

BEFORE THE COUNCIL OF THE  
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF RECOMMENDING	)	RESOLUTION NO. 81-227
THE CITY OF SHERWOOD'S	)	
REQUEST FOR ACKNOWLEDGMENT OF	)	Introduced by the Regional
COMPLIANCE WITH LCDC GOALS	)	Development Committee

WHEREAS, Metro is the designated planning coordination body under ORS 260.385; and

WHEREAS, Under ORS 197.255 the Council is required to advise LCDC and local jurisdictions preparing comprehensive plans whether or not such plans are in conformity with the Statewide Planning Goals; and

WHEREAS, The city of Sherwood is now requesting that LCDC acknowledge its Comprehensive Plan as complying with the Statewide Planning Goals; and

WHEREAS, LCDC Goal No. 2 requires that local land use plans be consistent with regional plans; and

WHEREAS, Sherwood's Comprehensive Plan has been evaluated for compliance with LCDC goals and regional plans adopted by CRAG or Metro prior to June, 1980, in accordance with the criteria and procedures contained in the "Metro Plan Review Manual" as summarized in the staff reports attached as Exhibit "A" and "B"; and

WHEREAS, Metro finds that Sherwood's Comprehensive Plan complies with all applicable LCDC Goals; now, therefore,

BE IT RESOLVED,

1. That the Metro Council recommends to LCDC that Sherwood's Comprehensive Plan be acknowledged as in compliance with Statewide planning goals.

2. That the Executive Officer forward copies of this Resolution and Staff Report attached hereto as Exhibits "A" and "B" to LCDC, city of Sherwood and to the appropriate agencies.

3. That, subsequent to adoption by the Council of any goals and objectives or functional plans after June, 1980, the Council will again review Sherwood's plan for consistency with regional plans and notify the city of Sherwood of any changes that may be needed at that time.

ADOPTED by the Council of the Metropolitan Service District  
this 26th day of March, 1981.

  
\_\_\_\_\_  
Presiding Officer

JC:gl  
2189B/214

A G E N D A   M A N A G E M E N T   S U M M A R Y

TO: Metro Council  
FROM: Regional Development Committee  
SUBJECT: Recommending a Continuance of the City of Sherwood's  
Request for Acknowledgment of Compliance with LCDC Goals

*Res*  
*81-227*

I. RECOMMENDATIONS:

- A. ACTION REQUESTED: That the Council adopt the attached Resolution recommending that LCDC grant a continuance of the city of Sherwood's request for compliance. The Council should act on this item at this meeting in order to ensure that its recommendation is considered by LCDC. (If efforts now under way at Sherwood result in correction of the matters identified prior to Council action, the staff recommends that Metro support plan acknowledgment.)
- B. POLICY IMPACT: This acknowledgment recommendation was developed under the "Metro Plan Acknowledgment Review Schedule," June 20, 1980. This process provides jurisdictions an opportunity to work with Metro staff and interested parties to discuss and clarify acknowledgment issues prior to Regional Development Committee (RDC) action.
- C. BUDGET IMPACT: None

II. ANALYSIS:

- A. BACKGROUND: Sherwood submitted its plan to LCDC for acknowledgment in August, 1980. LCDC has scheduled a hearing on the City's request for acknowledgment for April 30 - May 1, 1981.

Metro conducted a draft review of Sherwood's plan and forwarded a copy of its comments to the City at that time. Sherwood subsequently adopted a development ordinance and made substantial changes to its plan, that meet nearly all of Metro's comments.

Sherwood is a small but growing community located in the southwestern corner of the Metro region. Its 1980 population was 2,384--an 80 percent increase in ten years. The City's planning area, which includes presently unincorporated lands, contains about 1,000 acres of vacant buildable residential land.

Staff urges the Council to recommend that LCDC grant the City a continuance to correct deficiencies under three goals. First, under Goal No. 2, Sherwood's population projections are not consistent with Metro's or those of Washington County. Also under Goal No. 2, Sherwood's plan map, rather than the plan policies, guides plan interpretation. Goal 2 requires that the policies contained in the plan text must serve as the ultimate guide for interpreting the plan's intent.

Second, Sherwood has established under Goal No. 10 approval processes for needed housing types that are vague and discretionary. These approval processes violate the Commission's "St. Helens" Policy, which requires that cities establish clear and objective standards for approving needed housing.

Third, Sherwood's plan calls for lateral sewers to run through land outside the UGB to reach land inside the UGB. The City has no policies restricting connections or discouraging annexation or UGB boundary change requests by sewer-crossed property outside the UGB. This does not comply with Goals 11 and 14.

The City recognizes the problems raised under Goals No. 2 and No. 10, and is preparing amendments to deal with Metro's objections. The City disagrees with Metro's analysis of Goal No. 11. It contends that sewer service outside its boundaries and outside the UGB is Washington County's responsibility, not Sherwood's.

The Metro Staff Report and recommendation was prepared according to the "Metro Plan Acknowledgment Review Schedule," June 20, 1980. Under the previous plan review procedures, the RPC was provided with a complete Plan Acknowledgment Review Report. An "Acknowledgment Issues Summary" for each plan, developed from a "Plan Review Work Session" involving the jurisdiction, interested parties and Metro staff is attached. The Summary identifies acknowledgment issues raised at the Work Session, describing areas of agreement and presenting the Metro staff position and rationale on unresolved issues.

After receiving the Staff Report, the Council should hear comments from interested parties and make a recommendation to LCDC.

- B. ALTERNATIVES CONSIDERED: Metro staff did not find any issues which warranted serious consideration of an alternative recommendation (i.e., for denial).
- C. CONCLUSION: Metro's recommendation for a continuance will support local planning efforts while protecting regional interests.



METRO

**METROPOLITAN SERVICE DISTRICT**

527 S.W. HALL ST., PORTLAND, OR. 97201, 503/221-1646

**MEMORANDUM**

Date: March 26, 1981  
To: Metro Council  
From: Rick Gustafson, Executive Officer  
Regarding: Sherwood Comprehensive Plan

Continued close cooperation between Sherwood's planning staff and Metro employees has produced amendments--adopted last night, March 25--which address each of the three major issues raised in the Acknowledgment Report. Now that these amendments are adopted, Metro should endorse Sherwood's request for acknowledgment of compliance.

The three issues are plan map/text precedence, vague and discretionary housing approval standards and sewer service outside the Urban Growth Boundary (UGB).

**PLAN MAP/TEXT PRECEDENCE** -- Sherwood has adopted an amendment clarifying the City's intent to interpret the meaning of the plan from policy language and to use plan maps only for locational purposes. This eliminates Metro's concern.

**VAGUE AND DISCRETIONARY HOUSING APPROVALS** -- The City has adopted plan language limiting the discretion of its design review board to condition or deny permits for multi-family housing. The plan is now consistent with LCDC's "St. Helens" policy--which requires clear and objective approval standards for needed housing--and Metro should recommend Acknowledgment.

**SEWER SERVICE OUTSIDE THE UGB** -- Sherwood's sewer plan calls for one service lateral that would run partly outside the UGB. The staff report raised two issues: 1) landowners outside the UGB might seek connections to this service line; and 2) the presence of sewer service will create pressure to expand the UGB.

Sherwood has adopted a plan policy discouraging connections outside the UGB. Metro has also received correspondence from the Unified Sewerage Agency (USA) stating that it will not permit extraterritorial connections. These commitments fully address Metro's first concern, service extensions outside the UGB.

Memorandum  
March 26, 1981  
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The City has provided further information showing that at most about 70 acres outside the UGB could be served by this lateral. This land is outside the USA, Sherwood's present city limits, and--obviously--Metro's UGB.

Though the lateral in question runs outside the UGB, there are adequate provisions to prevent service extensions to non-UGB land. I am convinced that the second question, growth pressure, is not an acknowledgment issue and can be adequately dealt with in annexation and boundary change processes, should it become necessary.

Metro should, therefore, recommend that LCDC acknowledge Sherwood's plan as in compliance with Statewide Planning Goals.

JC/gl  
2590B/D4

## SHERWOOD ACKNOWLEDGMENT REVIEW

## INTRODUCTION:

Sherwood is a small, rapidly growing suburban community in the southwest corner of the Urban Growth Boundary (UGB). The City's population has grown from 1,396 in 1970 to 2,384 in 1980, an 80 percent increase in 10 years. The City has also added 430 new housing units, almost doubling its housing stock from the 1970 levels. The presence of about 1,000 vacant acres of buildable land inside the City's planning area means that Sherwood's rapid growth is likely to continue. Metro's review pays particular attention to issues influencing Sherwood's ability to accommodate urban growth and meet regional housing expectations.

Basis for Metro Review

Sherwood prepared a draft comprehensive plan and submitted it to Metro earlier in 1979. Metro's staff reviewed this draft in detail and provided the City with a draft plan review in January 1980. Metro's comments included specific recommendations on how the City could comply with Statewide Goals. At that time, the City had not completed work on needed implementation measures, including its development ordinance. The City has since submitted an adopted development ordinance as well as other implementation plans relating to water supply and drainage.

Metro's Acknowledgement Review is based on our earlier draft review. New comments are offered only on documents submitted since our draft review was prepared (i.e., on the Development Ordinance). Metro intends to stand by the policies and recommendations laid out in our earlier draft review.

General Requirements

Metro's draft plan review noted that Sherwood's plan omitted regionally-required opening language. Opening language requires that Sherwood's plan be amended when Metro adopts functional plans in future years. The plan now contains a policy requiring reopening. The policy reads:

"This plan, and each of its parts shall be open 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 so 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." (Plan, p. II-4)

This opening language is consistent with regional requirements.  
Conclusion: Sherwood complies with general requirements.



### Goal No. 1 - Citizen Involvement

Metro's draft plan review noted that there were no citizen involvement objections to the Sherwood Comprehensive Plan. However, the draft review requested that the City submit its Committee on Citizen Involvement evaluation. The City has submitted that evaluation.

Conclusion: Sherwood complies with Goal No. 1.

### Goal No. 2 - Land Use Planning

Metro's draft plan review noted that the City had failed to take disclaimers for goals which did not apply to the city of Sherwood. The City has subsequently added disclaimers for a number of goal topics which are not relevant to Sherwood. Those goal topics include: energy sources, significant natural areas, hunting, angling, winter sports, air resources, water, and pipelines.

Metro's draft plan review also noted that the City had yet to adopt a zoning or development ordinance. The City has subsequently submitted a development ordinance to Metro for review. Relevant comments on this ordinance are presented in the discussion of Goal No. 10.

Sherwood's comprehensive plan contains a provision that gives the map precedence over the text in interpretation of plan intent. Metro's draft plan review identified this as a violation of Goal No. 2. Differences in map interpretation and text interpretation could lead to ambiguity and confusion in the implementation of the Sherwood plan. Metro recommends that the interpretation of the plan be clarified to rely chiefly on the text rather than on the maps. Sherwood's planners have reviewed this portion of the text and have agreed to consider amendments that would have the text of the plan take precedence for interpretation, except in locational matters. Metro believes that this is consistent with Goal No. 2.

### Population Projections

Metro's draft plan review noted that Sherwood's population projections are not consistent with Metro's 208 population projections: Sherwood's projections are somewhat higher.

Goal No. 2 requires that Metro, as the regional planning agency and Sherwood have consistent population estimates. This issue is of potential concern in two regards: (1) it can influence the setting of urban growth boundaries and the decision about how much land will be urbanized; and (2) it can have an impact on decisions about the amount of land to be serviced by key public facilities, sewers, roads and the like.

Sherwood's staff pointed out, and Metro's staff agrees, that in Sherwood's instance the difference in population projections will



affect neither of these policy concerns. Metro has already set the UGB for the Sherwood area. Consequently, Sherwood's population projections do not influence the amount of land within the UGB. Second, since the City has adopted a program of service extensions which will tie service expenditures and provisions to population growth, it should be able to deal with whatever growth rate occurs. Consequently, Metro's staff does not feel that the difference in population projections constitutes an acknowledgment issue.

Conclusion: Sherwood does not comply with Goal No. 2. In order to comply, the City must adopt its proposed language restricting the precedence of the plan map to locational matters only.

#### Goal No. 3 - Agricultural Lands

Not applicable.

#### Goal No. 4 - Forest Lands

Metro's draft plan review identified no acknowledgment issues with regard to forest resources.

Conclusion: Sherwood complies with Goal No. 4.

#### Goal No. 5 - Open Spaces, Scenic and Historic Areas, and Natural Resources

Metro's draft plan review did not identify any acknowledgment issues under Goal No. 5.

Conclusion: Sherwood complies with Goal No. 5.

#### Goal No. 6 - Air, Water and Land Resources Quality

Metro's draft plan review noted a number of Goal No. 6 compliance problems. The City has made amendments to its plan which deal with each of these issues. A brief description of each of the problems and the City's revised language follows.

The City's draft plan did not contain language coordinating it with regional air quality control efforts. The City has since adopted language providing that:

"Sherwood will cooperate and work with DEQ and MSD to develop a regional control strategy to bring the planning area into attainment with federal air quality standards." (Plan, p. V-5)

The draft plan also lacked language committing the City to assist in the development of water quality control measures. The City's plan now contains language stating:

"Water quality problems associated with identified nonpoint sources will be addressed in the proposed drainage management plan study scheduled for completion during 1980 in coordination

with the MSD regional drainage plan. The city of Sherwood recognizes and assumes its responsibility for operating, planning and regulating wastewater systems as designated in MSD's Waste Treatment Management Component." (Plan, p. V-5)

Conclusion: Sherwood complies with Goal No. 6.

#### Goal No. 7 - Natural Hazards

Metro's draft plan review noted that a number of problems related to flooding, high groundwater and water-related erosion had not been dealt with in the comprehensive plan.

City staff have reported to Metro that the City's drainage consultant has just completed his study. The drainage study contains recommendations to the City Council on management policies to deal with the City's identified problems. The City's plan commits the Council to adopting effective management policies. Metro concurs with the City's judgment that this is not an acknowledgement issue.

Conclusion: Sherwood complies with Goal No. 7.

#### Goal No. 8 - Recreational Needs

Metro's draft plan review did not identify any acknowledgement issues.

Conclusion: Sherwood complies with Goal No. 8.

#### Goal No. 9 - Economy of the State

No acknowledgement issues were identified in Metro's draft plan review.

Conclusion: Sherwood complies with Goal No. 9.

#### Goal No. 10 - Housing

Sherwood's comprehensive plan contains a thorough analysis of the City's housing problems and a complete set of policies that address the City's regional housing responsibilities.

In reviewing comprehensive plans in the Metro region, Metro has applied standards of density and housing mix to ascertain compliance with Goal No. 10. In Sherwood's case, Metro regards housing densities of six units per acre on vacant buildable land and a housing mix of 50 percent single family to 50 percent multi-family as minimally adequate to meet regional housing expectations and comply with Goal No. 10.

The City of Sherwood's proposed residential density exceeds regional housing expectations. The City's plan provides for a density on vacant buildable land of 7.1 units per acre.

The City's single family/multi-family housing split under proposed plan designations is 48.5 percent multi-family to 51.5 percent single family. This is somewhat below the 50/50 requirement. Metro's staff is, however, confident that this is not an acknowledgement issue. The fact that the City has more than met its density expectation, compensates for the somewhat lower ratio of multi-family to single family housing. In fact, the City's provision of many small single family lots which provide higher overall densities and the opportunity for lower cost housing, are the major features altering the City's housing mix to less than 50/50. Requiring the City to meet exactly the 50/50 standard would effectively penalize them for providing low cost housing opportunities. Staff is convinced that that would not be an accurate interpretation of Goal No. 10.

Sherwood's density and housing mix comply with regional housing expectations and with statewide Goal No. 10.

The City's development ordinance, submitted to Metro subsequent to completion of the draft plan review, has been reviewed by Metro's staff. The development ordinance is generally an acceptable document and simplifies the development process. For example, rather than adopting separate zoning, Sherwood allows developers to seek subdivision and development approvals based directly on comprehensive plan designations. This eliminates the added step of having to seek rezonings prior to development.

Sherwood's comprehensive plan does, however, contain one provision that appears to violate Goal No. 10. The development ordinance contains a provision requiring multi-family housing to pass design review. The City's Design Review Board is empowered to review multi-family developments from the standpoint of its impact on harmony with the neighborhood and compatibility with the existing neighborhood character. The Design Review Board has virtually unlimited authority over the approval of multi-family developments and has unchecked discretion to impose conditions on new developments. Either of these provisions could preclude needed housing types and unnecessarily raise housing costs. Coupled with the Design Review Board's authority to disapprove housing types and raise housing costs, these provisions appear to constitute vague and discretionary standards and consequently violate LCDC's "St. Helens" policy.

It does not appear to be the City's intent to use the design review process as a means of impeding needed housing. City's staff has notified Metro that these standards, or the Design Review Board's discretion to disapprove developments and impose conditions could be restricted to design- and site-related provisions and could effectively meet the "St. Helens" test. Until these amendments to the Design Review Board's authority are completed, Metro staff is of the opinion that the provisions of the development ordinance violate the LCDC "St. Helens" policy.



Conclusion: Sherwood does not comply with Goal No. 10. In order to comply, Sherwood must adopt clear and objective design review approval standards and/or eliminate the Design Review Board's authority to disapprove needed housing types or to impose unnecessarily cost-increasing requirements.

#### Goal No. 11 - Public Facilities and Services

Metro's draft plan review identified two general problems with Goal No. 11 compliance in the Sherwood plan. The first relates to a lack of adequate water supply, and the second to the provision of sewer services in conflict with UGB policies. As originally adopted, Sherwood's draft plan did not identify adequate water supplies for the City's intended future growth population. Since completion of the draft plan, Sherwood has received a water source study which identifies well sites to meet the City's projected water demand through the year 2000. The City is proceeding to develop these water sources. This appears to resolve the compliance problem identified in Metro's draft plan review.

The second problem identified in the draft plan review relates to the provision of sewer service. Sherwood has done sewer planning not only for its current city limits, but has extended the sewer planning to the limits to the major basins in which Sherwood lies. In most cases, the land studied and planned for is within either the city limits or within the UGB. In at least one case, the sewer lines identified in the Sherwood plan extend to areas that are not within the UGB. Metro's draft plan review identified this as a general policy problem, and requested that the City adopt language clarifying the City's policy on provision of services.

Of specific concern is the fact that one designated lateral--the Offsite Lateral--is not consistent with the UGB. (The Offsite Lateral is located in the northeast corner of Sherwood and is illustrated on the attached map.) The Offsite Lateral runs for about half its length through land which is outside the UGB. The Offsite Lateral would serve land that is not currently in the Sherwood city limits, but is within the City's ultimate planning area.

The Offsite Lateral would be constructed and operated by the Unified Sewerage Agency of Washington County. The city of Sherwood would, however, designate the boundaries of the local improvement district to finance the lateral. The Unified Sewerage Agency may, but has not yet, adopt restrictions on sewer hookups to this lateral outside the UGB. Neither has the City adopted policies which limit hookups outside the UGB, and has argued that it cannot regulate hookups outside its city limits. The Unified Sewerage Agency has noted that it is not responsible for the location of lines, that being a City decision, and that it is only responsible for the construction and operation of the sewer system.

A sewer service lateral bisecting the UGB creates an incentive for ultimate urbanization of land immediately outside the UGB. The

Offsite Lateral is reasonably close to parcels fronting on Pacific Highway (Highway 99W). Under Metro's Urban Growth Boundary Locational Adjustments Procedure, the location of sewer service in parcels adjacent to the UGB is a favorable factor for evaluating applications to expand the boundary. Staff is concerned that Metro's approval of the Sherwood Comprehensive Plan constitutes an invitation to include this land within the UGB.

It may be appropriate for the area which the offsite lateral would serve to be included in the UGB. It is also possible that the area within the boundary served by the Offsite Lateral could be served by other means or could appropriately be excluded from the UGB. Until the range of alternatives--including other ways of servicing the area, excluding it from the boundary or including a slightly larger area--is known, Sherwood's plan cannot be acknowledged to be in compliance with the goals.

Conclusion: Sherwood does not comply with Goal No. 11. In order to comply, the City must further investigate the provision of sewer service to areas outside the Urban Growth Boundary, and adopt policies consistent with maintenance of the UGB.

#### Goal No. 12 - Transportation

No acknowledgment issues were identified in Metro's draft plan review.

Conclusion: Sherwood complies with Goal No. 12.

#### Goal No. 13 - Energy Conservation

No acknowledgement issues were identified in Metro's draft plan review.

Conclusion: Sherwood complies with Goal No. 13.

#### Goal No. 14 - Urbanization

Metro's staff considers the issues raised under Goal No. 11 as having major implications for Goal No. 14. If Sherwood's plan results in sewer laterals being run through areas outside the UGB, this creates substantial pressure to expand the UGB. Metro feels that the City's location of the Offsite Lateral is not consistent with the regionally-adopted UGB, and therefore violates Goal No. 14.

Conclusion: Sherwood does not comply with Goal No. 14. In order to comply, the City must adopt policies that assure that the provisions of sewer service are consistent with the UGB.

JC/ga  
2364B/215



# Metropolitan Service District

527 SW Hall Portland, Oregon 97201 503/221-1646

## Memorandum

**Date:** January 23, 1980  
**To:** Todd Dugdale, Planning Director, City of Sherwood  
**From:** Ken Lerner, Metro Plan Review *KL*  
**Subject:** Draft Review of the Sherwood Comprehensive Plan Draft

We have completed our review of Parts I and II of the Sherwood comprehensive plan and are impressed with the overall quality of work. We would like to thank you for having met with us on December 20, to discuss our review. This memo and the attached pages are a follow-up to that meeting and discussion.

The review is designed to identify issues of regional concern which should be remedied prior to final adoption of the plan and acknowledgment review. These items have been noted by an asterisk (\*), and those followed by an "E" are essential for a favorable recommendation from Metro.

Suggestions for how these problems might be addressed by the City indicate only what we feel would be adequate to ensure that regional interests are protected (and so to receive a favorable recommendation from Metro) and do not necessarily represent what LCDC might view as an adequate solution.

In addition, we have identified any instances where the plan does not fully address one of the criteria on the Metro/DLCD review worksheets. Although the list of these items may appear imposing, DLCD does not generally expect that all criteria must be met for acknowledgment. If you have any questions or problems about if or how any of these items should be addressed, we strongly encourage you to take these matters up with the DLCD review team at an early date to determine what more may have to be done before acknowledgment. If we can assist you in these discussions or in making needed changes, please let us know.

If you have any further concerns or questions about our review, please do not hesitate to contact myself or Jill Hinckley at the Metro office.

KL:g;  
6531/D1

cc: Linda Macpherson, DLCD  
Eldon Hout, DLCD  
Art Schlack, Washington County

## SHERWOOD DRAFT REVIEW

(Numbers Refer to Items on the  
Metro/DLCD Plan Review Checklist)

### 0. General Requirments

\*E (0.1.9) As discussed at our meeting the plan will need opening language to recognize Metro's role in future plan amendments.

The Metro sample language relating to re-opening of acknowledged plans can be included in Part Two of the plan on page II-5 under plan amendments as an introduction to this process.

\*E (0.2) The population projections, as you know, are not consistent with the "208" population projections. Metro staff is still evaluating the nature and extent of the problem. We would like an opportunity to discuss this issue with both you and with Washington County staff in the near future.

### Goal #1: Citizen Involvement

(1.6) There are no apparent citizen involvement problems; however, no Committee for Citizen Involvement (CCI) evaluation of the City's Citizen Involvement Program (CIP) has been submitted. The City should provide for and carry out a periodic CCI evaluation.

### Goal #2: Land Use Planning

(2.1.1) To demonstrate that you have addressed all inventory requirements of the various goals, you should include a "disclaimer," listing all the resources and hazards which are not present in the City and for which, therefore, inventory requirements do not apply.

Following is a list of inventory requirements which appear not to apply to the City:

5.1.3	Energy Sources
5.1.5	Significant Natural Areas
8.1.1.8	Hunting
8.1.1.9	Angling
8.1.1.10	Winter Sports
12.1.1.4	Air
12.1.1.5	Water
12.1.1.8	Pipeline

(2.1.2) We understand that you are now beginning work on implementation measures to carry out the plan. It is our understanding that the plan designations will correspond to a zone designation, but we will need the actual ordinance to examine uses permitted, conditions, standards, etc. for uses in each designation. Ordinance provisions should be consistent with and adequate to carry out all major plan policies.

(2.2.1) There is no list of the location of plan documents on file. This can be included in the letter of submittal.

\*E (2.1.2.1) In general, case law provides that plan policies control the plan map. However, the Sherwood plan states that the plan map controls. In order to remedy this inconsistency we suggest that additional language should be added to the standards for approval of plan amendments on page II-6 of the Community Development Plan to provide that any amendments to the map must be consistent with all plan policies in that area.

\*E (2.2.2) The plan should state that it is a complementary plan and recognize that the Washington County plan will apply to land within the Sherwood planning area, but outside of the City limits. In other words, the Sherwood plan only applies within existing City limits. This can be included in the plan either in the growth management section introduction, in the land use section introduction, or in the plan introduction itself.

\*E (2.2.2.1a) No Urban Planning Area Agreement (UPAA) or other agreement has been noted or submitted. Metro will provide coordination assistance in working out an UPAA with the County.

#### Goal #4: Forest Lands

(4.1.4) The plan does not indicate the condition or extent of urban forests except for riparian forests. An inventory of the location and extent of other urban forests would fulfill this criterion.

(4.2.2) Policies retain forest land in forest use only as long as they are not needed for urban use. Urban uses related to habitat and resource protection are encouraged in urban areas (i.e., to prevent soil erosion, windbreaks, scenic corridors, etc.). This policy is adequate to meet goal requirements, if it is accompanied by very direct implementation measures.

#### Goal #5: Open Space, Scenic and Historic Areas

(5.1.6) There is no inventory of scenic views and sites but plan policy does reference scenic corridors (CP II V-2 and V-22). The location and extent of scenic corridors should be clarified in Sherwood as part of the inventory requirements.

(5.2.2, 5.2.3.3, 5.3.1) The plan contains policy to evaluate consequences regarding areas of conflicting uses but does not contain policy adequate to protect resources to the extent possible even where conflicting uses are justified. As we discussed, one way this problem can be dealt with is by including policy and implementation for a site design review procedure designed to protect the resources. The policy language can be included after Policy 4, p. V-13 in the Community Development Plan.

#### Goal #6: Air, Water and Land Resources Quality

\*E (6.1.1.2, 6.1.1.3, 6.2.2.1) The plan accurately recognizes that Sherwood is within a non-attainment area for air quality standards. However, some of the data should be updated to recognize that the ozone standard will be exceeded and that there may not be a problem with particulates. Also, the plan should include policy to cooperate with Metro in air quality planning adequate to address these concerns.

\*E (6.1.2.3) Page V-17 of the plan states that there are problems with run-off that affect water quality. This contradicts the following paragraph which says that there are no problems identified. This situation needs to be clarified as it is confusing and contradictory. The plan should, either clearly explain the facts and reasons which lead to a conclusion that there is no water quality problem or, include a policy to provide that water quality problems associated with storm water run-off will be addressed as part of the proposed drainage plan, and if applicable through cooperation with Metro in regional drainage planning.

\*E (6.2.2.4) The plan needs to include sample language on cooperation with the Waste Treatment Management Component (WTMC) as per the sample language in Section III-J of Metro's Plan Review Manual.

#### Goal #7: Natural Hazards

(7.1.4, 7.1.8) As we discussed with staff, the drainage issue and the related hazards, high groundwater, and erosion and deposition, should be dealt with in the proposed drainage plan. Whether or not existing measures are adequate to provide interim protection against the associated hazards are unclear. If poor drainage poses a threat to property only in the Washington Hill area, then the proposed LID for drainage facilities in this area is adequate. If there are other areas subject to basement flooding or other hazards from high groundwater or poor drainage, policies for protection of "construction sites" will be adequate only if intended to mitigate hazards to new construction and not simply reduce problems created by the construction activity itself and if it is the City's intent to implement these policies in its subdivision or other ordinance prior to acknowledgment. From our discussion, it appears likely that the City is currently providing adequate protection, but the information and policy in the plan itself needs to be revised to make it clear how this is being accomplished.

One note regarding Policy 1, V-8, in the first strategy, where "sedimentation ordinances" are referenced, this should be changed to "erosion control ordinances", since that is the purpose of the ordinance.

(7.2.1, 7.3.1) The plan does not clearly define areas subject to hazard from erosion or poor drainage, beyond mentioning the erosion problem in the Washington Hill area.

Ideally, the plan should include maps showing the location of these hazards. At a minimum, the written descriptions should be more specific and the location of detailed maps referenced.

#### Goal #8: Recreational Needs

(8.2.1) The plan does not identify specific park and open space needs; however, the City will be preparing a park and greenway plan review which can include an analysis of need. Even though the plan has all the information necessary to summarize specific needs it would be helpful to include this in the proposed study.

(8.2.2.1) No policies which address role of private enterprise or private park developments recreational opportunities were included in the plan.

(8.2.2.3) The plan addresses available sites for certain uses, but does not contain a discussion of financial resources for acquiring and developing and maintaining sites. It is our understanding that this will be addressed in the proposed park study. If the study is not completed prior to acknowledgment, the plan should contain a discussion on how parks are to be financed.

(8.2.6) In the plan map, park sites are not identified consistent with the park map on p. V-21. The plan map should accurately show the size as well as the location of proposed park sites.

In addition, there are some inconsistencies between park map and plan map:

1. Reservoir/Tank park site is not identified as proposed park on plan map.
2. The greenway is overlayed on top of other designations.
3. The elementary school/park site (next to existing) is not identified on plan map.
4. The Edy Road park site is not identified on plan map.

#### Goal #9: Economy of the State

(9.1.2) There is no discussion of resources, only of availability of land.

(9.1.3) There is only limited discussion of the labor market. At a minimum, the plan should include employment of City residents by job type (sector).

(9.1.4, 9.2.1, 9.2.2) There should be more analysis related to economic development since Sherwood is projecting and planning for a relatively large increase in such development. While general transportation problems are discussed under Goal #12, the plan needs to further consider transportation alternatives, as well as, an



analysis of other alternatives, relating to the increased commercial and industrial development being proposed.

Goal #10: Housing

\*E (10.2.2) As we noted during our meeting, a vacant buildable lands inventory is needed, by zoning and plan designations, broken down in relation to zones in order to calculate if housing needs are being met. Ideally, this should include the following within City limits, for each plan designation:

- total vacant land
- constrained land (floodplain, steep slope)
- buildable land
- streets
- public + semi-public uses
- = net buildable
- X density
- = maximum capacity of net buildable by units
- X vacancy factor
- = occupied units
- X persons per unit
- = population provided for

\*E (10.2.5) As mentioned in our meeting, policy should identify the need to supply multi-family (MF) units as lower cost housing, i.e., the plan does not include anything that related MF housing to low-income housing needs. This can be remedied by including MF housing to the strategies listed under Policy 3 on p. IV-16.

Also the plan designations and the zones which correspond to them need clarification.

If, as the plan states, each plan designation is to be implemented by one corresponding zone, and if, as you indicated, that zone will allow a maximum density of development at roughly the mid-point of the range provided for in the plan, then there may be some question as to whether a zone which allows minimum lot sizes of, say, 7,000 square feet is consistent with a plan map designation which provides for up to eight units an acre (5,000 square foot lots). We suggest that you avoid possible problems of this kind by explaining the intended application of the density ranges provided in the plan. In so doing, you should clarify whether these ranges are intended to specify minimum as well as maximum densities. If this is the case, the following language might be appropriate:

"For each plan designation, a maximum and minimum density has been indicated. The maximum density represents the upper limit which may be allowed -- it is not a commitment that all land in that designation can or should develop to that density. The zoning ordinance and map will define the circumstances under which the maximum density is permissible -- for example, through the application of a PUD zone

allowing density bonuses. Unless these circumstances pertain, the maximum density allowable will be specified by the zone which implements the plan designation, which will generally provide for a density of development at about the mid-point of the range provided for the plan designation. The zoning ordinance will also provide for a minimum allowable density, consistent with the low end of the range provided for the plan designation."

If the City does not wish to establish minimum as well as maximum densities allowed, then the above language should be revised accordingly. In this case, it would make more sense for the range to be revised so that the density at the low end corresponds to the maximum density allowed outright by the corresponding zone. If you prefer not to readjust the ranges this way, then plan policy on the status of the lower end of the range should be clear, e.g., "Densities between the low end of the range of the plan designation and the maximum density allowed by zoning are intended as an expression of the lower end of the likely density of development and are not designed to establish policy prohibiting less dense development."

(10.2.2.1) The plan should project future financial capability of households. This need not be numerical, just an indication of trends.

(10.2.2.2) Also the plan should project future price and rent ranges (estimates of trends) by housing type. This need not be numerical.

\*(10.2.23) It will be helpful to have breakdown of total overall multi-family and single family housing, i.e., existing plus projected new summed.

\*E (10.3) No implementing measures were reviewed, but they will be reviewed for the final review. Plan policy provides for special review of mobile homes. Review standards should be clear and objective so as not to conflict with the "St. Helen's Policy."

#### Goal #11: Public Facilities and Services

\*E (11.1.1.4) The Sewer Service Plan mentions that two trunk sewer lines should be planned to serve the Upper Cedar Creek and the Upper Rock Creek Basins. The plan includes suggested sizing of trunk lines and findings indicate that such sewer extensions are being considered. However, while policy implementation states that sewer expansion beyond the UGB into Cedar Creek's upper basin is not practical, the plan should reflect the fact that sewer service outside the existing UGB is illegal as well as impractical, since it would conflict with both Land Use Framework Element policy and LCDC Goals.

\*E (11.1.2.4) The City will be undertaking a groundwater study to determine if there is adequate capacity to serve the proposed need. This is a critical problem as all water is supplied, by well, from a groundwater supply and there has been trouble with excessive draw-down in one well. The Corps of Engineers, in their "Regional Water Supply Plan" (p. 34), has identified this problem and has recommended that groundwater information is needed in order to determine if Sherwood's needed flows can be accommodated.

Since it appears unlikely that this study will be completed for the acknowledgment request, the City should: (1) demonstrate a firm commitment to the completion and implementation of the proposed water supply plan, through both clear plan policy on a time line for this work and actual initiation of the study as soon as possible; and (2) adopt interim policy measures. Such measures might include a well monitoring program as outlined on p. 20 of the "Water Service Plan Amendment of Sherwood Comprehensive Plan," and growth controls that allow development only if there is adequate water supply for that development. These policies will be reviewed by Metro and have to be worded so that when implemented they will prevent growth which cannot adequately be served.

\*E (11.1.3, 11.1.3.1, 11.1.3.2, 11.1.3.3, 11.1.3.4) The City will be providing a drainage plan to address these issues. Existing plan policy, along with a firm commitment by the City to undertake and implement a drainage plan, will be adequate provided the concerns discussed under Goals #6 and #7 are addressed.

#### Goal #12: Transportation

A memorandum from Metro's Transportation Department is attached. We hope you will give their comments serious consideration. Their relevance to goal compliance is indicated below.

\*(12.2.1.1a, 12.2.4.4) There is no recognition of transportation disadvantaged. The plan should include data on the need (i.e., determine the number of elderly, poor, etc.), and policy to coordinate with Metro and Tri-Met.

\*(12.2.2) There are inconsistencies regarding traffic volumes for the year 2000. The attached memo from the Metro Transportation Section gives an example: On Hwy. 99W the highest volume for 1995 is predicted to be 12,100, where current counts are 15,100. Traffic volumes need to be re-examined for re-determination of how the flows were estimated, or an explanation of how these figures were determined would be helpful. The City may be arriving at these flows by factoring increased use of mass transit or that residents will work and live in Sherwood and not commute to work or shop, and such an analysis needs to be included in the plan.

\*(12.2.2.1) The Metro transportation section, as per the attached memo, notes that there are functional classification inconsistencies which result from the function roles that the plan attributes to the street system. However, these inconsistencies are minor in nature

and can be resolved subsequent to adoption of the Regional Transportation Plan.

(12.2.3.3, 12.2.3.4) There is nothing in the plan on environmental or energy concerns. There should be a general statement regarding how mass transit or other alternatives act as environmental and energy mitigation measures.

#### Goal #13 Energy Conservation

\*(13.1.4) The "CRAG Regional Energy Analysis" was not used in the plan. However, the applicable information for Sherwood was given to staff during our meeting, and this information should be incorporated into the plan.

(13.2.1, 13.2.2) The plan has limited policies on energy conservation. They address the locational factor and there is only a general statement relating to the providing of housing which meets local needs with regard to "energy efficiency." Individual residential energy conservation methods (such as encouraging solar siting, inclusion of Chapter 53 of the UBC, and coordinating with utility and governmental energy conservation educational and home improvement programs) should be considered and appropriate supportive policy and implementation provided for.

#### Goal #14 Urbanization

(14.2.3.2d) Policies on conversion of future urban areas into immediate urban does not allow for maximum urban development to occur within City and within immediate urban area before urbanization of future urban areas. Since this is a complementary plan, Metro will review the County's policies on urbanization, which need to provide for development in existing urban areas prior to allowing future urban area to convert.

Sherwood may, therefore, need to change its policies to be consistent with Washington County's. However, this does not have to be done prior to acknowledgment. It might be simplest if you deleted specific policies on conversion of urbanizable land from the plan and replaced them with a general policy to coordinate conversion policy with the County in the UPAA. The UPAA could then include the specific policies once they are revised to be consistent with Metro's and the County's.

JH:KL:gl  
6706/101

## SHERWOOD ISSUE OUTLINE

### ISSUE

### CITY RESPONSE

#### Goal #1 Citizen Involvement

No acknowledgment issues identified

#### Goal #2 Land Use Planning

1. Sherwood's population projections are not consistent with Metro's '208' projections (Metro).

Differences in population projections do not interfere with the City's compliance.

Staff position: Sherwood's urban growth area is consistent with the UGB. The City has adopted phased service policies, that assure services will proceed in tandem with growth.

Not an acknowledgment issue.

2. Sherwood's plan map takes precedence over all plan policies in interpreting the plan's intent (Metro).

City will consider limiting map precedence to questions of location only.

Staff position: Limiting map precedence to location questions eliminates Metro's concern.

#### Goal #3 Agricultural Lands

Not applicable.

#### Goal #4 Forest Resources

No acknowledgment issues identified.

#### Goal #5 Open Spaces, Scenic and Historic Areas & Natural Resources

No acknowledgment issues identified.

#### Goal #6 Air, Land and Water Resources Quality

No acknowledgment issues identified.



ISSUE

CITY RESPONSE

Goal #7 Areas Subject to Natural Disasters and Hazards

Sherwood has not adopted drainage management policies (Metro, DLCD).

City has just completed drainage study. Plan commits City to adopting drainage management policies.

Staff position: This is not an acknowledgment issue.

Goal #8 Recreational Needs

No acknowledgment issues identified.

Goal #9 Economy of the State

No acknowledgment issues identified.

Goal #10 Housing

1. Sherwood has established vague and discretionary standards for design review of multi-family housing and mobile homes that could preclude needed housing (Metro, Manufactured Housing Association).

City staff recognizes this problem, and will recommend changes to the City Council.

Staff position: Sherwood should eliminate vague and discretionary design review approval standards or adopt limits on design review that will prevent it from discouraging or raising the price of needed housing types.

2. Sherwood's plan limits mobile homes to not more than 25% of the City's housing stock.

Staff position: Not an acknowledgment issue. Sherwood more than meets its regional housing responsibilities by providing new construction densities of 7 units per acre and a housing mix that is 51.5% single family and 48.5% multi-family.

ISSUE

CITY RESPONSE

Goal #11 Public Facilities and Services

Sherwood's sewer services plan would extend lateral sewers through areas outside the UGB. The presence of sewers creates pressure for inclusion within the UGB and annexation to the City (Metro).

Sewer service outside the City limits is not a Sherwood acknowledgment issue.

Staff position: The city should adopt plan policies and agreements with sewer providers limiting hookups outside the UGB.

Goal #12 Transportation

No acknowledgment issues identified.

Goal #13 Energy Conservation

No acknowledgment issues identified.

Goal #14 Urbanization

See Goal #11.

Staff position: City service policies should support the regional Urban Growth Boundary.