planning Commission on April 23, 2019, and May 14, 2019; and

WHEREAS, after testimony from the public, staff, and the applicant, the Sherwood Planning Commission recommended denial of the proposed comprehensive plan and zoning map amendment; and

WHEREAS, the Sherwood City Council held a public hearing on September 3, 2019 and determined that the proposed comprehensive plan and zoning map amendment met the applicable Comprehensive Plan criteria and continued to be consistent with the regional and state standards, based on the staff analysis and findings in Exhibit 1.

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

Section 1. After full and due consideration of the application, the Planning Commission recommendation, the record, findings, and evidence presented at the public hearings, the Sherwood City Council adopts the staff analysis and findings of fact contained in the Planning Staff Report to the Sherwood City Council, dated September 3, 2019, attached hereto as Exhibit 1.

Section 2. The proposed comprehensive plan and zoning map amendment as shown in Exhibit 1 is hereby APPROVED.

Section 3. The Planning Department is hereby directed to take such action as may be necessary to document this amendment to the Comprehensive Plan and Zoning Map, including notice of

adoption to the Department of Land Conservation and Development in accordance with City ordinances and regulations.

SECTION 4. 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 3rd day of September, 2019.



Keith Mays, Mayor

9/3/19

Date

Attest:



Sylvia Murphy, MMC, City Recorder

	<u>AYE</u>	<u>NAY</u>
Scott	<input checked="" type="checkbox"/>	_____
Griffin	<input checked="" type="checkbox"/>	_____
Brouse	<input checked="" type="checkbox"/>	_____
Young	<input checked="" type="checkbox"/>	_____
Garland	<input checked="" type="checkbox"/>	_____
Rosener	<input checked="" type="checkbox"/>	_____
Mays	<input checked="" type="checkbox"/>	_____

CITY OF SHERWOOD

Staff Report: Wildlife Crossing: Zoning Map Amendment

Case File No: PA 19-01 / PUD 19-01

To: Sherwood City Council	Pre-App. Meeting:	October 25, 2019
	Neighborhood Meeting:	January 17, 2019
From: Sherwood Planning Department	App. Submitted:	January 25, 2019
	App. Complete:	March 12, 2019
	120-Day Deadline:	July 10, 2019
	Planning Commission 1 st Hearing Date:	April 23, 2019
	Continued Hearing Date:	May 14, 2019

STAFF REPORT SUMMARY: On April 23, 2019 the Sherwood Planning Commission held a public hearing and continued the matter to May 14, 2019 to review and consider a rezone proposal of approximately 2.66 acres of a 5.9 acre site along Pacific Highway from Medium Density Residential High to General Commercial (Tax Lot 2000 of Washington Tax Assessor Map 2S1314BA)

This staff report contains the findings of fact for Case File PA 19-01/PUD 19-01, and the Sherwood Planning Commission's recommendation on the proposed zoning amendment to City Council. The Planning Commission finds that the proposal does not satisfy requirements of the Sherwood Zoning and Community Development Code section 16.80.030.B, and recommends denial of the proposed zoning amendment.



Erika N. Palmer
Planning Manager

Proposal: The applicant proposes to amend the Sherwood Plan and Zoning Map to rezone 2.66 acres from Medium Density Residential High (MDRH) to General Commercial (GC).

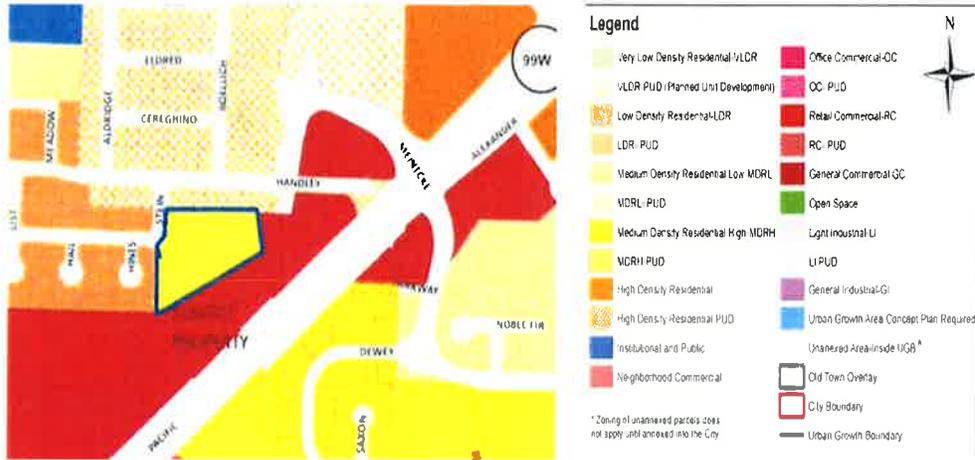
While the applicant received a zone change in 2016 to change the back 2.66 acres to residential, the applicant is requesting a zone change back to General Commercial because the applicant discovered technical considerations. These considerations rendered the zone change to Medium Density Residential High (MDRH) problematic and effectively unworkable. The applicant contends that the 2.66-acre parcel is too small for the development of the property given the alignment of SW Cedar Brook Way extension. When the applicant rezoned the property from General Commercial to Medium Density Residential High (MDRH), the alignment of Cedar Brook Way was not determined. After technical analysis determining road alignment it was discovered that the roadway would have divided the MDRH zoned area leaving a portion of land undevelopable. The applicant's narrative on page 6, reads, "*The 2.66-acre parcel was too small for the development of the property, given the probable alignment of the SW Cedar Brook Way extension. The area as rezoned a variable 42 foot to 20-foot strip of land between the SW Cedar Brook Way extension, and the residentially zone land. This strip of land would have been undevelopable as such, so this reversion to General Commercial zoning was the resulting process*

decided on.”

SECTION I. BACKGROUND

- A. **Applicant/Owner:** Jim and Susan Claus
22211 SW Pacific Highway 99W
Sherwood, OR 97140
- B. **Location:** Washington County Tax Lots 2S1314BA 2000
- C. **Address:** 22211 SW Pacific Highway 99W
- D. **Parcel Size:** The site is approximately 5.91 acres.
- E. **Zoning:** The parcel currently bears a split zoning designation of 2.66 acres of Medium Density Residential High (MDRH) of 3.25 acres and General Commercial.
- F. **Existing Development and Site Characteristics:** The area proposed to be rezoned and developed as a Planned Unit Development is part of a larger parcel. The entire parcel is 5.91 acres in size. There is a water resource located along the southeast property line that is a tributary to Cedar Creek. The site is developed with a single-family home, and several outbuildings that have been associated with a variety of uses over the years. The portion of the property subject to the zone change request is the area closest to SW Swanstrom Drive, and adjacent to the backyards of the homes fronting onto SW Handley Street. The subject site is bounded by SW Pacific Highway on the south and by the perennial tributary and associated vegetated corridor on along the eastern property line.
- G. **Site History:** The site includes a single-family residence and several outbuildings that have been utilized with a variety of uses over time. Under SP 91-02, the owner received approval to construct a sausage factory/retail sales business; however, that was never constructed. Under PA 15-06, the owner received approval to rezone 2.66 of the 5.91 parcel as Medium Density Residential High).
- H. **Adjacent Zoning and Land Use:** The properties west and east of the subject site are also zoned General Commercial. The properties north of the subject site are zoned Low Density Residential and developed with single-family homes as part of a Planned Unit Development. Properties that are generally south of the subject site are also zoned Medium Density Residential High (MDRH) but separated from the site by SW Pacific Highway. The property immediately north and east of the site includes a single-family home and an accessory parking for Pacific Family Dental. The property immediately south and west of the site is developed with a single-family home, RV/equipment storage and an antique mall.

Figure 1. Current Zoning and Adjacent Land Uses



I. Review Type:

Applicant's Request	Review Type
Comprehensive Plan & Zone Map	Type V review

This request required the Planning Commission to make a recommendation to the City Council who will make the final decision per SZCDC 16.72, Planning Procedures.

There will be a 21-day appeal period after the City Council issues their decision. Any appeal of the City Council decision would go directly to the Oregon Land Use Board of Appeals (LUBA).

J. Public Notice and Hearing: Notice of the application was mailed to property owners within 1,000 feet, posted on the property and distributed in five locations throughout the City on April 3, 2019. The notice was published in the *The Times* (a newspaper of general circulation) on April 5 and April 18, 2019 in accordance with § 16.72.020 of the SZCDC. The Planning Commission continued the hearing to date certain, May 14th, 2019. Notice of the application was mailed to property owners within 1,000 feet, posted on the property and distributed in five locations throughout the City on August 13, 2019. The notice was published in the *The Times* (a newspaper of general circulation) on August 22 and 29, 2019 in accordance with § 16.72.020 of the SZCDC.

K. Review Criteria:

SHERWOOD ZONING AND COMMUNITY DEVELOPMENT CODE (SZCDC):

Division II. - LAND USE AND DEVELOPMENT SECTIONS: 16.22 - COMMERCIAL LAND USE DISTRICTS

Division III. - ADMINISTRATIVE PROCEDURES SECTIONS: 16.70 - GENERAL PROVISIONS; 16.72 PROCEDURES FOR PROCESSING DEVELOPMENT PERMITS;

Division IV. - PLANNING PROCEDURES SECTIONS: 16.80 - PLAN AMENDMENTS.

Division VI. - PUBLIC INFRASTRUCTURE SECTIONS: 16.104 - GENERAL PROVISIONS; 16.106 TRANSPORTATION FACILITIES; 16.108 - IMPROVEMENT PLAN REVIEW; 16.110 - SANITARY SEWERS; 16.112 - WATER SUPPLY; 16.114 - STORM WATER; 16.116

COMPREHENSIVE PLAN CRITERIA: Chapter 2-Planning Process; Chapter 3- Growth Management; Chapter 4- Land Use; Chapter 6-Transportation

METRO URBAN GROWTH MANAGEMENT FUNCTIONAL PLAN: Title 1. Housing Capacity

STATEWIDE PLANNING GOALS: Goal 1- Citizen Involvement; Goal 2- Land Use Planning; Goal 10- Housing; and Goal 12-Transportation including Oregon Transportation Planning Rule (OAR 660-012-0060)

SECTION II. PUBLIC COMMENTS

Public notice was mailed, posted on the property, and posted in five locations throughout the City on April 3, 2019 and August 13, 2019. The following comments have been received:

Oregon Fair Housing Council on April 23, 2019. The Fair Housing Council, urged the Commission to defer adoption of the proposed amendments until Goal 10 findings have been clarified.

Carolee Wolfley on April 23, 2019. Wolfley is concerned about lot sizes, setbacks, and height of new homes. The lot size, setbacks, and height. Wolfley does not support a zone change.

Celeste Anderson on April 23, 2019. Anderson is concerned about increased density, traffic, parked cars and having one entrance. Anderson does not support a zone change would increase density.

Erin Ross on April 21, 2019. Ross is concerned about parking and traffic in the area and Swanstrom being the only access point - this applies to the PUD/Subdivision application.

Douglas Hanway on April 23, 2019. Hanway is concerned about parking and overflow of parking onto Swanstrom Drive – this applies to the PUD/Subdivision application.

Barclay Emmons, on May 1, 2019. Emmons is concerned about, height of homes, inadequate parking, access at the intersection of Stein Terrace and Swanstrom – this applies to the PUD/Subdivision application.

Nicole Brutosky, May 14, 2019. Brutosky is concerned about the rezoning request and does not support this proposal – this applies to the zone change proposal.

Nathan Doyle, May 14, 2019. Doyle clarified his public testimony at the April 23, 2019 Planning Commission meeting.

Kevin Fink, May 13, 2019. Fink is concerned about parking requirements and boundary lines – this applies to the PUD/Subdivision proposal.

Susan Claus, May 13, 2019. Claus submitted an email from ODOT that confirms that Cedarbrook Way is not a frontage road.

Herbert Lim, MD, May 14, 2019. Testimony was not applicable to this application.

Mark Cottle, August 20, 2019. Testimony was in support of the zone change application.

Seven people testified at the April 23, 2019 Planning Commission hearing on this application. Eight people testified at the May 14, 2019 Planning Commission hearing on this application.

Additional verbal and written testimony was received at both the April 23, 2019 and May 14, 2019 public hearings.

SECTION III. AGENCY COMMENTS

Staff sent e-notice to affected agencies on March 18, 2019. Copies of full comments are included in the record unless otherwise noted.

Sherwood Engineering Department, comments received not relevant to the zoning proposal.

Clean Water Services, comments received not relevant to the zoning proposal.

Tualatin Valley Fire and Rescue (TVF&R), comments received not relevant to the zoning proposal.

Pride Disposal, comments received not relevant to the zoning proposal.

Oregon Department of Transportation (ODOT): Marah Danielson, Sr. Planner provided comments on April 12, 2019, stating the proposed zone change and planned unit development do not show access to OR 99W, but rather access to the local street system. The subject property has a right to apply for access to OR 99W at specific reservations of access points provided that there is no connection to the local street system. Since the proposal doesn't show access to OR 99W, ODOT has determined that there will be no significant impacts to state highway facilities and no additional state review is required.

Washington County, METRO, NW Natural Gas and Portland General Electric did not respond or provided no comments to the request for agency comments by the date of this report.

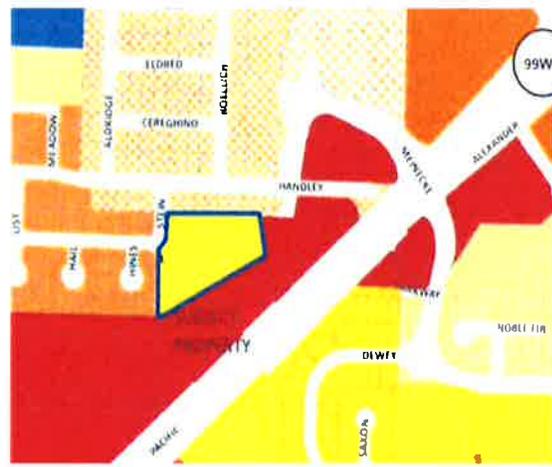
SECTION IV. ANALYSIS AND FINDINGS FOR MAP AMENDMENT

(SZCDC DIVISION IV. - PLANNING PROCEDURES: A) SZCDC CHAPTERS: 16.80 - PLAN AMENDMENTS; B) APPLICABLE REGIONAL (METRO) AND STATE STANDARDS)

Proposed Zoning



Existing Zoning



A. SZCDC 16.80.030.B – Map Amendment

An amendment to the City Zoning Map may be granted, provided that the proposal satisfies all the applicable requirements of the adopted Sherwood Comprehensive Plan, the Transportation System Plan and this Code, and that [items 1-4 below].

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

STAFF ANALYSIS: The applicable sections of the Sherwood Comprehensive Plan include Chapter 2 – Planning Process; Chapter 3 – Growth Management; Chapter 4 – Land Use; Chapter 6 – Transportation are discussed in relation to this map amendment request below.

PLANNING COMMISSION ANALYSIS: The proposed amendment is inconsistent with the goals and policies of the Comprehensive Plan as described below.

Sherwood Comprehensive Plan

Chapter 2: Planning Process

F. Plan Amendments

This Plan, and each of its parts shall be opened for amendments that consider compliance with the goals and objectives and plans of the Metropolitan Service District (MSD) or its successor, on an annual basis and may be amended or revised more often than annually if deemed necessary by the City Council as provided in this Section.

Annual amendment and revision for compliance with the above regional goals,

objectives and plans shall be consistent with any schedule for reopening of local plans approved by the Land Conservation and Development Commission (LCDC) Amendments to the maps and text of this Part shall comply with the provisions of Part 3, Chapter 4 Section 4.200.

STAFF ANALYSIS: Amendments to the maps and text of Part II of the Comprehensive Plan must comply with Part 3, the Zoning and Community Development Code, Chapter 4, which has been renamed "Division VI. Planning Procedures," and Section 4.200, which has been renamed "Chapter 18.80 Plan Amendments." The analysis below, in this section of the staff report, will discuss how the proposal complies with SZCDC 16.80.

STAFF RECOMMENDED FINDING: As discussed above and in additional detail below in this staff report, staff finds that this criteria is satisfied below.

PLANNING COMMISSION ANALYSIS: Amendments to the maps and text of Part II of the Comprehensive Plan must comply with Part 3, the Zoning and Community Development Code, Chapter 4, which has been renamed "Division VI. Planning Procedures," and Section 4.200, which has been renamed "Chapter 18.80 Plan Amendments." The analysis below, in this section of the report, will discuss Planning Commission's Analysis of how this proposal is inconsistent with SZCDC 16.80.

PLANNING COMMISSION FINDING: As, discussed above and in additional detail below in this report, Planning Commission finds that this criteria is not met.

Chapter 3: Growth Management

Policy 1. To adopt and implement a growth management policy which will accommodate growth consistent with growth limits, desired population densities, land carrying capacity, environmental quality and livability.

STAFF ANALYSIS: The property is located within City limits and the urban growth boundary. The adjacent properties have adequate urban facilities such as streets, water and sanitary sewer, and access to parks and trails. Due to the small size of the zoning request (2.66 acres) from Medium Density Residential High to General Commercial, the proposed zoning map amendment will have limited impact to land carrying capacity, environmental quality and livability. The zoning request area (2.66 acres), was zoned General Commercial up until 2016, when a zone change to Medium Density Residential High was approved through Ordinance 2016-016. Redevelopment of the site to Medium Density Residential High densities has not occurred since this zone change.

Livability and desired population densities are implemented through the existing zoning map designations and allowed land uses for each zoning designation. Due to the subjective nature of livability and desired population densities, any proposed changes to the zoning categories are evaluated by the decision-making authority and founded on *their* understanding of the community's needs and desires.

The intent of the General Commercial zone is providing opportunities for commercial uses, which typically require larger parcels of land, and or uses that require additional attention such as proximity to major arterials. The site was most likely originally zoned General Commercial (until 2016) due to proximity to Highway 99W. When abutting residential zones the General Commercial sites are required to provide the same setbacks as the abutting residential zone.

Reverting back to the General Commercial zoning designation would essentially return to a zoning designation that once already fulfilled each and all of the policies of the Sherwood Comprehensive Plan, Transportation Systems Plan, Metro's Urban Growth Functional Plan, and Statewide Land Use Goals.

STAFF RECOMMENDED FINDING: Based on the above discussion, the applicant has provided adequate information for the decision-making authority to make a finding that the requirements of this policy have been met.

PLANNING COMMISSION ANALYSIS: The applicant submitted a zone change application in 2015 for this 2.66 acre site to be rezoned from General Commercial to Medium Density Residential High (MDHR) for future residential development. The applicant now proposes to rezone the 2.66 acre site back to General Commercial. The Medium Density Residential zoning allows for residential development that is consistent and compatible with the adjacent existing subdivisions. A zone change back to General Commercial will impact adjacent neighboring properties. The Medium Density Residential High zoning provides for a zoning transitional/buffer between the Low Density Residential and Low Density-PUD land that is to the north and southwest of the site and the commercially zoned land fronting Pacific Highway. This zoning 'buffer' prevents conflicts between the low density uses and the commercial uses. The MDHR zone allows for a transition of density through residential development that is consistent with surrounding livability of the area.

PLANNING COMMISSION FINDING: Based on the above Planning Commission Analysis, the zone change from Medium Density Residential High back to General Commercial is not consistent with the community's desired population densities and the need for a residential density transition that is consistent with the surrounding livability of the area to the General Commercial zoned land fronting Pacific Highway.

Chapter 4: Land Use

Section E – Residential Land Use

- Policy 1 – Residential areas will be developed in a manner which will insure that the integrity of the community is preserved.**
- Policy 2 - The City will insure that an adequate distribution of housing styles and tenures are available.**
- Policy 3 - The City will insure the availability of affordable housing and locational choice of all income groups.**
- Policy 4 - The City shall provide housing and special care opportunities for the elderly, disadvantaged and children.**
- Policy 5 - The City shall encourage government assisted housing for low to moderate income families**
- Policy 6 - The City will create, designate and administer five residential housing zones specifying the purpose and standards of each consistent with the need for a balance in housing densities, styles, prices and tenures.**

STAFF ANALYSIS: The policies above seek to encourage and balance a variety of housing types. This 2.66 acres was rezoned from Commercial to Residential in 2016. If the parcel is rezoned from

residential to commercial, it must be determined whether this could negatively affect these comprehensive policies.

Policy 1 – Residential areas will be developed in a manner which will insure that the integrity of the community is preserved.

The applicant is proposing to rezone the site from residential to a commercial use designation.

The rezone to General Commercial allows for multi-family housing, subject to the dimensional requirements of the High Density Residential (HDR) zone in §16.12.030 when located on the upper floors, in the rear of, or otherwise clearly secondary to the commercial buildings. The residential portion of a mixed-use development is considered secondary when traffic trips generated, dedicated parking spaces, signage, and the road frontage of residential uses are all exceeded by that of the commercial component and the commercial portion of the site is located primarily on the ground floor.

In commercial areas, multi-family housing is the only type of housing that can be developed. Multi-family housing is a single structure containing three (3) or more dwelling units that share common walls or floor/ceilings within one or more units. The land underneath the structure is not divided into separate lots. Multi-family dwellings include structures commonly called garden apartments, apartments or condominiums. Multi-family dwellings that are attached on one or both sides to similar adjacent but distinct units are considered townhomes.

§16.12.030 Development Standards per Residential Zone

Development Standard by Residential Zone-	VLDR	VLDR-PUD	LDR	MDRL	MDRH	HDR
Minimum Lot areas: (in square ft.)						
• Single-Family Detached	40,000	10,000	7,000	5,000	5,000	5,000
• Single Family Attached	40,000	10,000	7,000	5,000	4,000	4,000
• Two or Multi-Family: for the first 2 units	X	X	X	10,000	8,000	8,000
• Multi-Family: each additional unit after first 2	X	X	X	X	3,200	1,500

Under the current SZCDC if the rezone is approved, multi-family housing would be permitted under the HDR development standards, as indicated above in table and located on the upper floors, in the rear of, or otherwise clearly secondary to the commercial buildings.

An application for future development could be a Type II, Type III, or Type IV review depending on the proposed site development and would have to meet the standards of the SZCDC. The proposed rezone would make this 2.66 acre a commercial area, not strictly for the development of residential uses. As stated above, commercially zoned lands are permitted outright to allow for multi-family residential development.

Therefore, policy 1 does not strictly apply because the site would be commercially designated, but the community would have the opportunity to provide comment on site development through the land use application process, when new development is proposed.

PLANNING COMMISSION ANALYSIS: The proposed rezone is inconsistent with Policy 1, above. The Medium Density Residential High zone provides for a transition between uses (Low Density

Residential and General Commercial) that is found to be compatible with the existing residential low density residential subdivision that abuts the site to the north and southwest. This zoning transition ensures that the integrity of the community is preserved; removing the MDHR zoning would remove this transition and make this area less compatible with the surrounding low density residential use. A change back to General Commercial would allow for commercial development to occur up to the property line of the low density residential development.

PLANNING COMMISSION FINDING: The proposed rezone is inconsistent with Policy 1, above.

Policy 2 - The City will insure that an adequate distribution of housing styles and tenures are available.

STAFF ANALYSIS: Under the SZCDC the proposed rezone to General Commercial only allows for multi-family housing, when secondary to the commercial use, located on the upper floors, or to the rear of commercial buildings, utilizing the High Density Residential (HDR) development standards.

The City recently updated its Housing Needs Analysis (HNA) in February 2019, however this document has not been adopted by City Council. The updated HNA indicates that Sherwood has a relatively limited supply of land for moderate and higher-density multi-family housing and the city could evaluate whether to make policy changes (amendments to the zoning map / SZCDC) that increase the capacity of MDRH and HDR land or designate more land for these uses.

The proposed zone change to General Commercial would allow for the opportunity of higher densities using the HDR development standards for multi-family types of development (townhomes, apartments, condominiums, etc.) than the current Medium Density Residential High Zone. The HDR zone density range is 16.8 to 24 units per acre, compared to the MDRH zone which is 5.5 to 11 dwelling units per acre.

Sherwood's Housing Capacity Results

Table 1 shows that Sherwood's buildable land has capacity to accommodate 1,286 new dwelling units based on historical development densities. This estimate results in an overall average of 7.3 dwelling units per net acre. About 44% of Sherwood's development capacity is in the Brookman area and other unincorporated areas within the Metro UGB.

Table 1. Range of capacity estimates, Sherwood vacant and partially vacant land, gross acres and gross densities, 2015

Zone	Buildable Acres	Capacity based on Zoning: Minimum Densities		Capacity based on Zoning: Maximum Densities and Minimum Lot Sizes		Capacity based on Historical Development Densities		Difference in Capacity between Maximum Densities and Historical Densities	
		Dwelling units	Derived Density	Dwelling units	Derived Density	Density Assumption	Dwelling units	Difference in Dwelling Units	Difference in Density
Land within City Limits									
VLDR	24	19	0.8	94	3.9	2.9	69	25	1.0
VLDR_PUD	1	-	-	4	3.8	2.9	3	1	0.9
LDR	22	71	3.2	113	5.1	6.5	144	(31)	(1.4)
MDRL	14	75	5.2	112	7.8	6.1	88	24	1.7
MDRH	21	111	5.3	223	10.7	7.7	161	62	3.0
HDR	14	224	16.0	303	21.7	19.1	266	37	2.6
Subtotal	96	500	5.2	849	8.8		731	118	8.8
Brookman and Other Unincorporated Areas									
VLDR	1	2	1.6	4	3.2	2.9	3	1	0.3
MDRL	52	275	5.3	401	7.7	6.1	317	84	1.6
MDRH	8	36	4.7	62	8.1	7.7	58	4	0.4
MDRL/H*	15	78	5.3	109	7.5	7.5	109	-	-
HDR	3	49	15.4	70	22.1	19.1	60	10	3.0
Subtotal	79	440	5.6	661	8.4		547	114	8.4
Total	175	940	5.4	1,510	8.6	7.3	1,278	232	1.3

Source: Sherwood buildable lands inventory; Sherwood zoning code; Analysis of historical development densities; and Analysis by ECONorthwest

*Note: There is one lot in the Brookman Area that is split zoned MDRL/MDRH. Of this 15 acre lot, 13 acres is assumed MDRH and two acres is assumed MDRL. The density assumptions for that lot are consistent with the density assumptions shown in Table 1.

Table 1 compares the difference in the capacity estimates for the “maximum density (and minimum lot size) capacity” estimate and the “historical development density” estimate. Table 1, shows that the capacity estimate based on historical development densities results in 232 fewer dwelling units than the capacity based on maximum densities. The average density using the historical development densities is 1.3 dwelling units per acre lower than the maximum density analysis.

This difference shows that development in Sherwood is generally occurring at lower than the maximum allowed densities, showing underbuild in Sherwood. Further analysis shows that residential development between 2000 and 2014 occurred at between 70% to 80% of the maximum allowable densities. The exception is Low Density Residential, where development occurred at higher than allowable densities. Approximately 60% of LDR development between 2000 and 2014 was in Planned Unit Developments – neighborhoods that were approved to provide a more compact development option.

Underbuild is expected as a result of development constraints that lower development capacity, such as slopes or other natural features. In addition, parcel configuration contributes to underbuild, with parcels that are oddly shaped or have more land than the minimum requirement but not enough for additional housing.

Table 1 demonstrates that development in Sherwood occurred at considerably higher densities than the minimum allowable densities in each zone.

Based on the analysis in Table 1, we conclude that both the maximum density (and minimum lot size) and the historical development density estimates exceed the State requirement (OAR 660-007-0035(2)) to “provide for an overall density of six or more dwelling units per net buildable acre.” The estimate results in an average density of between 7.3 to 8.6 dwelling units per net acre.

Table 3 shows Sherwood’s historical densities as 6.5 dwelling units per acre for single-family detached, 17.9 dwelling units per acre for single-family attached, and 20.5 dwelling units per

acre for multifamily. If future residential development continues to occur at approximately these densities and with the mix of housing shown in Table 2, then Sherwood will be meeting its Goal 10 requirements.

Table 2. Forecast of needed housing units by mix, Sherwood planning area, 2019-2039

Housing Type	New Dwelling	
	Units (DU)	Percent
Single-family detached	865	50%
Single-family attached	432	25%
Multifamily	432	25%
Total	1,729	

Source: ECONorthwest

In addition to the capacity shown in Table 1, Sherwood could have additional residential development capacity resulting in development of housing in commercial zones and from redevelopment of residential properties with existing development (where redevelopment results in a net increase in the number of dwelling units on the property).

About 9% of Sherwood’s residential development over the 2000 to 2014 period occurred in commercial zones. It is reasonable to assume that some residential development over the next 20-years would occur in commercial zones, if housing is considered a secondary use to the commercial use, as required by Sherwood’s development code.

The City’s HNA compared the demand for land by zone (Table 3) with the capacity of land by zone based on historical development densities (Tables 1 and 4). Table 5 shows that Sherwood has a deficit of capacity in each zone, for a total of 608 dwelling units. The largest deficits are in Medium Density Residential Low, Medium Density Residential High and High Density Residential. The conclusion is that the current inventory of buildable residential land is NOT sufficient to accommodate Sherwood’s expected growth. To comply with Goal 10, the City will need to either change policies to allow for more development on the inventory of vacant land, request a UGB expansion from Metro, or both.

The proposed map amendment to General Commercial allows greater density than the existing Medium Density Residential High zone, by allowing the opportunity for multi-family development per the development standards of the High Density Residential zone.

Table 3. Allocation of needed housing units to zones, Sherwood planning area, 2019-2039

	Zone					Total
	Very Low Density Residential	Low Density Residential	Medium Density Residential-Low	Medium Density Residential-High	High Density Residential	
Dwelling Units						
Single-family detached	95	182	450	121	17	865
Single-family attached	-	-	-	259	173	432
Multifamily	-	-	86	138	208	432
Total	95	182	536	518	398	1,729
Percent of Units						
Single-family detached	5%	11%	26%	7%	1%	50%
Single-family attached	0%	0%	0%	15%	10%	25%
Multifamily	0%	0%	5%	8%	12%	25%
Total	5%	11%	31%	30%	23%	100%

Source: ECONorthwest

Table 4. Revised capacity based on historical development densities accounting for building permits issued in 2015 to 2018, dwelling units, 2018

Zone	Capacity based on		Revised Capacity
	Historical Development Densities	Building Permits Issued 2015 to 2018	
Land within City Limits			
VLDR	69		69
VLDR_PUD	3		3
LDR	144		144
MDRL	88	34	54
MDRH	161	52	109
HDR	266	74	192
Subtotal	731	160	571

Source: Sherwood buildable lands inventory; Sherwood zoning code; Analysis of historical development densities; and Analysis by ECONorthwest

Table 5. Comparison of capacity of existing residential land with demand for new dwelling units, dwelling units, Sherwood planning area, 2019-2039

Zone	Capacity (Needed Densities)	Housing Demand	Comparison Capacity minus Demand (dwelling units)
Very Low Density Residential	76	95	-19
Low Density Residential	144	182	-38
Medium Density Residential-Low	382	536	-154
Medium Density Residential-High	266	518	-252
High Density Residential	253	398	-145
Total	1,121	1,729	-608

Source: ECONorthwest
 Note: DU is dwelling unit.

If the 2.66 Medium Density Residential High acre site is rezoned to General Commercial and is solely developed with commercial uses this would decrease Sherwood’s residential buildable land supply. The impact to Sherwood’s housing capacity would be minimal due to the size of the site, 2.66 acres. If the site were developed as a subdivision in the MDRH zone, we could assume the following density calculation. 2.66 acres (115,870 sq. ft.) X .30% (deduction for streets and open space) = 81,109/5,000 sq. ft. = 16 dwelling units give or take, depending upon street layout, additional regulated lands such as vegetative corridors, layout of lots, etc.

The opportunity for residential housing units is not lessened through this zone change because the General Commercial zone allows the site to be developed with multi-family units subject to the requirements of the HDR zone when located on the upper floors, in the rear of, or otherwise clearly secondary to commercial buildings at a density of 16 to 24 dwelling units per acre. The density of the HDR zone is greater than that of the Medium Density Residential High Zone of 5.5-11 dwelling units per acre.

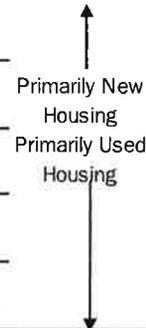
Policy 3 - The City will insure the availability of affordable housing and locational choice of all income groups.

The proposed zone change to General Commercial provides for the opportunity for multi-family housing development under the HDR standards when the housing is secondary to the commercial uses and is located on the upper floors or to the rear of commercial buildings. The proposed map amendment provides the opportunity for multi-family housing near employment areas. The City currently insures housing and locational choice of all income groups through its existing zoning of residentially zoned areas (VLDR, LDR, MDRL, MDRH and HDR).

The analysis in Table 6, based on American Community Survey data about income levels in Sherwood, using income information shown in Table 7.

Table 6. Estimate of needed new dwelling units by income level, Sherwood, 2019-2039

Commonly Financially Attainable Housing Products					
Market Segment by Income Portland MSA MFI: \$69,400	Income Range	Number of New Households in Sherwood	Percent of Households in Sherwood (currently)	Owner-occupied	Renter- occupied
High (120% or more of MFI)	\$83,280 or more	725	42%	All housing types; higher	All housing types; higher
Upper Middle (80%-120% of MFI)	\$55,520 to \$83,280	467	27%	All housing types; lower	All housing types; lower
Lower Middle (50%-80% of MFI)	\$34,700 to \$55,520	232	13%	Single-family attached;	Single-family attached;
Lower (30%-50% of less of MFI)	\$20,820 to \$34,700	117	7%	Manufactured in parks	Apartments; manufactured
Very Low (Less than 30% of MFI)	Less than \$20,820	188	11%	None	Apartments; new and used



Source: ECONorthwest
MFI is Median Family Income

Table 7. Household income to home value, 2013 dollars, Oregon, Washington County, and Sherwood, 2000 and 2009-2013.

	2000	2009-2013	Change 2000 to 2013	
			Number	Percent
Oregon				
Median HH Income	\$57,282	\$50,229	-\$7,053	-12%
Median Owner Value	\$204,120	\$238,000	\$33,880	17%
Ratio of Home Value to Income	3.56	4.74	1.17	33%
Washington County				
Median HH Income	\$72,971	\$64,180	-\$8,791	-12%
Median Owner Value	\$252,560	\$282,400	\$29,840	12%
Ratio of Home Value to Income	3.46	4.40	0.94	27%
Sherwood				
Median HH Income	\$87,525	\$78,355	-\$9,170	-10%
Median Owner Value	\$254,100	\$300,300	\$46,200	18%
Ratio of Home Value to Income	2.90	3.83	0.93	32%

Source: Census 2000 SF1 P53 P77 P82 P87, SF3 H7 H63 H76, American Community Survey 2009-2013 DP03, B25003, B25064, B25077.

In Table 6, income is categorized into market segments consistent with HUD income level categories, using the Portland Region’s 2014 Median Family Income (MFI) of \$69,400. Table 6, is based on current household income distribution, assuming that approximately the same percentage of households will be in each market segment in the future.

Based on Sherwood’s current household income distribution, Table 6 shows that about 31% of households in Sherwood have incomes below 80% of the MFI. These households will need a range of housing, such as lower-cost single-family detached housing, townhouses, manufactured homes, or multifamily housing.

Sixty-nine percent of households have incomes above 80% of MFI. Their housing needs will include single-family detached, townhouses, and multifamily housing.

Growth in lower-income demographic groups, such as the Millennials, or Baby Boomers who want to downsize their homes, may increase demand for smaller single-family detached houses, townhouses, and multifamily housing.

Table 7, shows that between 2000 and 2009-2013, both median household income and housing values increased substantially, with increases in home value outpacing growth in income. Median household income increased between 2000 and the 2009-2013 period. Housing in Sherwood has become less affordable since 2000, consistent with county and statewide trends. In 2009-2013, the median home value was 3.8 times the median household income in Sherwood, up from 2.9 in 2000.

The zone change from Medium Density Residential High to General Commercial would allow the opportunity for new multi-family housing (duplexes, multi-family {apartments, condominiums}, and townhomes) to be developed with the standards of the High Density Residential Zone which may allow for additional attainable housing within the community.

Policy 4 - The City shall provide housing and special care opportunities for the elderly, disadvantaged and children.

Policy 5 - The City shall encourage government assisted housing for low to moderate income families

Policies 4-5 are not applicable to this proposed zone change.

Policy 6 - The City will create, designate and administer five residential housing zones specifying the purpose and standards of each consistent with the need for a balance in housing densities, styles, prices and tenures.

The city administers five residential housing zones specifying the purpose and standards of each (VLDR, LDR, MDRL, MDRH, and HDR). The city has updated its Housing Needs Analysis (HNA) 2019-2039, for the purpose of providing technical information for the City's Comprehensive Plan update. However, the HNA is not adopted at this time – it is a hearings ready draft document.

HNA Forecast of Housing by Type and Density of Housing

Table 2 (pg. 11) shows the forecast of needed housing units in Sherwood based on the total estimate of housing need shown in Table 3

Table 8. Extrapolated Metro forecast for household growth, Sherwood planning area, 2019 to 2039

Year	Households			Sherwood West (50-Year Forecast)
	Sherwood City Limits	Brookman Area	Sherwood Planning Area	
2019	6,916	304	7,220	293
2039	7,616	1,333	8,949	4,630
Change 2019 to 2039				
Households	700	1,029	1,729	4,337
Percent	10%	338%	24%	1480%
AAGR	0.5%	7.7%	1.1%	14.8%

Source: Metro 2040 TAZ Forecast by Households, January 2016
Extrapolation from the 2015 forecast (the base year in the Metro forecast) to 2019 (not shown in Metro's forecast) by ECONorthwest

The forecast in Table 2 assumes that the forecast for new housing will be: 50% single-family detached, 25% single-family attached, and 25% multifamily. This forecast is consistent with the requirements of OAR 660-007-0035.

The forecast shows increased demand for lower-cost housing types such as single-family attached and multifamily units, which meets the needs resulting in the changing demographics in Sherwood and the Portland region. The changes in demographics are the aging of the Baby Boomers, and growth in Millennial households. The proposed zone change would allow the opportunity for residential dwelling units that will meet the needs of the changing demographics in Sherwood and the region.

Needed housing by income level

Sherwood's housing needs analysis developed an estimate of need for housing by income and housing type. This requires an estimate of the income distribution of current and future households in the community.

The analysis in Table 7 above, is based on American Community Survey data about household income to home values in Sherwood. In Table 6 income is categorized into market segments consistent with HUD income level categories, using the Portland Region's 2014 Median Family Income (MFI) of \$69,400. Table 6, is based on current household income distribution, assuming approximately that the same percentage of households will be in each market segment in the future.

Based on Sherwood's current household income distribution, Table 6 shows that about 31% of households in Sherwood have incomes below 80% of the MFI. These households will need a range of housing, such as lower-cost single-family detached housing, townhouses, manufactured homes, or multifamily housing. These households will predominantly be renters. Sixty-nine percent of households have incomes above 80% of MFI. These households will be a mix of owners and renters. Their housing needs will include single-family detached, townhouses, and multifamily housing.

Growth in lower-income demographic groups, such as the Millennials, or in Baby Boomers who want to downsize their homes, may increase demand for smaller single-family detached houses, townhouses, and multifamily housing.

Table 5, shows that there is a total of 518 dwelling units needed in Medium Density Residential High Zone. The proposed zone change of the 2.66 acre site from Medium Density Residential High to General Commercial will increase the number of the needed housing units within that zone. Table 6 shows that 15% of those units are needed for single family attached, and 8% for multi-family.

The proposed zone change from residential to commercial will increase the number of needed housing units within this zone, but it would be by a small amount using the minimum density standard of 5.5 dwelling units per acre in the MDRH zone – $5.5 \text{ du/acre} \times 2.66 \text{ acres} = 15$ dwelling units. The General Commercial zone does allow for multi-family housing to be developed per the standards of the HDR zone with a higher density. If the 2.66 acre site is developed per the residential uses allowed in the General Commercial zone under the HDR

standards, this could allow for additional residential housing that supports townhomes and multi-family development and other needed housing types in the community.

Multi-family is currently the only residential type allowed in commercially zoned areas.

Sherwood has a deficit of land for residential housing during the 20-year planning period of 2019-2039. Sherwood has a deficit of land for 608 dwelling units. The largest deficits are in Medium Density Residential-Low (154 dwelling units), Medium Density Residential-High (252 dwelling units), and High Density Residential (145 dwelling units).

The City's commercial designations allows for multi-family development under HDR development standards and as stated above and in the HNA, it is reasonable to assume that some residential development over the next 20 years will occur in commercial zones, as long as the housing is considered a secondary use to the commercial use, as required by Sherwood's development code.

In summary: Development on this 2.66 acre parcel as presently zoned would provide for an increased number of housing units within the Medium Density Residential High Zone, but the increase is minimal. Multi-family housing types within the commercial areas are allowed at higher densities than that of the MDRH zone, if they are secondary to the commercial use. If the 2.66 acre site is developed per the residential uses allowed in the General Commercial zone under the HDR standards, this could allow for additional residential housing greater than the MDRH density that supports townhomes and multi-family development within the community.

Sherwood's forecast shows an increase demand for housing types such as single-family attached, multi-family units, and small lot residential developments.

STAFF RECOMMENDED FINDING: The zone change will not negatively impact Sherwood's housing sufficiency to accommodate future growth. Per the city's HNA document it is reasonable to assume that some residential development will occur in commercial zones. Commercial zones allow for higher density multi-family developments (apartments, townhomes, condominiums, etc.). Development in commercial zones have to development with the standards of the High Density Residential (HDR) zone, including the minimum density of 16.8 dwelling units per acre, which is greater than the Medium Density Residential High zoning designation. Multi-family developments will serve the demands of needed new dwelling units for those in the upper middle-to low income ranges in Sherwood.

Section H – Economic Development policies and strategies

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

Strategy:

- **The City will encourage the revitalization of the Old Town Commercial area by implementation of 1983's "Old Town Revitalization Plan" and the Old Town Overlay Zone.**
- **The City will encourage the development of light industrial and office parks.**
- **The City will seek to attract industries that are labor and capital intensive.**
- **The City will seek to attract "target" industries which will expand industrial sectors inadequately represented in the urban area in order to**

diversify and stabilize the local economy.

In addition to the policies and strategies developed by the Community with the 1990 Comprehensive Plan, the Economic Development Strategy (EDS) developed in 2006 includes the following policies and strategies (referred to as goals and objectives in the EDS).

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

Strategy:

- Capture existing workers in Sherwood who now work elsewhere.
- Provide locations and support for local jobs for local residents.
- Support and build upon manufacturing and other industries likely to produce family-wage jobs.

Policy 2: Support tourism as an economic engine.

Strategy:

- Address the lack of hotels or other bed and breakfast lodging within the city limits to increase Sherwood's tourism potential.

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

Strategy:

- Encourage the growth of a variety of restaurants and retail establishments that would cater to business people.
- Improve transportation access to support tourism and other economic development strategies.

STAFF ANALYSIS: The applicant proposes a rezone approximately 2.66 acres of a 5.91-acre site to General Commercial zoning. This 2.66 acres was zoned General Commercial up until 2016, when it was approved for Medium Density Residential High zoning. Since the rezone in 2016, the 2.66 acres has essentially remained vacant and has not redeveloped with residential uses.

The economic development policies and strategies are used to expand commercial and industrial development to add employment opportunities within Sherwood. If the 2.66 acre area is changed from residential to commercial, the city could potentially benefit from new job opportunities if it were developed with commercial uses. As such, the proposal does not reduce the amount of commercially available properties within Sherwood.

STAFF RECOMMENDED FINDING: Based on the above discussion, the proposal does not reduce the amount of commercially available properties and is consistent with not reducing commercial land supply.

I. Commercial Land Use

Policy 1. Commercial activities will be located so as to most conveniently service customers.

STAFF ANALYSIS: The subject site is located along Highway 99W. The site abuts an existing subdivision and will be within a five-minute walk shed of residents. Transportation access to the commercial uses will be reviewed at the time of a development application.

STAFF RECOMMENDED FINDING: The site is conveniently located to residential development to serve customers. The rezone would allow for commercial activities near residential homes. This policy is supported by the proposed zone change.

Policy 2. Commercial uses will be developed so as to complement rather than detract from adjoining uses.

ANALYSIS: Future development of any commercial activities on the site will be evaluated and subject to site plan review, which is intended to mitigate impacts from commercial development to any adjacent residential uses.

STAFF RECOMMENDED FINDING: Commercial uses on site will be reviewed and evaluated through site plan review and approval at the time of submittal of a land use application.

Policy 3. Highway 99W is an appropriate location for commercial development at the highway's intersection with city arterials and major collector roadways.

STAFF ANALYSIS: The applicant's property is located on Highway 99W but it is not located at an intersection with a city arterial or a major collector roadway.

STAFF RECOMMENDED FINDING: This policy is not applicable to this request.

Consistency with the City's Transportation Systems Plan

1. The applicant shall demonstrate consistency with the Transportation Planning Rule, specifically by addressing whether the proposed amendment creates a significant effect on the transportation system pursuant to OAR 660-012-0060. If required, a Traffic Impact Analysis (TIA) shall be prepared pursuant to Section 16.106.080.

STAFF ANALYSIS: The applicant submitted a technical memorandum from Lancaster Engineering dated, January 16, 2019, see Exhibit A, Application Materials. This memo evaluates the transportation impacts resulting from a zone change of approximately 3.5 acres from Medium Density Residential High back to General Commercial. Planning staff would like to call attention to the 3.5 acres indicated in this memo because it should read 2.66 acres.

The subject property underwent an approved zoning amendment in 2016, 2.66 acres from General Commercial to Medium Density Residential High. In the City's adopted Transportation Systems Plan (ORD. 2014-12), the entire site, 5.9 acres, was designated as General Commercial for the purposes of the analysis. As such, reverting back to the General Commercial zone for the 2.66 acres is consistent with what was previously considered in the City's TSP. Accordingly, the zone change from Medium Density Residential High to General Commercial will result in traffic volumes consistent with the City's adopted plans and the Transportation Planning Rule is satisfied.

STAFF RECOMMENDED FINDING: Based on Lancaster's evaluation, the proposed zone change from Medium Density Residential High back to General Commercial is consistent with the City of Sherwood's Comprehensive Plan and Transportation Plan.

- 2. 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.**

Demonstrable Need for Zoning Proposed

Findings can be made for the zone change based on more recent information available to the City. EcoNorthwest completed an Economic Opportunities Analysis (EOA), December 2018, *indicating that Sherwood has a 57-acre deficit of land for commercial and retail uses.* It should be noted, that the EOA has not been adopted by Sherwood City Council but it is a hearings ready document. Some of this deficit may be accommodated in the Tonquin Employment Area (TEA), which is expected to accommodate about 380 commercial employees and which would address 15 to 19 acres of this deficit. The Brookman Annexation Area is also expected to designate about 15 acres of land for commercial and retail uses. *The City will need to identify opportunities to address the remaining deficit, through policies that encourage infill or redevelopment of existing commercial land or through re-designating land to commercial uses.*

Taking into account both the TEA and Brookman areas for addressing 30 acres of the 57-acre deficit there is still an additional need for 27 acres for commercial uses. Re-designating this 2.66 acre site to General Commercial would help alleviate needed acreage for commercial land.

Rezoning the 2.66 acre site to General Commercial could result in additional jobs with multi-family development per the development standards of the HDR zone which is also identified as needed within the community.

STAFF RECOMMENDED FINDING: Based on the analysis above, staff finds that there is a demonstrated need for General Commercial zoned property in City limits. The General Commercial zoning designation also allows the opportunity for multi-family development with the current standards which is also identified as a community need. This criterion is satisfied.

- 3. 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.**

STAFF ANALYSIS: As discussed above, there is a need for additional commercial and higher density residential development.

Like the rest of the country, the City has come out of the great recession where little new development occurred both in the residential and commercial markets. Anecdotally, there is a strong demand for commercial spaces and housing in the City of Sherwood. The pattern of recent development and redevelopment in the area (Cedar Brook Plaza, Langer Parkway South, infill Sherwood Market Place), and annexation of residential land within the Brookman area is indicating there is new activity nearby in both commercial and residential development.

Public infrastructure is available and utilities are able to be constructed to serve the site with the extension of services within SW Swanstrom or Highway 99W. The applicant has addressed the transportation system to ensure consistency with the Transportation Planning Rule. Based on that analysis and confirmed by the City’s Engineering Department, the existing system can serve the entire site on this property should the rezone be approved.

STAFF RECOMMENDED FINDING: Based on the above discussion, the applicant meets this criterion.

4. Other lands in the City already zoned for the proposed uses are either unavailable or unsuitable for immediate development due to the location, size, or other factors.

STAFF ANALYSIS: There are currently 29 acres of short term supply buildable commercial acres in Sherwood, 16 acres of which are located in the General Commercial zone.

Table 7. Short-term Supply of Commercial and Industrial Land, Sherwood City Limits, 2018

Plan Designation	Taxlots	Buildable
		Acres
Commercial	134	29
General Commercial	31	16
Neighborhood Commercial	2	0
Office Commercial	11	6
Retail Commercial	90	7
Industrial	115	110
General Industrial	66	71
Light Industrial	49	39
Total	249	139

Source: ECONorthwest analysis of Metro RLIS GIS data, BLI

Planning staff is not aware of any immediate plans to develop other vacant developable General Commercial zoned land. The majority of the General Commercial vacant/redevelopable land is directly to the west of this site. There is one property on the northeast corner of Highway 99W and Roy Rogers Road, but there are limited utilities and access issues.

STAFF RECOMMENDED FINDING: Based on the above discussion and applicant’s narrative, staff finds that this criterion is satisfied.

B. Applicable Regional (Metro) Standards

STAFF ANALYSIS: The only applicable Urban Growth Management Functional Plan criteria are found in Title 1 – Housing Capacity. The City of Sherwood is currently in compliance with the Functional Plan and any amendment to the Comprehensive Plan and Zoning Map must show that the community continues to comply.

The proposed zoning map amendment has the potential to increase Sherwood’s overall housing capacity by providing the opportunity for multi-family development subject to the dimensional requirements of the High Density Residential (HDR) zone, when located on the upper floors, in the rear of, or otherwise clearly secondary to commercial buildings. The proposed amendment also supports Metro goals by allowing for innovative and mixed use projects close to commercial and employment areas, if future development proposed is a mixed-use site.

STAFF RECOMMENDED FINDING: Based on the analysis above, the Zoning Map amendment is consistent with the Metro Functional Plan criteria and the City would continue to comply if the request were approved.

Applicable State Standards

The applicable Statewide Planning Goals include: Goal 1, 2, 9, 10, and 12. Statewide Planning Goals 3, 4, 5, 6, 7, 8, 13, 14, 15, 16, 17, 18, and 19 do not specifically apply to this proposed plan amendment.

Goal 1: Citizen Involvement

STAFF ANALYSIS: Staff utilized the public notice requirements of the Code to notify the public of this proposed plan amendment. The City's public notice requirements have been found to comply with Goal 1 and therefore, this meets Goal 1. A neighborhood meeting was held on January 17, 2019 prior to the applicant's submittal to the City.

The application is being discussed and decided by the City Council after a public hearing and recommendation from Planning Commission, made after holding a public hearing.

STAFF FININDG: Based on the above discussion, staff finds that Goal 1 is satisfied.

Goal 2: Land Use

STAFF ANALYSIS: The Sherwood Comprehensive Plan is acknowledged to be in compliance with the Statewide Planning Goals and provides, goals, polices and strategies, and procedures for reviewing and evaluating land use request. The proposed map amendment, as demonstrated in this staff report, is processed in compliance with local, regional and state requirements.

STAFF RECOMMENDED FINDING: Based on the above discussion, staff finds that Goal 2 is satisfied.

Goal 9: Economic Development

STAFF ANALYSIS: The proposal will change the zoning of 2.66 acres of Medium Density Residential High to General Commercial. Statewide Planning Goal 9 is implemented by the Comprehensive Plan and in the Metro region by OAR 660-009. A city must apply Goal 9 administrative rules to post acknowledgement plan amendments for changes of employment land to non-employment land if the site is over two acres.

This proposed amendment does not change employment land to non-employment land, thus OAR 660-009 does not apply. This zone change will increase the amount the commercially zoned land within Sherwood, albeit a minimal amount. As discussed above and in the updated EOA, (December 2018) Sherwood has a deficit of land for commercial uses. Even if the proposed 2.66 acres is developed with residential uses within the General Commercial Zone, this would not decrease the existing amount of commercially viable land because the existing 2.66 acres is currently zoned for residential uses.

STAFF RECOMMENDED FINDING: Based on the analysis above, rezoning of the 2.66 acres of property to General Commercial is not inconsistent with the requirements of Goal 9.

GOAL 10: Housing

STAFF ANALYSIS: Goal 10 requires cities to complete an inventory of buildable residential lands and to encourage the availability of adequate numbers of housing units in price and rent ranges commensurate with the financial capabilities of its households. Sherwood has recently completed its HNA for the 20-year planning period of 2019-2039. Sherwood's primary obligations under Goal 10 are to: Designate land in a way that 50% of new housing could be either multi-family or single-family attached (e.g. townhomes); provide opportunities to achieve an average density of six dwelling units per net acre; and provide opportunities for development of needed housing types: single-family detached, single-family attached, and multi-family housing. Sherwood has designated land through its existing zoning map that allows for 50% of new housing to be either multi-family or single-family attached, the average density of Sherwood is 7.3 dwelling units per net acre; and the city through its development code and zoning map provide opportunities for development of needed housing types.

STAFF RECOMMENDED FINDING: The City of Sherwood meets Goal 10 requirements.

Goal 12: Transportation

STAFF RECOMMENDED FINDING: As discussed earlier in this report, the proposed amendment is consistent with the "Transportation Planning Rule" which implements Goal 12. The proposed amendment does not affect the functional classification of any streets within the City's TSP.

Planning Commission Assessment and Recommendation on the Proposed Comprehensive Plan/Zoning Map Amendment

Based on the analysis above, Planning Commission finds that the proposed map amendment is inconsistent with policies of the Comprehensive Plan. The Sherwood Planning Commission is forwarding a recommendation of **DENIAL** of the proposed Comprehensive Plan and Zoning Map Amendment to the City Council as proposed, in Section IV, of this staff report.

The recommendation to deny the zone change proposal passed: 4 in favor, 2 opposed.