



Home of the Tualatin River National Wildlife Refuge

CITY COUNCIL MEETING PACKET

FOR

Tuesday, February 21, 2012

**Sherwood City Hall
22560 SW Pine Street
Sherwood, Oregon**

5:00pm City Council Work Session

6:45pm City Council Executive Session

(Pursuant to ORS 192.660(2)(f) Exempt Public Records and ORS 192.660(2)(h) Litigation)

7:00pm Regular City Council Meeting

URA Board of Directors Meeting

(Following the regular City Council Meeting)



Home of the Tualatin River National Wildlife Refuge

CITY COUNCIL WORK SESSION 5:00 PM

REGULAR CITY COUNCIL MEETING

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

4. CONSENT:

- A. Approval of February 7, 2012 City Council Minutes**
- B. Resolution 2012-006 Appointing the Budget Officer for Fiscal Year 2012-13**
- C. Resolution 2012-007 Reappointing Kim Rocha-Pearson to the Budget Committee**
- D. Resolution 2012-008 Reappointing Lynette Waller to the Budget Committee**
- E. Resolution 2012-009 Reappointing Steve Munsterman to the Budget Committee**
- F. Resolution 2012-010 Appointing Neil Shannon to the Budget Committee**
- G. Resolution 2012-011 Appointing Brian Stecher to the Budget Committee**
- H. Resolution 2012-012 a Resolution Approving Settlement in City of Sherwood v. Blakeslee Properties, LLC.**

5. PRESENTATIONS

- A. Eagle Scout Recognition**

6. CITIZEN COMMENTS

7. PUBLIC HEARINGS

- A. Ordinance 2012-003 amending multiple sections of the Zoning and Community Development Code including Divisions I, V and VIII (Zoe Monahan, Assistant Planner)**
- B. Ordinance 2012-004 approving a Planned Unit Development (PUD) to be known as Denali Planned Unit Development including application of a Planned Unit Development Overlay on the Comprehensive Plan and Zone Map, and approving the seven-lot subdivision (Michelle Miller, Associate Planner)**
- C. Ordinance 2012-005 Making certain determinations and findings relating to and approving the Fifteenth Amendment (Substantial) to the Sherwood Urban Renewal Plan (Tom Nelson, Economic Development Manager)**

AGENDA

SHERWOOD CITY COUNCIL February 21, 2012

5:00pm City Council Work Session

**6:45pm City Council Executive
Session, ORS 192.660(2)(f), Exempt
Public Records & (2)(h) Litigation**

7:00pm Regular City Council Meeting

**URA Board of Directors Meeting
(following the regular Council Mtg.)**

**Sherwood City Hall
22560 Pine Street
Sherwood, OR 97140**

8. CITY MANAGER AND STAFF REPORTS

9. COUNCIL ANNOUNCEMENTS

10. ADJOURN TO URA BOARD OF DIRECTORS MEETING

How to Find Out What's on the Council Schedule:

City Council meeting materials and agenda are posted to the City web page at www.sherwoodoregon.gov, by the Friday prior to a Council meeting. Council agendas are also posted at the Sherwood Library/City Hall, the YMCA, the Senior Center, and the City's bulletin board at Albertson's. Council meeting materials are available to the public at the Library.

To Schedule a Presentation before Council:

If you would like to appear before Council, please submit your name, phone number, the subject of your presentation and the date you wish to appear to the City Recorder Sylvia Murphy by calling 503-625-4246 or by e-mail to: murphys@sherwoodoregon.gov



SHERWOOD CITY COUNCIL MINUTES
22560 SW Pine St., Sherwood, Or
February 7, 2012

CITY COUNCIL WORK SESSION

1. **CALL TO ORDER:** Mayor Mays called the meeting to order at 6:37 pm.
2. **COUNCIL PRESENT:** Mayor Keith Mays, Council President Dave Grant, Councilors Bill Butterfield, Matt Langer, Robyn Folsom and Krisanna Clark. Councilor Linda Henderson arrived at 6:42 pm.
3. **STAFF PRESENT:** City Manager Pro Tem Tom Pessemier, Finance Director Craig Gibbons, Human Resource Manager Anna Lee, Police Chief Jeff Groth and City Recorder Sylvia Murphy.
4. **OTHERS PRESENT:** Sally Ho with the Oregonian.
5. **TOPICS DISCUSSED:**
 - A. **Review of SWOT Reports:** Mayor Mays recapped and the Council reviewed the annual SWOT Reports provided by City Boards & Commissions in December 2011 (see record, Exhibit A). The following discussion occurred;

Budget Committee: The Council discussed challenges with lack of meeting quorum, discussed having robust agenda's and the number of annual meetings. Comments were received regarding the number of annual meetings in comparison to prior years and how this was good and allowed the members to be more informed. Comments were also received regarding not holding meetings unless there was significant business to discuss. Staff recommended polling the members to see if a meeting should be held based on the agenda business.

Cultural Arts Commission: Council Liaison Folsom commented regarding the volunteer base and their willingness to pursue grants and the Commission's discussion of having a "Friends Group". Mayor Mays suggested a future joint work session with the Commission. Comments were received from City Manager Pro Tem regarding staff offering to work on grants for the back stage area of the Community Center.

Library Advisory Board: Mayor Mays commented regarding the RFID (Radio Frequency Identification Device), no other comments nor discussion occurred.

Parks Advisory Board: Council briefly discussed a Park Levy and Council Liaison Butterfield informed the Council that current Chair Schierman may not request reappointment when his

term expires. Discussion occurred regarding lite agenda's and not holding meetings when there isn't much business to address and possibly reducing the number of annual meetings.

Planning Commission: Mayor Mays suggested a refresher training course on planning and development and stated the Commission has done a good job and has performed extensive work with Code Cleanup. Mayor Mays said the Commission had some development work ahead of them.

SURPAC: Council discussed SURPAC's quarterly meeting schedule and comments were received that SURPAC was doing a good job. Discussion occurred regarding the current vacancy being an at-large position and filling the position to allow the new member to be part of the future discussion of a project list.

Other Topics: Mayor Mays commented regarding the City's partnership with the Sherwood School District and utilizing joint resources.

City Manager Pro Tem Tom Pessemier commented regarding outdoor burning and discussion occurred regarding staff looking into the regulation currently in place with TVFR as well as the City.

6. ADJOURN: Mayor Mays adjourned the work session at 7:00 pm.

REGULAR CITY COUNCIL MEETING

1. CALL TO ORDER: Mayor Mays called the meeting to order at 7:05 pm.

2. PLEDGE OF ALLEGIANCE:

3. ROLL CALL:

4. COUNCIL PRESENT: Mayor Keith Mays, Council President Dave Grant, Councilors Bill Butterfield, Matt Langer, Robyn Folsom, Linda Henderson and Krisanna Clark.

5. STAFF PRESENT: City Manager Pro Tem Tom Pessemier, Police Chief Jeff Groth, Finance Director Craig Gibons, Economic Development Manager Tom Nelson, Human Resource Manager Anna Lee and City Recorder Sylvia Murphy.

Mayor Mays addressed the Consent Agenda and asked for a motion.

6. CONSENT AGENDA

A. Approval January 7, 2012 City Council Minutes

B. Approval of January 17, 2012 City Council Minutes

C. Approval of January 21, 2012 City Council Minutes

D. Resolution 2012-004 Reappointing Diana Stanley to Library Advisory Board

E. Resolution 2012-005 of the City of Sherwood approving employment related decisions of the Pro Tem City Manager consistent with Section 33 of the Sherwood Charter

MOTION: FROM COUNCILOR LINDA HENDERSON TO ADOPT THE CONSENT AGENDA, SECONDED BY COUNCILOR BILL BUTTERFIELD, ALL COUNCIL MEMBERS VOTED IN FAVOR.

Mayor Mays addressed the next agenda item.

7. PRESENTATION

A. Eagle Scout Recognition, no Scouts were present.

8. CITIZEN COMMENTS

Neil Shannon came forward and commented regarding a report from 2000 titled “The Future of Old Town” and the need for \$10 million for improvements to downtown streets and the suggestion that Urban Renewal could be a means of funding. Mr. Shannon commented regarding former Mayor Hitchcock and his vision of the downtown area, streets, performing arts, Old School House, the Robin Hood Theater and a vibrant downtown. Mr. Shannon commented regarding the development that has occurred in the last twenty years and expressed his disappointment with the vacant lot of the former Robin Hood Theater and the lack of URA funds going towards the stage cover at Stella Olsen Park. Mr. Shannon commented regarding completed projects within the URD (Urban Renewal District) and funds allocated to those projects and stated the URD is now out of funds. Mr. Shannon commented regarding attending a URA (Urban Renewal Agency) meeting and hearing a staff presentation on increasing the maximum indebtedness of the URD and finding projects to spend the money on. Mr. Shannon commented regarding the Downtown area being distressed by empty store fronts and said the economic development program should be focused on filling store fronts and not building roads. Mr. Shannon commented regarding his appreciation of discussion of the URA Board and comments provided by Board members regarding spending and cost of projects and said URA’s should not be used for pet projects but used to kick-start blighted areas to encourage private investment. Mr. Shannon stated the URA is redirecting tax funds from essential services such as fire, police, water, sanitary, road and indirectly from schools. Mr. Shannon referenced ORS 457.095 requirements and the need to make the findings that an area is “blighted”.

Mayor Mays thanked Mr. Shannon and asked to receive other comments.

Eugene Stewart PO Box 534 Sherwood came forward and informed the Council the Marjorie Stewart Senior Center was celebrating their 30 Anniversary with a dinner on February 11th. Mr. Stewart asked the Council to take direction with the future of the Senior Center and the director position.

Mayor Mays addressed the next agenda item.

9. CITY MANAGER REPORT

City Manager Pro Tem Tom Pessemier informed the Council that Police Chief Jeff Groth would be participating in The Polar Plunge on February 11th raising funds for Oregon Special Olympics.

Mayor Mays addressed the next agenda item.

10. COUNCIL ANNOUNCEMENTS

No announcements were received.

11. ADJOURN

Mayor Mays adjourned the Council meeting at 7:15 pm.

Submitted by:

Sylvia Murphy, CMC, City Recorder

Keith S. Mays, Mayor

Note: No audio or video recording taken for this meeting.



RESOLUTION 2012-006

A RESOLUTION APPOINTING THE BUDGET OFFICER FOR FISCAL YEAR 2012-13

WHEREAS, Oregon budget law requires that a Budget Officer be appointed by the Council or designated by Charter for each budget cycle; and

WHEREAS, the Budget Officer is responsible for preparing the proposed budget for presentation to the Budget Committee, publishing required notices, and compliance with budget law;

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

Section 1. The Finance Director, Craig Gibbons is appointed as the Budget Officer.

Section 2: This Resolution shall be effective upon its approval and adoption.

Duly passed by the City Council this 21st day of February 2012.

Keith S. Mays, Mayor

Attest:

Sylvia Murphy, CMC, City Recorder



RESOLUTION 2012-007

A RESOLUTION REAPPOINTING KIM ROCHA-PEARSON TO THE BUDGET COMMITTEE

WHEREAS, there are vacancies on the Budget Committee for citizen members; and

WHEREAS, Kim Rocha-Pearson was originally appointed via Resolution 2009-011 and has requested reappointment; and

WHEREAS, Ms. Rocha-Pearson has been endorsed by the Council liaison Dave Grant, Mayor Mays and staff liaison Julie Blums.

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

Section 1. Kim Rocha-Pearson is hereby reappointed to the Budget Committee for a 3 year term pursuant to ORS 294.414 (5), with a term ending June 30, 2014, pursuant to the Sherwood Municipal Code section 2.08.010.

Section 2: This Resolution shall be effective upon its approval and adoption.

Duly passed by the City Council this 21st day of February 2012.

Keith S. Mays, Mayor

Attest:

Sylvia Murphy, CMC, City Recorder



RESOLUTION 2012-008

A RESOLUTION REAPPOINTING LYNETTE WALLER TO THE BUDGET COMMITTEE

WHEREAS, there are vacancies on the Budget Committee for citizen members; and

WHEREAS, Lynette Waller was originally appointed via Resolution 2009-010 and has requested reappointment; and

WHEREAS, Ms. Waller has been endorsed by the Council liaison Dave Grant, Mayor Mays, and staff liaison Julie Blums.

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

Section 1. Lynette Waller is hereby reappointed to the Budget Committee for a 3 year term pursuant to ORS 294.414 (5), with a term ending June 30, 2014, pursuant to the Sherwood Municipal Code section 2.08.010.

Section 2: This Resolution shall be effective upon its approval and adoption.

Duly passed by the City Council this 21st day of February 2012.

Keith S. Mays, Mayor

Attest:

Sylvia Murphy, CMC, City Recorder



RESOLUTION 2012-009

A RESOLUTION REAPPOINTING STEVE MUNSTERMAN TO THE BUDGET COMMITTEE

WHEREAS, there are vacancies on the Budget Committee for citizen members; and

WHEREAS, Steve Munsterman was previously appointed via Resolutions 2006-011 and Resolution 2009-008 and has requested reappointment; and

WHEREAS, Mr. Munsterman has been endorsed by the Council liaison Dave Grant, Mayor Mays, and staff liaison Julie Blums.

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

Section 1. Steve Munsterman is hereby reappointed to the Budget Committee for a 3 year term pursuant to ORS 294.414 (5), with a term ending June 30, 2014, pursuant to the Sherwood Municipal Code section 2.08.010.

Section 2: This Resolution shall be effective upon its approval and adoption.

Duly passed by the City Council this 21st day of February 2012.

Keith S. Mays, Mayor

Attest:

Sylvia Murphy, CMC, City Recorder



RESOLUTION 2012-010

A RESOLUTION APPOINTING NEIL SHANNON TO THE BUDGET COMMITTEE

WHEREAS, there are vacancies on the Budget Committee for citizen members; and

WHEREAS, Neil Shannon has requested to be appointed to the Budget Committee; and

WHEREAS, Mr. Shannon has been endorsed by the Council liaison Dave Grant, Mayor Mays, and staff liaison Julie Blums.

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

Section 1. Neil Shannon is hereby appointed to the Budget Committee for a 3 year term pursuant to ORS 294.414 (5), with a term ending June 30, 2015, pursuant to the Sherwood Municipal Code section 2.08.010.

Section 2: This Resolution shall be effective upon its approval and adoption.

Duly passed by the City Council this 21st day of February 2012.

Keith S. Mays, Mayor

Attest:

Sylvia Murphy, CMC, City Recorder



RESOLUTION 2012-011

A RESOLUTION APPOINTING BRIAN STECHER TO THE BUDGET COMMITTEE

WHEREAS, there are vacancies on the Budget Committee for citizen members; and

WHEREAS, Brian Stecher has requested to be appointed to the Budget Committee; and

WHEREAS, Mr. Stecher is currently serving as a member of the Parks Board, appointed in March 2011 via Resolution 2011-019 and previously served a two year term appointed in May 2009 and is requesting to continue his current service until term expiration in March 2013.

WHEREAS, The Mayor values the experience and insight Mr. Stecher has brought to the Parks Board and has authorized his service on both committees, Mr. Stecher's appointment to the Budget Committee has been endorsed by the Council liaison Dave Grant, Mayor Mays, and staff liaison Julie Blums.

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

Section 1. Brian Stecher is hereby appointed to the Budget Committee for a 3 year term pursuant to ORS 294.414 (5), with a term ending June 30, 2015, pursuant to the Sherwood Municipal Code section 2.08.010. Mr. Stecher's service on the Parks Board will end in March 2013.

Section 2: This Resolution shall be effective upon its approval and adoption.

Duly passed by the City Council this 21st day of February 2012.

Keith S. Mays, Mayor

Attest:

Sylvia Murphy, CMC, City Recorder



RESOLUTION 2012-012

**A RESOLUTION APPROVING SETTLEMENT IN
CITY OF SHERWOOD V. BLAKESLEE PROPERTIES, LLC**

WHEREAS, consistent with the terms of ORS Chapter 35, the City filed a condemnation action in Washington County Circuit Court entitled City of Sherwood v. Blakeslee Properties LLC, Washington County Circuit Court (WCCC) Case No. C11-0788CV, to acquire certain property interests relative to the public improvements done at the intersection of Langer Parkway and Oregon Street.

WHEREAS, the City obtained early possession of the property interests it needed for the public improvement project in March 2011.

WHEREAS, the City and Defendant have now agreed to settle the pending action for just compensation of the property interests at issue and fees in the total amount of One Hundred Eighty Seven Thousand, Five Hundred Dollars (\$187,500.00).

NOW THEREFORE, based on the foregoing, the City of Sherwood resolves as follows:

Section 1. The City Manager Pro Tem is hereby authorized to make payment of the total sum of One Hundred Eighty Seven Thousand Five Hundred Dollars (\$187,500.00) (net of the Eleven Thousand Two Hundred Dollars (\$11,200.00) previously paid for early possession) to Blakeslee Properties, LLC as complete settlement in the matter City of Sherwood v. Blakeslee Properties LLC, WCCC Case No. C11-0788CV, including attorneys' fees.

Section 2. This resolution is and shall be effective from and after its passage by the Council.

Duly passed by the City Council this 21st day of February 2012.

Keith S. Mays, Mayor

Attest:

Sylvia Murphy, CMC, City Recorder

TO: Sherwood City Council
FROM: Zoe Monahan, Assistant Planner
Through: Julia Hajduk, Planning Manager
Subject: Code Clean-Up Trees on Private Property

EXECUTIVE SUMMARY

Summary: As part of a multi-phase code clean-up project with the goal of providing a more clear and usable code for citizens and developers, the proposed amendments include updates to: 1) trees on private property and 2) housekeeping changes related to the tree code and past parks and open space standards. The Planning Commission held a public hearing on January 21, 2012 and forwarded a recommendation of approval to the Council. The Planning Commission recommendation is attached as Exhibit 1 and the proposed Chapter 16 amendments are attached as Exhibit 1-A (clean copy) and 1-B (track changes).

Previous Council Action: None

Background/Problem Discussion: The trees on private property standards were updated in order to address the following issues:

- Make the code fair, clear and flexible.
- Preserve the urban canopy and preserve mature trees.
- Set a standard which removes the inch for inch tree mitigation standard.
- Differentiate between residential and non-residential standards.

The Planning Commission held a public hearing on January 21, 2012 to discuss the proposed Code Clean-up amendments regarding trees on private property. Public comments were received. Generally, the public felt that the code changes are a good start. There was concern about the term “net developable area”. A citizen also felt that they neighbors should have the ability to comment when trees are going to be removed. The comments section of the public hearing was closed. The Planning Commission expressed concerns about only the need for the term “net developable area” to be defined. They also wanted to make sure that trees which require removal are replanted within a specific time period. The Planning Commission also wanted to see the time frame for trees on private property to be rephrased to be “per twelve month period” rather than “per calendar year”. Finally, The Planning Commission recommended that the incentives have a clear threshold to apply for the incentives. The Planning Commission’s requested changes to the draft language have been made as discussed above. The changes are highlighted within the draft code language.

The City Council held a work session on January 3, 2012 to discuss the concepts of the draft language. Based on the questions raised and feedback provided at the work session staff has prepared additional amendments which will be presented at the January 3, 2012 Public Hearing for the City Council to consider.

Alternatives: Approve, approve with modifications or deny the Planning Commission recommendation.

Financial Implications: There are no foreseen financial impacts.

Recommendation: Staff recommends that the City Council adopt the attached Ordinance which reflects Planning Commission’s recommendation.

Attachments:

- Ordinance
- Exhibit 1– PC Recommendation
 - 1-A - Proposed development code changes (clean copy)
 - 1-B - Proposed development code changes (track changes)
 - 1-C – Tree Code handout
 - 1-D – Planning Commission Goals for the Tree Code



ORDINANCE 2012-003

AN ORDINANCE AMENDING MULTIPLE SECTIONS OF THE ZONING AND COMMUNITY DEVELOPMENT CODE INCLUDING DIVISION, I, V AND VIII

WHEREAS, The Sherwood Zoning and Community Development Code has not been comprehensively updated in many years, and

WHEREAS, the City has undertaken a multi-phase, multi-year program to comprehensively update the development code to ensure that it is clear, consistent, and current; and

WHEREAS, the Planning Commission helped guide the development of proposed amendments after extensive public outreach and opportunity for public input; and

WHEREAS, Code Clean-Up Update: Trees on Private Property includes amendments to divisions I, V and VIII specifically related to the Tree standards (16.10.020, 16.90.020 and 16.142.070) as well as minor housekeeping changes related to Parks and Open Spaces (16.142.040 and 16. 142.060) section of the code; and

WHEREAS, the proposed amendments were reviewed for compliance and consistency with the Comprehensive Plan, regional and state regulations and found to be fully compliant; and

WHEREAS, the proposed amendments were subject to full and proper notice and review and a public hearing was held before the Planning Commission on January 24, 2012; and

WHEREAS, the Planning Commission voted unanimously to forward a recommendation of approval to the City Council for the proposed development code modifications attached as Exhibit 1-A and 1-B; and

WHEREAS, the analysis and findings to support the Planning Commission recommendation are identified in the attached Exhibit 1; and

WHEREAS, the adoption of the proposed development code modifications attached as Exhibit 1-A and 1-B, and

WHEREAS, the City Council held a public hearing on February 21, 2012 and determined that the proposed changes to the Development Code met the applicable Comprehensive Plan criteria and continued to be consistent with regional and state standards.

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

Section 1. Findings. After full and due consideration of the application, the Planning Commission recommendation, the record, findings, and of the evidence presented at the public hearing, the Council adopts the findings of fact contained in the Planning Commission recommendation attached as Exhibit 1 finding that the text of the SZCDC shall be amended as documented in Exhibit 1-A.

Section 2. Approval. The proposed amendments for Plan Text Amendment (PA) 11-06 identified in Exhibit 1-A is hereby **APPROVED**.

Section 3 - Manager Authorized. The Planning Department is hereby directed to take such action as may be necessary to document this amendment, including notice of adoption to DLCDC and necessary updates to Chapter 16 of the municipal code in accordance with City ordinances and regulations.

Section 4 - Applicability. The amendments to the City of Sherwood Zoning and Community Development Code by Sections 1 to 3 of this Ordinance apply to all land use applications submitted after the effective date of this Ordinance.

Section 5 - Effective Date. This ordinance shall become effective the 30th day after its enactment by the City Council and approval by the Mayor.

Duly passed by the City Council this 21st day of February 2012.

Keith S. Mays, Mayor

Attest:

Sylvia Murphy, CMC, City Recorder

	<u>AYE</u>	<u>NAY</u>
Clark	_____	_____
Langer	_____	_____
Butterfield	_____	_____
Folsom	_____	_____
Henderson	_____	_____
Grant	_____	_____
Mays	_____	_____

City of Sherwood
Planning Commission Recommendation to the City Council
File No: PA 11-06 Trees on Private Property

February 10, 2012

Proposal: Amendments to the Development Code in this phase of the Code Clean-Up project will clarify the Trees on Private Property standards as well as incentivize tree preservation. There are also a few housekeeping revisions included in the proposal. The proposed changes will modify the following code sections: Definitions (16.10), Site Plan Review (16.90), and Parks and Open Space (16.142). The proposed amendments are attached to this report as Exhibit A.

I. BACKGROUND

- A. Applicant: This is a City initiated text amendment; therefore the applicant is the City of Sherwood.
- B. Location: The proposed amendment is to the text of the development code and, therefore applies citywide.
- C. Review Type: The proposed text amendment requires a Type V review, which involves public hearings before the Planning Commission and City Council. The Planning Commission has made a recommendation to the City Council who will make the final decision. Any appeal of the City Council decision relating to Chapter 16 updates would go directly to the Oregon Land Use Board of Appeals.
- D. Public Notice and Hearing: Notice of the January 24, 2012 Planning Commission hearing on the proposed amendment was published in *The Times* on 1/12/12, and published in the January edition of the Gazette. Notice was also posted in five public locations around town on 1/3/12 and on the web site on 1/5/12.

While this does apply citywide, it does not affect the permissible uses of any property; therefore "Measure 56" notice was not required or provided. DLCD notice was sent November 21, 2011.

- E. Review Criteria:
The required findings for the Plan Amendment are identified in Section 16.80.030 of the Sherwood Zoning and Community Development Code (SZCDC).
- F. Background:
The City underwent periodic review in 1989-1991 and the Zoning and Community Development Code was comprehensively reviewed and updated as part of that process. Since that time, there have been a number of updates to comply with regional and state laws, and to address local issues. Over time, the piece-meal updates resulted in the need to conduct a comprehensive audit and update of the code to ensure cross references are correct, standards are clear, and typographical errors are fixed. In addition, development trends and community values have changed such that it has become necessary to evaluate the standards to ensure they remain consistent with the goals and policies of the City's Comprehensive Plan, Metro policies and related state and local laws. To that end, the Council, Planning Commission and staff identified the need to conduct a comprehensive update of the Development Code. There have been multiple updates since October 2010.

This update focuses on the Trees on Private Property portion of section 16.142.070. In the past the City has heard concerns from developers and homeowners about a few issues with the existing code including;

- The costs and complexities associated with an inch for inch mitigation requirement,
- The standards for residential and non-residential are the same even though the purpose and probable intensity of development within each of the zones is different, and
- The need for site plan review if a property owner, not subject to land use removes more than five trees per acre or more than 100 inches at dbh in any calendar year.

II. AFFECTED AGENCY, PUBLIC NOTICE, AND PUBLIC COMMENTS

Agencies:

The City sent an e-mail request for comments to agencies December 13, 2011. DLCD notice was sent on November 21, 2011. Sherwood Broadband, Washington County and ODOT outdoor signs replied that they do not have comments regarding trees on private property.

PGE's Forester, Brandon Fleming, submitted e-mail comments dated December 27, 2011. He wanted to ensure that the defined caliper inch measurement for street trees was consistent with the industry standard as specified in the *American Standard For Nursery Stock* publication ANSI Z60.1-2004. He also commented that "It is important to include wording in Development codes that will include the necessities of utility and right-of-way construction, and allow Portland General Electric to perform safe, regular maintenance including our line work and Vegetation Management practices...Ultimately, planting the appropriate trees around power lines will create a sustainable urban canopy."

Staff response: Staff has updated the draft language to ensure that it reflects the industry standard as specified in Mr. Fleming's comments. Staff agrees that PGE should be able to perform safe, regular maintenance including line work and Vegetation Management, but additional street tree language to exempt them from the permit process has not been proposed at this time. A review is required but PGE is encouraged to seek City Council approval to waive future street tree permit fees.

Public Comments:

The following comments were received at the January 24, 2012 Public Hearing.

Kurt Kristensen- 22560 SW Fair Oaks Drive, Sherwood, OR 97140. He indicated that he understands development interests and he has watched major trees come down in the past. He thinks that this code is a good first step although some of the language is too broad. In section 16.142.070 on page 8 of the draft language there should be a maximum number of trees that can be removed from a site because a property owner or developer could remove 5 trees a year, every year. He also suggested that the neighbors should have an opportunity to comment on the trees that neighbors want to remove as trees have a benefit on neighboring properties as well.

Matt Grady, Gramor Development- 19767 SW 72nd Avenue, Suite 100, Tualatin, OR 97062. He raised a question about the definition of net developable site. This is referenced but not defined in the existing or proposed code. Does this include or not include certain things? He also asked if street trees can count for the 30 percent canopy requirement.

Patrick Huske- 23352 SW Murdock Road, Sherwood, OR 97140. He mentioned that he loves trees and sees codes as guidelines. The net developable site is an imposition to property owners. He indicated that the City had done a good job looking at everyone's point of view but balance is needed. He indicated that for retention, the City should look at gross buildable

footprint or the entire site. He also mentioned that there needs to be flexibility in the provisions. There needs to be an error factor. He likes trees but as a business owner he also needs to make money.

Staff Response: The comments raised at the planning commission public hearing were all important aspects to consider as the City moves forward with this portion of the code cleanup project. Many of the concerns were clarified at the hearing. We have heard that people want to be able to remove a reasonable number of trees without a review process and it is likely that property owners that are looking to develop will not remove existing trees on site as these will be counted toward the minimum canopy requirements. In order to address the concern about the definition of net developable site, a definition has been added to section 16.10.

III. REQUIRED FINDINGS FOR A PLAN TEXT AMENDMENT

The applicable Plan Text Amendment review criteria are 16.80.030.1 and 3

16.80.030.1 - Text Amendment Review

An amendment to the text of the Comprehensive Plan shall be based upon the need for such an amendment as identified by the Council or the Commission. Such an amendment shall be consistent with the intent of the Comprehensive Plan, and with all other provisions of the Plan and Code, and with any applicable State or City statutes and regulations.

The City has identified that the code is not always clear and embarked on this code clean-up project to address issues that have arisen as a result to make it clearer, more user-friendly, and to reflect current settlement trends and community values. The proposed changes represent an effort to clean up the Tree code and ensure that existing policy is clear and objective.

The Planning Commission has held a series of work sessions (December 14, 2010, January 11, 2011, March 8, 2011, May 10, 2011, June 14, 2011 and August 23, 2011) to discuss the proposed changes and considered public input before the changes were developed to obtain feedback on needed changes.

The City took great care to ensure that the community's values are met as a result of the proposed code update. The process for this portion of the code update was different from other code clean up topics due to the complexity. The Planning Commission developed goals to help guide the process. To ensure many opportunities for outreach and engagement, a tree panel was held to hear from the experts and multiple open house type events were held and an online questionnaire was used to gather the public's input on this portion of the code clean up.

It was only after developing goals, gaining the community's input and hearing from experts that code language was developed. The proposed draft tree code is anticipated to meet the Planning Commission's goals and the community's values. The purpose of this code update was to simplify the code language, encourage tree preservation while also allowing for tree removal standards that ensure the benefits of trees are maintained over time. The language also reviews residential and non-residential developments differently.

It became evident after talking to both the arborists and developers on the tree panel and the public through the multiple outreach events that the existing process for regulating tree removal and the mitigation requirement does not work well and a change is needed. Specifically, the requirement to mitigate inch for inch results in overplanting and does not reflect the health, size or value of the tree. The current mitigation requirement can be an economic burden for a property owner with a heavily treed site. In order to ensure that the trees are seen as an asset to be protected and retained rather than a burden, a mature canopy requirement has been proposed.

The mature canopy, as proposed, is 40% for residential (single family and two family developments) and 30% for non-residential and multi-family developments. The mitigation requirement in the current code language has been removed. In addition, there are proposed incentives for developers to retain existing trees during development. The intent of these changes is to encourage preservation and keep future developers and homeowners from cutting trees before development as they will have to plant trees to meet the mature canopy requirement if on site trees are not retained.

The removal requirements for trees on residential and non-residential property not subject to land use review have been updated to ensure that required trees are retained or replaced if they must be removed. The residential requirements are similar to the existing standards, however, the removal of more than five trees or more than 10% of the trees on site no longer require a site plan. Instead it is a staff level review. Code language has also been drafted to clarify trees within natural resources and/or open spaces are subject to review on both private residential and non-residential property. This ensures the City's continued compliance with Statewide Goal 5.

The following housekeeping updates are also proposed:

1. When the open space code updates were made there were code references within 16.142 that were not updated. They are now updated to be consistent.
2. The definition of diameter at breast height was moved to the definition section of the code and the language was specified to make it easier for readers to use.
3. The way that street trees are measured when they are planted was also updated to be consistent with industry practices. The code requires street trees to be a minimum of two inches DBH when they are planted. Plant nurseries measure trees based on caliper inch which is near the root ball rather than 4 ½ feet up the tree. The requirement for newly planted street trees has been modified to reflect this industry standard.
4. The proposed language eliminates the need for site plan review for removing trees therefore the reference in the site plan section is proposed to be removed.

Upon review of the Comprehensive Plan, there are not specific policies which directly relate to the proposed language. There are no comprehensive plan requirements that would conflict with the proposed code language.

Applicable Regional (Metro) Standards

There are no known Metro standards that would conflict with the proposed language. This code update does apply to Metro Title 13 – Nature in Neighborhoods. This code update encourages tree preservation on private property through the land use process by creating a minimum canopy requirement as well as providing incentives for tree preservation.

Consistency with Statewide Planning Goals

Because the comprehensive plan policies and strategies are not changing and the comprehensive plan has been acknowledged by the State, there are no known conflicts with this text change. Staff does not believe that there are any other state or local regulations that the proposed amendments would conflict with. The language has been drafted in a manner that strives to remove conflicts in the code, and to provide clarity.

As a whole, the amendments are consistent with and support Goal 2 (land use planning) by providing more clear and objective standards. The proposed language will continue to be used city wide.

The process used to develop and review the proposed amendment is consistent with the Goal 2 requirements (and the development code):

- The Commission held multiple work sessions (December 14, 2010, January 11, 2011, March 8, 2011, May 10, 2011, June 14, 2011 and August 23, 2011) on the project;
- The website was updated regularly to provide opportunity for people to get information and provide input on the project as a whole as well as input on specific topics;

Formal notice was also published in the newspaper two weeks prior to the hearing, published in the January issue of the Gazette, posted around town and on the website.

- Courtesy notices were also provided on the website and in the City Newsletter (the Archer).
- By providing these notices in an effort to reach the public and encourage their involvement state planning Goal 1 is also met.

The code amendments are also consistent with Goal 5 (Natural Resources, Scenic and Historic Areas, and Open Spaces) by clarifying the standards for Trees on Private Property. The tree code is moving to a canopy requirement in order to encourage tree preservation. Additionally, the code update will increase compliance with Goal 5 since standards protecting natural resources and open spaces will be specifically added to "Trees on Private Property Not Subject to Land Use Approval". The existing "Trees on Private Property Subject to Land Use Approval" code language protects natural resources and open spaces. This language will remain in the code after the code update.

FINDING: As discussed above in the analysis, there is a need for the proposed amendments and the amendments are consistent with the Comprehensive Plan and applicable City, regional and State regulations and policies.

16.80.030.3 – Transportation Planning Rule Consistency

A. Review of plan and text amendment applications for effect on transportation facilities. Proposals shall be reviewed to determine whether it significantly affects a transportation facility, in accordance with OAR 660-12-0060 (the TPR). Review is required when a development application includes a proposed amendment to the Comprehensive Plan or changes to land use regulations.

FINDING: The proposed amendments are not tied to any one development application. Rather, the proposed amendments are provided to clarify existing language within the existing development code. The code language has also been updated to incentivize tree preservation and require an overall tree canopy while eliminating the tree mitigation standard. The proposed amendments will not result in a change of uses otherwise permitted and will have no measurable impacts on the amount of traffic on the existing transportation system; therefore this policy is not applicable to the proposed amendment.

IV. RECOMMENDATION

Based on the above findings of fact, and the conclusion of law based on the applicable criteria, staff recommends Planning Commission forward a recommendation of approval of PA 11-06 to the City Council.

- V. EXHIBITS**
- 1- A. Proposed development code changes (Clean Copy)
 - 1- B. Proposed development code changes (Track Changes)
 - 1- C. Matrix comparing existing standards to proposed changes
 - 1- D. Planning Commission Goals and Objectives for tree code update

Chapter 16.10 DEFINITION

Chapter 16.10.020 SPECIFICALLY*

Development Plan: Any plan adopted by the City for the guidance of growth and improvement in the City.

Diameter at Breast Height (DBH): Is a standard arboricultural method for measuring the diameter of a tree. For the purposes of this code, DBH shall be measured four and a half feet above ground level as defined by the International Society of Arboriculture.

Drive-In Restaurant: Any establishment dispensing food and/or drink, that caters primarily to customers who remain, or leave and return, to their automobile for consumption of the food and/or drink, including business designed for serving customers at a drive-up window or in automobiles.

*Note: The entire code section is not included, this is only a reference point indicating where the inserted language should go, the rest of the definition section will not be changed.

Net Buildable Acre: Means an area measuring 43, 560 square feet after excluding present and future rights-of-way, environmentally constrained areas, public parks and other public uses. When environmentally sensitive areas also exist on a property and said property is within the Metro urban growth boundary on or before January 1, 2002, these areas may also be removed from the net buildable area provided the sensitive areas are clearly delineated in accordance with this Code and the environmentally sensitive areas are protected via tract or restricted easement.

Net Developable area: Remaining area of a parent parcel after excluding present and future rights-of-way, environmentally constrained areas, public parks and other public uses.

Non-Attainment Area: A geographical area of the State which exceeds any state or federal primary or secondary ambient air quality standard as designated by the Oregon Environmental Quality Commission and approved by the U.S. Environmental Protection Agency.

*Note: The entire code section is not included, this is only a reference point indicating where the inserted language should go, the rest of the definition section will not be changed.

16.90.020 – Site Plan Review

A. Site Plan Review Required

Site Plan review shall be required prior to any substantial change to a site or use, issuance of building permits for a new building or structure, or for the substantial alteration of an existing structure or use, and prior to the issuance of a sign permit for the erection or construction of a sign

For the purposes of Section 16.90.020, the term "substantial change" and "substantial alteration" shall mean any development activity as defined by this Code that generally requires a building permit and may exhibit one or more of the following characteristics:

1. The activity alters the exterior appearance of a structure, building or property and is not considered a modification.
2. The activity involves changes in the use of a structure, building, or property from residential to commercial or industrial and is not considered a modification.
3. The activity involves non-conforming uses as defined in Chapter 16.48
4. The activity constitutes a change in a City approved plan, per Section 16.90.020 and is not considered a modification.
5. The activity is subject to site plan review by other requirements of this Code.
6. The activity increases the size of the building by more than 100% (i.e. the building more than doubles in size), regardless of whether it would be considered a major or minor modification.

B. Exemption to Site Plan Requirement

1. Single and two family uses
2. Manufactured homes located on individual residential lots per Section 16.46.010, but including manufactured home parks,
3. Major modifications
4. Minor modifications

Division VIII. - ENVIRONMENTAL RESOURCES

Chapter 16.132 - GENERAL PROVISIONS*

Chapter 16.134 - FLOODPLAIN (FP) OVERLAY*

Chapter 16.136 - PROCEDURES*

Chapter 16.138 - MINERAL RESOURCES*

Chapter 16.140 - SOLID WASTE*

Chapter 16.142 – PARKS, TREES AND OPEN SPACES

Chapter 16.144 - WETLAND, HABITAT AND NATURAL AREAS*

Chapter 16.146 - NOISE*

Chapter 16.148 - VIBRATIONS*

Chapter 16.150 - AIR QUALITY*

Chapter 16.152 - ODORS*

Chapter 16.154 - HEAT AND GLARE*

Chapter 16.156 - ENERGY CONSERVATION*

Chapter 16.142 – PARKS, TREES AND OPEN SPACES

16.142.040 – Visual Corridors

A. Corridors Required

New developments located outside of the Old Town Overlay with frontage on Highway 99W, or arterial or collector streets designated on Figure 8-1 of the Transportation System

Plan shall be required to establish a landscaped visual corridor according to the following standards:

	Category	Width
1.	Highway 99W	25 feet
2.	Arterial	15 feet
3.	Collector	10 feet

In residential developments where fences are typically desired adjoining the above described major street the corridor may be placed in the road right-of-way between the property line and the sidewalk. In all other developments, the visual corridor shall be on private property adjacent to the right-of-way.

B. Landscape Materials

The required visual corridor areas shall be planted as specified by the review authority to provide a continuous visual and/or acoustical buffer between major streets and developed uses. Except as provided for above, fences and walls shall not be substituted for landscaping within the visual corridor. Uniformly planted, drought resistant street trees and ground cover, as specified in Section 16.142.060, shall be planted in the corridor by the developer. The improvements shall be included in the compliance agreement. In no case shall trees be removed from the required visual corridor.

C. Establishment and Maintenance

Designated visual corridors shall be established as a portion of landscaping requirements pursuant to Chapter 16.92. To assure continuous maintenance of the visual corridors, the review authority may require that the development rights to the corridor areas be dedicated to the City or that restrictive covenants be recorded prior to the issuance of a building permit.

D. Required Yard

Visual corridors may be established in required yards, except that where the required visual corridor width exceeds the required yard width, the visual corridor requirement shall take precedence. In no case shall buildings be sited within the required visual corridor, with the exception of front porches on townhomes, as permitted in Section 16.44.010(E)(4)(c).

E. Pacific Highway 99W Visual Corridor

1. Provide a landscape plan for the highway median paralleling the subject frontage. In order to assure continuity, appropriate plant materials and spacing, the plan shall be coordinated with the City Planning Department and ODOT.
2. Provide a visual corridor landscape plan with a variety of trees and shrubs. Fifty percent (50%) of the visual corridor plant materials shall consist of groupings of at least five (5) native evergreen trees a minimum of ten (10) feet in height each, spaced no less than fifty (50) feet apart, if feasible. Deciduous trees shall be a minimum of four (4) inches DBH and twelve (12) feet high, spaced no less than twenty-five (25) feet apart, if feasible.

16.142.050 – Park Reservation

Areas designated on the Natural Resources and Recreation Plan Map, in Chapter 5 of the Community Development Plan, which have not been dedicated pursuant to Section 16.142.030 or 16.134.020, may be required to be reserved upon the recommendation of the City Parks Board, for purchase by the City within a period of time not to exceed three (3) years.

16.142.060 – Street Trees

A. Installation of Street Trees on New or Redeveloped Property.

Trees are required to be planted to the following specifications along public streets abutting or within any new development or re-development. Planting of such trees shall be a condition of development approval. The City shall be subject to the same standards for any developments involving City-owned property, or when constructing or reconstructing City streets. After installing street trees, the property owner shall be responsible for maintaining the street trees on the owner's property or within the right-of-way adjacent to the owner's property.

1. Location: Trees shall be planted within the planter strip along a newly created or improved streets. In the event that a planter strip is not required or available, the trees shall be planted on private property within the front yard setback area or within public street right-of-way between front property lines and street curb lines or as required by the City.
2. Size: Trees shall have a minimum trunk diameter of two (2) caliper inches, which is measured six inches above the soil line, and a minimum height of six (6) feet when planted.
3. Types: Developments shall include a variety of street trees. The trees planted shall be chosen from those listed in 16.142.080 of this Code.
4. Required Street Trees and Spacing:
 - a. The minimum spacing is based on the maximum canopy spread identified in the recommended street tree list in section 16.142.080 with the intent of providing a continuous canopy without openings between the trees. For example, if a tree has a canopy of forty (40) feet, the spacing between trees is forty (40) feet. If the tree is not on the list, the mature canopy width must be provided to the planning department by a certified arborist.
 - b. All new developments shall provide adequate tree planting along all public streets. The number and spacing of trees shall be determined based on the type of tree and the spacing standards described in a. above and considering driveways, street light locations and utility connections. Unless exempt per c. below, trees shall not be spaced more than forty (40) feet apart in any development.
 - c. A new development may exceed the forty-foot spacing requirement under section b. above, under the following circumstances:
 - (1) Installing the tree would interfere with existing utility lines and no substitute tree is appropriate for the site; or
 - (2) There is not adequate space in which to plant a street tree due to driveway or street light locations, vision clearance or utility connections, provided the driveways, street light or utilities could not be reasonably located elsewhere so as to accommodate adequate room for street trees; and

- (3) The street trees are spaced as close as possible given the site limitations in (1) and (2) above.
- (4) The location of street trees in an ODOT or Washington County right-of-way may require approval, respectively, by ODOT or Washington County and are subject to the relevant state or county standards.
- (5) For arterial and collector streets, the City may require planted medians in lieu of paved twelve-foot wide center turning lanes, planted with trees to the specifications of this subsection.

B. Removal and Replacement of Street Trees.

The removal of a street tree shall be limited and in most cases, necessitated by the tree. A person may remove a street tree as provided in this section. The person removing the tree is responsible for all costs of removal and replacement. Street trees less than five (5) inches DBH can be removed by right by the property owner or his or her assigns, provided that they are replaced. A street tree that is removed must be replaced within six (6) months of the removal date.

1. Criteria for All Street Tree Removal for trees over five (5) inches DBH. No street tree shall be removed unless it can be found that the tree is:
 - a. Dying, becoming severely diseased, or infested or diseased so as to threaten the health of other trees, or
 - b. Obstructing public ways or sight distance so as to cause a safety hazard, or
 - c. Interfering with or damaging public or private utilities, or
 - d. Defined as a nuisance per City nuisance abatement ordinances.
2. Street trees between five (5) and ten (10) inches DBH may be removed if any of the criteria in 1. above are met and a tree removal permit is obtained.
 - a. The Tree Removal Permit Process is a Type I land use decision and shall be approved subject to the following criteria:
 - (1) The person requesting removal shall submit a Tree Removal Permit application that identifies the location of the tree, the type of tree to be removed, the proposed replacement and how it qualifies for removal per Section 1. above.
 - (2) The person shall post a sign, provided by the City, adjacent to the tree for ten (10) calendar days prior to removal that provides notice of the removal application and the process to comment on the application.
 - (3) If an objection to the removal is submitted by the City or to the City during the ten (10) calendar day period, an additional evaluation of the tree will be conducted by an arborist to determine whether the tree meets the criteria for street tree removal in Section 1. above. The person requesting the Tree Removal Permit shall be responsible for providing the arborist report and associated costs.
 - (4) Upon completion of the additional evaluation substantiating that the tree warrants removal per Section 1. above or if no objections are received within the ten-day period, the tree removal permit shall be approved.
 - (5) If additional evaluation indicates the tree does not warrant removal, the Tree Removal Permit will be denied.

3. Street trees over ten (10) inches DBH may be removed through a Type I review process subject to the following criteria.
 - a. The applicant shall provide a letter from a certified arborist identifying:
 - (1) The tree's condition,
 - (2) How it warrants removal using the criteria listed in Section 1. above, and identifying any reasonable actions that could be taken to allow the retention of the tree.
 - b. The applicant shall provide a statement that describes whether and how the applicant sought assistance from the City, HOA or neighbors to address any issues or actions that would enable the tree to be retained.
 - c. The person shall post a sign, provided by the City, adjacent to the tree for ten (10) calendar days prior to removal that provides notice of the removal application and the process to comment on the application.
 - d. Review of the materials and comments from the public confirm that the tree meets the criteria for removal in Section 1. above.

C. Homeowner's Association Authorization.

The Planning Commission may approve a program for the adoption, administration and enforcement by a homeowners' association (HOA) of regulations for the removal and replacement of street trees within the geographic boundaries of the association.

1. An HOA that seeks to adopt and administer a street tree program must submit an application to the City. The application must contain substantially the following information:
 - a. The HOA must be current and active. The HOA should meet at least quarterly and the application should include the minutes from official HOA Board meetings for a period not less than eighteen (18) months (six (6) quarters) prior to the date of the application.
 - b. The application must include proposed spacing standards for street trees that are substantially similar to the spacing standards set forth in 16.142.060.A above.
 - c. The application must include proposed street tree removal and replacement standards that are substantially similar to the standards set forth in 16.142.060.B above.
 - d. The application should include a copy of the HOA bylaws as amended to allow the HOA to exercise authority over street tree removal and replacement, or demonstrate that such an amendment is likely within ninety (90) days of a decision to approve the application.
 - e. The application should include the signatures of not less than seventy-five (75) percent of the homeowners in the HOA in support of the application.
2. An application for approval of a tree removal and replacement program under this section shall be reviewed by the City through the Type IV land use process. In order to approve the program, the City must determine:
 - a. The HOA is current and active.
 - b. The proposed street tree removal and replacement standards are substantially similar to the standards set forth in 16.142.060.B above.

- c. The proposed street tree spacing standards are substantially similar to the standards set forth in 16.142.060.A above.
 - d. The HOA has authority under its bylaws to adopt, administer and enforce the program.
 - e. The signatures of not less than seventy-five (75) percent of the homeowners in the HOA in support of the application.
3. A decision to approve an application under this section shall include at least the following conditions:
 - a. Beginning on the first January 1 following approval and on January 1 every two (2) years thereafter, the HOA shall make a report to the city planning department that provides a summary and description of action taken by the HOA under the approved program. Failure to timely submit the report that is not cured within sixty (60) days shall result in the immediate termination of the program.
 - b. The HOA shall comply with the requirements of Section 12.20 of the Sherwood Municipal Code.
 4. The City retains the right to cancel the approved program at any time for failure to substantially comply with the approved standards or otherwise comply with the conditions of approval.
 - a. If an HOA tree removal program is canceled, future tree removals shall be subject to the provisions of section 16.142.060.
 - b. A decision by the City to terminate an approved street tree program shall not affect the validity of any decisions made by the HOA under the approved program that become final prior to the date the program is terminated.
 - c. If the city amends the spacing standards or the removal and replacement standards in this section (SZCDC) the City may require that the HOA amend the corresponding standards in the approved street tree program.
 5. An approved HOA tree removal and replacement program shall be valid for five (5) years; however the authorization may be extended as approved by the City, through a Type II Land Use Review.

D. Exemption from Replacing Street Trees.

A street tree that was planted in compliance with the Code in effect on the date planted and no longer required by spacing standards of section A.4. above may be removed without replacement provided:

1. Exemption is granted at the time of street tree removal permit or authorized homeowner's association removal per Section 16.142.060.C. above.
 2. The property owner provides a letter from a certified arborist stating that the tree must be removed due to a reason identified in the tree removal criteria listed in Section 16.142.060.B.1. above, and
 3. The letter describes why the tree cannot be replaced without causing continued or additional damage to public or private utilities that could not be prevented through reasonable maintenance.
- E. Notwithstanding any other provision in this section, the city manager or the manager's designee may authorize the removal of a street tree in an emergency situation without a tree removal

permit when the tree poses an immediate threat to life, property or utilities. A decision to remove a street tree under this section is subject to review only as provided in ORS 34.100.

F. Trees on Private Property Causing Damage.

Any tree, woodland or any other vegetation located on private property, regardless of species or size, that interferes with or damages public streets or utilities, or causes an unwarranted increase in the maintenance costs of same, may be ordered removed or cut by the City Manager or his or her designee. Any order for the removal or cutting of such trees, woodlands or other vegetation, shall be made and reviewed under the applicable City nuisance abatement ordinances.

G. Penalties. The abuse, destruction, defacing, cutting, removal, mutilation or other misuse of any tree planted on public property or along a public street as per this Section, shall be subject to the penalties defined by Section 16.02.040, and other penalties defined by applicable ordinances and statutes, provided that each tree so abused shall be deemed a separate offense.

16.142.070 Trees on Property Subject to Certain Land Use Applications

A. Generally

The purpose of this Section is to establish processes and standards which will minimize cutting or destruction of trees and woodlands within the City. This Section is intended to help protect the scenic beauty of the City; to retain a livable environment through the beneficial effect of trees on air pollution, heat and glare, sound, water quality, and surface water and erosion control; to encourage the retention and planting of tree species native to the Willamette Valley and Western Oregon; to provide an attractive visual contrast to the urban environment, and to sustain a wide variety and distribution of viable trees and woodlands in the community over time.

B. Applicability

All land use actions, shall be required to preserve trees or woodlands, as defined by this Section to the maximum extent feasible within the context of the proposed land use plan and relative to other policies and standards of the City Comprehensive Plan.

C. Inventory

1. To assist the City in making its determinations on the retention of trees and woodlands, land use applications for development shall include a tree and woodland inventory and report. The report shall be prepared by a certified arborist and must contain the following information:
 - a. Tree size (in DBH and canopy area)
 - b. Tree species
 - c. The condition of the tree with notes as applicable explaining the assessment
 - d. The location of the tree on the site
 - e. The location of the tree relative to the planned improvements
 - f. Assessment of whether the tree must be removed to accommodate the development
 - g. Recommendations on measures that must be taken to preserve trees during the construction that are not proposed to be removed.
2. Trees removed on the property within one year prior to the submittal of the development application shall also be included in the inventory. In the event that adequate data is not available to address the specific inventory requirements below, an aerial photo may be utilized to determine the approximate number, canopy size and type of trees on the property.

3. In addition to the general requirements of this Section, the tree and woodland inventory's mapping and report shall also include, but is not limited to, the specific information outlined in the appropriate land use application materials packet.
4. Definitions for the inventory purposes of this Section
 - a. A tree is a living woody plant having a trunk diameter as specified below at Diameter at Breast Height (DBH). Trees planted for commercial agricultural purposes, and/or those subject to farm forest deferral, such as nut and fruit orchards and Christmas tree farms, are excluded from this definition and from regulation under this Section, as are any living woody plants under six (6) inches at DBH.
 - (1). All trees six (6) inches or greater shall be inventoried.
 - b. A woodland is a biological community dominated by trees covering a land area of 20,000 square feet or greater at a density of at least fifty (50) trees per every 20,000 square feet with at least fifty percent (50%) of those trees of any species having a six (6) inches or greater at DBH. Woodlands planted for commercial agricultural purposes and/or subject to farm forest deferral, such as nut and fruit orchards and Christmas tree farms, are excluded from this definition, and from regulation under this Section.
 - c. A large stature tree is over 20 feet tall and wide with a minimum trunk diameter of 30 inches at DBH.

D. Retention requirements

1. Trees may be considered for removal to accommodate the development including buildings, parking, walkways, grading etc., regardless of D.2 or D.3, below.
2. Required Tree Canopy - Residential Developments (Single Family Attached, Single Family Detached and Two – Family)

Each net development site shall provide a minimum total tree canopy of 40 percent. This can be achieved by retaining existing trees or planting new trees. Required street trees can be used toward the total on site canopy required to meet this standard. The expected mature canopy spread of the new trees will be counted toward the needed canopy cover. A certified arborist shall provide the estimated tree canopy of the proposed trees to the planning department for review.
3. Required Tree Canopy – Non-Residential and Multi-family Developments

Each net development site shall provide a minimum total tree canopy of 30 percent. This can be achieved by retaining existing trees or planting new trees. Required landscaping trees can be used toward the total on site canopy required to meet this standard. The expected mature canopy spread of the new trees will be counted toward the needed canopy cover. A certified arborist or other qualified professional shall provide an estimated tree canopy for all proposed trees to the planning department for review as a part of the land use review process.
4. The City may determine that, regardless of D.1 through D.3, that certain trees or stands of trees may be required to be retained. The basis for such a decision shall include; Specific findings that retention of said trees or woodlands furthers the purposes and goals of this Section, is feasible

and practical both within the context of the proposed land use plan and relative to other policies and standards of the City Comprehensive Plan, and are:

- a. Within a Significant Natural Area, 100-year floodplain, City greenway, jurisdictional wetland or other existing or future public park or natural area designated by the City Comprehensive Plan, or
 - b. A landscape or natural feature as per applicable policies of the City Comprehensive Plan, or are necessary to keep other identified trees or woodlands on or near the site from being damaged or destroyed due to windfall, erosion, disease or other natural processes, or
 - c. Necessary for soil stability and the control of erosion, for managing and preserving surface or groundwater quantities or quality, or for the maintenance of a natural drainageway, as per Clean Water Services stormwater management plans and standards of the City Comprehensive Plan, or
 - d. Necessary as buffers between otherwise incompatible land uses, or from natural areas, wetlands and greenways, or
 - e. Otherwise merit retention because of unusual size, size of the tree stand, historic association or species type, habitat or wildlife preservation considerations, or some combination thereof, as determined by the City.
5. Tree retention requirements for properties located within the Old Town Overlay or projects subject to the infill standards of Chapter 16.68 are only subject to retention requirements identified in D.4. above.
6. The Notice of Decision issued for the land use applications subject to this Section shall indicate which trees and woodlands will be retained as per subsection D of this Section, which may be removed or shall be retained as per subsection D of this Section and any limitations or conditions attached thereto.
7. All trees, woodlands, and vegetation located on any private property accepted for dedication to the City for public parks and open space, greenways, Significant Natural Areas, wetlands, floodplains, or for storm water management or for other purposes, as a condition of a land use approval, shall be retained outright, irrespective of size, species, condition or other factors. Removal of any such trees, woodlands, and vegetation prior to actual dedication of the property to the City shall be cause for reconsideration of the land use plan approval.

E. Preservation Incentives

1. General Provisions. To assist in the preservation of trees, the City may apply one or more of the following flexible standards as part of the land use review approval. To the extent that the standards in this section conflict with the standards in other sections of this Title, the standards in this section shall apply except in cases where the City determines there would be an unreasonable risk to public health, safety, or welfare. Flexibility shall be requested by the applicant with justification provided within the arborist's report as part of the land use review process and is only applicable to trees that are eligible for credit towards the effective tree canopy cover of the site. A separate adjustment application as outlined in Section 16.84.030.A is not required.

2. Flexible Standards. The following flexible standards are available to applicants in order to preserve trees on a development site. These standards cannot be combined with any other reductions authorized by this code.

a. Lot size averaging. To preserve existing trees in the development plan for any Land Division under Division VII, lot size may be averaged to allow lots less than the minimum lot size required in the underlying zone as long as the average lot area is not less than that allowed by the underlying zone. No lot area shall be less than 80 percent of the minimum lot size allowed in the zone;

b. Setbacks. The following setback reductions will be allowed for lots preserving existing trees using the criteria in subsection (1) below. The following reductions shall be limited to the minimum reduction necessary to protect the tree.

(1) Reductions allowed:

(a.) Front yard – up to a 25 percent reduction of the dimensional standard for a front yard setback required in the base zone. Setback of garages may not be reduced by this provision.

(b.) Interior setbacks - up to a 40 percent reduction of the dimensional standards for an interior side and/or rear yard setback required in the base zone.

(c.) Perimeter side and rear yard setbacks shall not be reduced through this provision.

c. Approval criteria:

(1.) A demonstration that the reduction requested is the least required to preserve trees; and

(2.) The reduction will result in the preservation of tree canopy on the lot with the modified setbacks; and

(3.) The reduction will not impede adequate emergency access to the site and structure.

3. Sidewalks. Location of a public sidewalk may be flexible in order to preserve existing trees or to plant new large stature street trees. This flexibility may be accomplished through a curb-tight sidewalk or a meandering public sidewalk easement recorded over private property and shall be reviewed on a case by case basis in accordance with the provisions of the Engineering Design Manual, Street and Utility Improvement Standards. For preservation, this flexibility shall be the minimum required to achieve the desired effect. For planting, preference shall be given to retaining the planter strip and separation between the curb and sidewalk wherever practicable. If

a preserved tree is to be utilized as a street tree, it must meet the criteria found in the Street Tree section, 16.142.060.

4. Residential Density Transfer. Up to 100% density transfer is permitted from the preserved portion of a significant tree stand within the development site to the buildable area of the development site.
 - a. Density may be transferred provided that:
 - (1.) At least 50% of the significant tree stand's canopy within the development site (and not within the sensitive lands or areas that areas dedicated to the City) is preserved;
 - (2.) The project arborist certifies the preservation is such that the connectivity and viability of the remaining significant tree stand is maximized.
 - (3.) Maximum density for the net site area including the Significant tree stand is not exceeded;
 - (4.) The lots must maintain an 80 percent minimum lot size;
 - (5.) The Significant tree stand is protected through an instrument or action subject to approval by the City Manager or the City manager's designee that demonstrates it will be permanently preserved and managed as such;
 - (1.) A conservation easement;
 - (2.) An open space tract;
 - (3.) A deed restriction; or
 - (4.) Through dedication and acceptance by the City.
 - b. The proposed development may include the following;
 - (1.) Zero lot line single family detached housing for the portion of the development site that receives the density transfer.
 - (2.) The following variations from the base zone development standards are permitted:
 - (1.) Up to 25% reduction of average minimum lot width;
 - (2.) Up to 10 foot minimum front yard setback
 - (3.) Up to 33% reduction in side or rear yard, however the side yard cannot be less than three feet;
 - (4.) Up to four foot reduction in the garage setback;
 - (5.) Up to 20% increase in maximum height as long as the height requirement adjustment complies with the State Building Code.
 - (3.) When the portion of the development receives the density transfer abuts a developed residential district with the same or lower density zoning, the average area of abutting perimeter lots shall not be more than 150% of the adjacent zoning.
5. Adjustments to Commercial and Industrial development Standards. Adjustments to Commercial or Industrial Development standards of up to 20 feet additional building height are permitted provided;
 - a. At least 50% of a Significant Tree stand's canopy within a development site (and not also within the sensitive lands or areas that areas dedicated to the City) is preserved;

- b. The project arborist certifies the preservation is such that the connectivity and viability of the remaining significant tree stand is maximized;
- c. Applicable buffering and screening requirements are met;
- d. Any height adjustments comply with state building codes;
- e. Significant tree stand is protected through an instrument or action subject to approval by the City Manager or the City manager's designee that demonstrates it will be permanently preserved and managed as such;
 - (1.) A conservation easement;
 - (2.) An open space tract;
 - (3.) A deed restriction; or
 - (4.) Through dedication and acceptance by the City.

F. Tree Protection During Development

The applicant shall prepare and submit a final Tree and Woodland Plan prior to issuance of any construction permits, illustrating how identified trees and woodlands will be retained, removed or mitigated as per the Notice of Decision. Such plan shall specify how trees and woodlands will be protected from damage or destruction by construction activities, including protective fencing, selective pruning and root treatments, excavation techniques, temporary drainage systems, and like methods. At a minimum, trees to be protected shall have the area within the drip line of the tree protected from grading, stockpiling, and all other construction related activity unless specifically reviewed and recommended by a certified arborist. Any work within the dripline of the tree shall be supervised by the arborist being onsite during construction.

G. Penalties

Violations of this Section shall be subject to the penalties defined by Section 16.02.040, provided that each designated tree or woodland unlawfully removed or cut shall be deemed a separate offense. (Ord. 2006-021; Ord. 91-922, § 3)

16.142.080 Trees on Private Property -- not subject to a land use action

A. Generally

In general, existing mature trees on private property shall be retained unless determined to be a hazard to life or property. For the purposes of this section only, existing mature trees shall be considered any deciduous tree greater than ten (10) inches diameter at the breast height (dbh) or any coniferous tree greater than twenty (20) inches dbh.

B. Residential (Single Family and Two-Family) Standards

In the event a property owner determines it necessary to remove existing mature trees on their property that are not a hazard, they may remove the trees as described below;

- 1. Removal of up to five (5) trees, or up to 10 percent of the number of trees on site, whichever is greater, within a twelve month period. No review or approval required provided that trees are not located within a natural resource area, that the planning department is notified in writing 48 hours prior to removing the tree, including the property address, property owner name and contact information, and provided with the type and size of the tree. Failure to notify the Planning Department shall not result in a violation of this code unless it is

- determined that the tree removal is located within a natural resource area, or in excess of that permitted outright.
2. Removal of six (6) or more trees, or more than 10 percent of the number of trees on site, whichever is greater, within a twelve month period except as allowed in subsection 1, above.
 - a. The applicant shall submit the following;
 - (1.) A narrative describing the need to remove the tree(s),
 - (2.) A statement describing when and how the Homeowner's Association (HOA) was informed of the proposed tree cutting and their response. If there is not an active HOA, the applicant shall submit as statement indicating that there is not a HOA to contact.
 - (3.) A plan showing the location of the tree and
 - (4.) The applicant shall submit a replacement tree plan. Half of the number of trees removed shall be replaced on site with native trees within six months from the date of removal.
 3. The City may determine that, regardless of B.1 through B.2, that certain trees or stands of trees may be required to be retained.
 - a. If removal is proposed within a natural resource area, the applicant shall submit documentation from a licensed qualified professional in natural resources management such as a wetland scientist, a botanist, or biologist, discussing the proposed tree removal and how it would or would not compromise the integrity of the resource. It shall also discuss the feasibility and practicability of tree removal relative to policies and standards of the City Comprehensive Plan, listed in section 3.b. below.
 - b. The basis for such a City decision shall include; specific findings that retention of said trees or woodlands furthers the purposes and goals of this Section, is feasible and practical relative to other policies and standards of the City Comprehensive Plan, and are:
 - (1.) Within a Significant Natural Area, 100-year floodplain, City greenway, jurisdictional wetland or other existing or future public park or natural area designated by the City Comprehensive Plan, or
 - (2.) A landscape or natural feature as per applicable policies of the City Comprehensive Plan, or are necessary to keep other identified trees or woodlands on or near the site from being damaged or destroyed due to windfall, erosion, disease or other natural processes, or
 - (3.) Necessary for soil stability and the control of erosion, for managing and preserving surface or groundwater quantities or quality, or for the maintenance of a natural drainageway, as per Clean Water Services stormwater management plans and standards of the City Comprehensive Plan, or
 - (4.) Necessary as buffers between otherwise incompatible land uses, or from natural areas, wetlands and greenways, or
 - (5.) Otherwise merit retention because of unusual size, size of the tree stand, historic association or species type, habitat or wildlife preservation considerations, or some combination thereof, as determined by the City.

C. Non-Residential and Multi-family Standards

In the event a property owner determines it necessary to remove existing mature trees on their property that are not a hazard, they may remove the trees as described below;

1. Trees required by a land use decision after the effective date of this code can be removed. Any trees removed shall be replaced within six months of removing the tree with an appropriate tree for the area.
2. Trees that were not required by land use or planted prior to the effective date of this code can be removed after receiving approval from the City of Sherwood.
 - a. Removal of up to 25 percent of the trees on site can be removed and replaced through a type I review process. The applicant shall submit the following;
 - (1.) A narrative describing the need to remove the trees,
 - (2.) A plan showing the location of the trees and
 - (3.) A replacement tree plan. Half of the number of trees removed shall be replaced on site with similar trees **within six months from the date of removal.**
 - b. Removal of more than 25 percent of the trees on site can be removed and replaced through a type II review process. The applicant shall submit the following;
 - (1.) An arborists report describing the need to remove the trees. The cause for removal must be necessitated by the trees,
 - (2.) A plan showing the location of the tree and
 - (3.) A replacement tree plan. Two – thirds of the number of trees removed shall be replaced on site with similar trees **within six months from the date of removal.**
3. The City may determine that, regardless of C.1 through C.2, that certain trees or stands of trees may be required to be retained.
 - a. The applicant shall submit documentation from a licensed qualified professional in natural resources management such as wetland scientist, botanist or biologist, discussing the proposed tree removal within the context of the proposed land use plan and relative to other policies and standards of the City Comprehensive Plan, listed in section 3.b. below.
 - b. The basis for such a City decision shall include; specific findings that retention of said trees or woodlands furthers the purposes and goals of this Section, is feasible and practical both within the context of the proposed land use plan and relative to other policies and standards of the City Comprehensive Plan, and are:
 - (1.) Within a Significant Natural Area, 100-year floodplain, City greenway, jurisdictional wetland or other existing or future public park or natural area designated by the City Comprehensive Plan, or
 - (2.) A landscape or natural feature as per applicable policies of the City Comprehensive Plan, or are necessary to keep other identified trees or woodlands on or near the site from being damaged or destroyed due to windfall, erosion, disease or other natural processes, or
 - (3.) Necessary for soil stability and the control of erosion, for managing and preserving surface or groundwater quantities or quality, or for the maintenance of a natural drainageway, as per Clean Water Services stormwater management plans and standards of the City Comprehensive Plan, or
 - (4.) Necessary as buffers between otherwise incompatible land uses, or from natural areas, wetlands and greenways, or

(5.) Otherwise merit retention because of unusual size, size of the tree stand, historic association or species type, habitat or wildlife preservation considerations, or some combination thereof, as determined by the City.

Chapter 16.10 DEFINITION

Chapter 16.10.020 SPECIFICALLY*

Development Plan: Any plan adopted by the City for the guidance of growth and improvement in the City.

Diameter at Breast Height (DBH): Is a standard arboricultural method for measuring the diameter of a tree. For the purposes of this code, DBH shall be measured four and a half feet above ground level as defined by the International Society of Arboriculture.

Drive-In Restaurant: Any establishment dispensing food and/or drink, that caters primarily to customers who remain, or leave and return, to their automobile for consumption of the food and/or drink, including business designed for serving customers at a drive-up window or in automobiles.

*Note: The entire code section is not included, this is only a reference point indicating where the inserted language should go, the rest of the definition section will not be changed.

Net Buildable Acre: Means an area measuring 43, 560 square feet after excluding present and future rights-of-way, environmentally constrained areas, public parks and other public uses. When environmentally sensitive areas also exist on a property and said property is within the Metro urban growth boundary on or before January 1, 2002, these areas may also be removed from the net buildable area provided the sensitive areas are clearly delineated in accordance with this Code and the environmentally sensitive areas are protected via tract or restricted easement.

Net Developable area: Remaining area of a parent parcel after excluding present and future rights-of-way, environmentally constrained areas, public parks and other public uses.

Non-Attainment Area: A geographical area of the State which exceeds any state or federal primary or secondary ambient air quality standard as designated by the Oregon Environmental Quality Commission and approved by the U.S. Environmental Protection Agency.

*Note: The entire code section is not included, this is only a reference point indicating where the inserted language should go, the rest of the definition section will not be changed.

16.90.020 – Site Plan Review

A. Site Plan Review Required

Site Plan review shall be required prior to any substantial change to a site or use, issuance of building permits for a new building or structure, or for the substantial alteration of an existing structure or use, and prior to the issuance of a sign permit for the erection or construction of a sign

For the purposes of Section 16.90.020, the term "substantial change" and "substantial alteration" shall mean any development activity as defined by this Code that generally requires a building permit and may exhibit one or more of the following characteristics:

1. The activity alters the exterior appearance of a structure, building or property and is not considered a modification.
2. The activity involves changes in the use of a structure, building, or property from residential to commercial or industrial and is not considered a modification.
3. The activity involves non-conforming uses as defined in Chapter 16.48
4. The activity constitutes a change in a City approved plan, per Section 16.90.020 and is not considered a modification.
- ~~5. The activity involves the cutting of more than five (5) existing mature trees per acre, per calendar year.~~
65. The activity is subject to site plan review by other requirements of this Code.
76. The activity increases the size of the building by more than 100% (i.e. the building more than doubles in size), regardless of whether it would be considered a major or minor modification.

B. Exemption to Site Plan Requirement

1. Single and two family uses
2. Manufactured homes located on individual residential lots per Section 16.46.010, but including manufactured home parks,
3. Major modifications
4. Minor modifications

Division VIII. - ENVIRONMENTAL RESOURCES

Chapter 16.132 - GENERAL PROVISIONS*

Chapter 16.134 - FLOODPLAIN (FP) OVERLAY*

Chapter 16.136 - PROCEDURES*

Chapter 16.138 - MINERAL RESOURCES*

Chapter 16.140 - SOLID WASTE*

Chapter 16.142 -- PARKS, TREES AND OPEN SPACES

Chapter 16.144 - WETLAND, HABITAT AND NATURAL AREAS*

Chapter 16.146 - NOISE*

Chapter 16.148 - VIBRATIONS*

Chapter 16.150 - AIR QUALITY*

Chapter 16.152 - ODORS*

Chapter 16.154 - HEAT AND GLARE*

Chapter 16.156 - ENERGY CONSERVATION*

Chapter 16.142 – PARKS, TREES AND OPEN SPACES

16.142.040 – Visual Corridors

A. Corridors Required

New developments located outside of the Old Town Overlay with frontage on Highway 99W, or arterial or collector streets designated on Figure 8-1 of the Transportation System Plan shall be required to establish a landscaped visual corridor according to the following standards:

	Category	Width
1.	Highway 99W	25 feet
2.	Arterial	15 feet
3.	Collector	10 feet

In residential developments where fences are typically desired adjoining the above described major street the corridor may be placed in the road right-of-way between the property line and the sidewalk. In all other developments, the visual corridor shall be on private property adjacent to the right-of-way.

B. Landscape Materials

The required visual corridor areas shall be planted as specified by the review authority to provide a continuous visual and/or acoustical buffer between major streets and developed uses. Except as provided for above, fences and walls shall not be substituted for landscaping within the visual corridor. Uniformly planted, drought resistant street trees and ground cover, as specified in Section ~~16.142.050~~ [16.142.060](#), shall be planted in the corridor by the developer. The improvements shall be included in the compliance agreement. In no case shall trees be removed from the required visual corridor.

C. Establishment and Maintenance

Designated visual corridors shall be established as a portion of landscaping requirements pursuant to Chapter 16.92. To assure continuous maintenance of the visual corridors, the review authority may require that the development rights to the corridor areas be dedicated to the City or that restrictive covenants be recorded prior to the issuance of a building permit.

D. Required Yard

Visual corridors may be established in required yards, except that where the required visual corridor width exceeds the required yard width, the visual corridor requirement shall take precedence. In no case shall buildings be sited within the required visual corridor, with the exception of front porches on townhomes, as permitted in Section 16.44.010(E)(4)(c).

E. Pacific Highway 99W Visual Corridor

1. Provide a landscape plan for the highway median paralleling the subject frontage. In order to assure continuity, appropriate plant materials and spacing, the plan shall be coordinated with the City Planning Department and ODOT.
2. Provide a visual corridor landscape plan with a variety of trees and shrubs. Fifty percent (50%) of the visual corridor plant materials shall consist of groupings of at least five (5) native evergreen trees a minimum of ten (10) feet in height each, spaced no less than fifty (50) feet apart, if feasible. Deciduous trees shall be a minimum of four (4) inches DBH and twelve (12) feet high, spaced no less than twenty-five (25) feet apart, if feasible.

16.142.050 – Park Reservation

Areas designated on the Natural Resources and Recreation Plan Map, in Chapter 5 of the Community Development Plan, which have not been dedicated pursuant to Section 16.142.030 or 16.134.020, may be required to be reserved upon the recommendation of the City Parks Board, for purchase by the City within a period of time not to exceed three (3) years.

16.142.060 – Street Trees

A. Installation of Street Trees on New or Redeveloped Property.

Trees are required to be planted to the following specifications along public streets abutting or within any new development or re-development. Planting of such trees shall be a condition of development approval. The City shall be subject to the same standards for any developments involving City-owned property, or when constructing or reconstructing City streets. After installing street trees, the property owner shall be responsible for maintaining the street trees on the owner's property or within the right-of-way adjacent to the owner's property.

1. Location: Trees shall be planted within the planter strip along a newly created or improved streets. In the event that a planter strip is not required or available, the trees shall be planted on private property within the front yard setback area or within public street right-of-way between front property lines and street curb lines or as required by the City.

2. Size: Trees shall have a minimum trunk diameter of two (2) caliper inches, which is measured six inches above the soil line, DBH and a minimum height of six (6) feet when planted. ~~Diameter at breast height (DBH) shall be measured as defined by the International Society of Arboriculture.~~

3. Types: Developments shall include a variety of street trees. The trees planted shall be chosen from those listed in 16.142.080 of this Code.

4. Required Street Trees and Spacing:

a. The minimum spacing is based on the maximum canopy spread identified in the recommended street tree list in section 16.142.080 with the intent of providing a continuous canopy without openings between the trees. For example, if a tree has a canopy of forty (40) feet, the spacing between trees is forty (40) feet. If the tree is not on the list, the mature canopy width must be provided to the planning department by a certified arborist.

b. All new developments shall provide adequate tree planting along all public streets. The number and spacing of trees shall be determined based on the type of tree and the spacing standards described in a. above and considering driveways, street light locations and utility connections. Unless exempt per c. below, trees shall not be spaced more than forty (40) feet apart in any development.

c. A new development may exceed the forty-foot spacing requirement under section b. above, under the following circumstances:

(1) Installing the tree would interfere with existing utility lines and no substitute tree is appropriate for the site; or

(2) There is not adequate space in which to plant a street tree due to driveway or street light locations, vision clearance or utility connections, provided the driveways, street light or utilities could not

be reasonably located elsewhere so as to accommodate adequate room for street trees; and

- (3) The street trees are spaced as close as possible given the site limitations in (1) and (2) above.
- (4) The location of street trees in an ODOT or Washington County right-of-way may require approval, respectively, by ODOT or Washington County and are subject to the relevant state or county standards.
- (5) For arterial and collector streets, the City may require planted medians in lieu of paved twelve-foot wide center turning lanes, planted with trees to the specifications of this subsection.

B. Removal and Replacement of Street Trees.

The removal of a street tree shall be limited and in most cases, necessitated by the tree. A person may remove a street tree as provided in this section. The person removing the tree is responsible for all costs of removal and replacement. Street trees less than five (5) inches DBH can be removed by right by the property owner or his or her assigns, provided that they are replaced. A street tree that is removed must be replaced within six (6) months of the removal date.

1. Criteria for All Street Tree Removal for trees over five (5) inches DBH. No street tree shall be removed unless it can be found that the tree is:
 - a. Dying, becoming severely diseased, or infested or diseased so as to threaten the health of other trees, or
 - b. Obstructing public ways or sight distance so as to cause a safety hazard, -or
 - c. Interfering with or damaging public or private utilities, or
 - d. Defined as a nuisance per City nuisance abatement ordinances.
2. Street trees between five (5) and ten (10) inches DBH may be removed if any of the criteria in 1. above are met and a tree removal permit is obtained.
 - a. The Tree Removal Permit Process is a Type I land use decision and shall be approved subject to the following criteria:
 - (1) The person requesting removal shall submit a Tree Removal Permit application that identifies the location of the tree, the type of tree to be removed, the proposed replacement and how it qualifies for removal per Section 1. above.
 - (2) The person shall post a sign, provided by the City, adjacent to the tree for ten (10) calendar days prior to removal that provides notice of the removal application and the process to comment on the application.
 - (3) If an objection to the removal is submitted by the City or to the City during the ten (10) calendar day period, an additional evaluation of the tree will be conducted by an arborist to determine whether the tree meets the criteria for street tree removal in Section 1. above. The person requesting the Tree Removal Permit shall be responsible for providing the arborist report and associated costs.
 - (4) Upon completion of the additional evaluation substantiating that the tree warrants removal per Section 1. above or if no objections are received within the ten-day period, the tree removal permit shall be approved.

(5) If additional evaluation indicates the tree does not warrant removal, the Tree Removal Permit will be denied.

3. Street trees over ten (10) inches DBH may be removed through a Type I review process subject to the following criteria.

- a. The applicant shall provide a letter from a certified arborist identifying:
 - (1) The tree's condition,
 - (2) How it warrants removal using the criteria listed in Section 1. above, and identifying any reasonable actions that could be taken to allow the retention of the tree.
- b. The applicant shall provide a statement that describes whether and how the applicant sought assistance from the City, HOA or neighbors to address any issues or actions that would enable the tree to be retained.
- c. The person shall post a sign, provided by the City, adjacent to the tree for ten (10) calendar days prior to removal that provides notice of the removal application and the process to comment on the application.
- d. Review of the materials and comments from the public confirm that the tree meets the criteria for removal in Section 1. above.

C. Homeowner's Association Authorization.

The Planning Commission may approve a program for the adoption, administration and enforcement by a homeowners' association (HOA) of regulations for the removal and replacement of street trees within the geographic boundaries of the association.

1. An HOA that seeks to adopt and administer a street tree program must submit an application to the City. The application must contain substantially the following information:
 - a. The HOA must be current and active. The HOA should meet at least quarterly and the application should include the minutes from official HOA Board meetings for a period not less than eighteen (18) months (six (6) quarters) prior to the date of the application.
 - b. The application must include proposed spacing standards for street trees that are substantially similar to the spacing standards set forth in ~~16.142.050~~ [16.142.060](#).A above.
 - c. The application must include proposed street tree removal and replacement standards that are substantially similar to the standards set forth in ~~16.142.050~~ [16.142.060](#).B above.
 - d. The application should include a copy of the HOA bylaws as amended to allow the HOA to exercise authority over street tree removal and replacement, or demonstrate that such an amendment is likely within ninety (90) days of a decision to approve the application.
 - e. The application should include the signatures of not less than seventy-five (75) percent of the homeowners in the HOA in support of the application.
2. An application for approval of a tree removal and replacement program under this section shall be reviewed by the City through the Type IV land use process. In order to approve the program, the City must determine:
 - a. The HOA is current and active.

- b. The proposed street tree removal and replacement standards are substantially similar to the standards set forth in ~~16.142.050~~ 16.142.060.B above.
 - c. The proposed street tree spacing standards are substantially similar to the standards set forth in ~~16.142.050~~ 16.142.060.A above.
 - d. The HOA has authority under its bylaws to adopt, administer and enforce the program.
 - e. The signatures of not less than seventy-five (75) percent of the homeowners in the HOA in support of the application.
3. A decision to approve an application under this section shall include at least the following conditions:
 - a. Beginning on the first January 1 following approval and on January 1 every two (2) years thereafter, the HOA shall make a report to the city planning department that provides a summary and description of action taken by the HOA under the approved program. Failure to timely submit the report that is not cured within sixty (60) days shall result in the immediate termination of the program.
 - b. The HOA shall comply with the requirements of Section 12.20 of the Sherwood Municipal Code.
 4. The City retains the right to cancel the approved program at any time for failure to substantially comply with the approved standards or otherwise comply with the conditions of approval.
 - a. If an HOA tree removal program is canceled, future tree removals shall be subject to the provisions of section ~~16.142.050~~ 16.142.060.
 - b. A decision by the City to terminate an approved street tree program shall not affect the validity of any decisions made by the HOA under the approved program that become final prior to the date the program is terminated.
 - c. If the city amends the spacing standards or the removal and replacement standards in this section (SZCDC ~~16.142.050~~) the City may require that the HOA amend the corresponding standards in the approved street tree program.
 5. An approved HOA tree removal and replacement program shall be valid for five (5) years; however the authorization may be extended as approved by the City, through a Type II Land Use Review.

D. Exemption from Replacing Street Trees.

A street tree that was planted in compliance with the Code in effect on the date planted and no longer required by spacing standards of section A.4. above may be removed without replacement provided:

1. Exemption is granted at the time of street tree removal permit or authorized homeowner's association removal per Section ~~16.142.050~~ 16.142.060.C. above.
2. The property owner provides a letter from a certified arborist stating that the tree must be removed due to a reason identified in the tree removal criteria listed in Section ~~16.142.050~~ 16.142.060.B.1. above, and
3. The letter describes why the tree cannot be replaced without causing continued or additional damage to public or private utilities that could not be prevented through reasonable maintenance.

E. Notwithstanding any other provision in this section, the city manager or the manager's designee may authorize the removal of a street tree in an emergency situation without a tree removal permit when the tree poses an immediate threat to life, property or utilities. A decision to remove a street tree under this section is subject to review only as provided in ORS 34.100.

F. Trees on Private Property Causing Damage.

Any tree, woodland or any other vegetation located on private property, regardless of species or size, that interferes with or damages public streets or utilities, or causes an unwarranted increase in the maintenance costs of same, may be ordered removed or cut by the City Manager or his or her designee. Any order for the removal or cutting of such trees, woodlands or other vegetation, shall be made and reviewed under the applicable City nuisance abatement ordinances.

G. Penalties. The abuse, destruction, defacing, cutting, removal, mutilation or other misuse of any tree planted on public property or along a public street as per this Section, shall be subject to the penalties defined by Section 16.02.040, and other penalties defined by applicable ordinances and statutes, provided that each tree so abused shall be deemed a separate offense.

16.142.070 Trees on Property Subject to Certain Land Use Applications

A. Generally

The purpose of this Section is to establish processes and standards which will minimize cutting or destruction of trees and woodlands within the City. This Section is intended to help protect the scenic beauty of the City; to retain a livable environment through the beneficial effect of trees on air pollution, heat and glare, sound, water quality, and surface water and erosion control; to encourage the retention and planting of tree species native to the Willamette Valley and Western Oregon; to provide an attractive visual contrast to the urban environment, and to sustain a wide variety and distribution of viable trees and woodlands in the community over time.

B. Applicability

~~1.—All Planned Unit Developments, land use actions subject to Chapter 16.40, site developments subject to Section 16.92.020, and subdivisions subject to Chapter 16.122, shall be required to preserve trees or woodlands, as defined by this Section to the maximum extent feasible within the context of the proposed land use plan and relative to other policies and standards of the City Comprehensive Plan, as determined by the City. This Section shall not apply to any PUD, site development or subdivision, or any subdivision phase of any PUD, having received an approval by the Commission prior to the effective date of Ordinance No. 94-991, except for Subsection C5 of this Section, which shall apply to all building permits issued after the effective date to that Ordinance.~~

~~2~~BC. Inventory

1. To assist the City in making its determinations on the retention of trees and woodlands, land use applications for development shall include a tree and woodland inventory and report. The report shall be prepared by a certified arborist and must contain the following information:

- a. Tree size (in DBH and canopy area)
- b. Tree species
- c. The condition of the tree with notes as applicable explaining the assessment
- d. The location of the tree on the site
- e. The location of the tree relative to the planned improvements

- f. Assessment of whether the tree must be removed to accommodate the development
- g. Recommendations on measures that must be taken to preserve trees during the construction that are not proposed to be removed.

- 2. Trees removed on the property within one year prior to the submittal of the development application shall also be included in the inventory. In the event that adequate data is not available to address the specific inventory requirements below, an aerial photo may be utilized to determine the approximate number, canopy size and type of trees on the property.
- 3. In addition to the general requirements of this Section, the tree and woodland inventory's mapping and report shall also include, but is not limited to, the specific information outlined in the appropriate land use application materials packet.

34. Definitions ~~For~~ for the inventory purposes of this Section

~~1a.~~ a ~~A~~ tree is a living woody plant having a trunk diameter as specified below at ~~four and one-half (4-1/2) feet above mean ground level at the base of the trunk, also known as~~ Diameter at Breast Height (DBH). Trees planted for commercial agricultural purposes, and/or those subject to farm forest deferral, such as nut and fruit orchards and Christmas tree farms, are excluded from this definition and from regulation under this Section, as are any living woody plants under ~~five-six (56)~~ inches at DBH.

~~a(1). Douglas fir, ponderosa pine, western red cedar, white oak, big leaf maple, American chestnut, ten (10)~~ All trees six (6) inches or greater shall be inventoried.

~~b. All other tree species, five (5) inches or greater.~~

~~In addition, any trees of any species of five (5) inches or greater DBH that are proposed for removal as per the minimally necessary development activities defined in subsection C3 of this Section shall be inventoried.~~

2b. ~~For the inventory purposes of this Section, a~~ A woodland is a biological community dominated by trees covering a land area of 20,000 square feet or greater at a density of at least fifty (50) trees per every 20,000 square feet with at least fifty percent (50%) of those trees of any species having a ~~five-six (56)~~ inches or greater at DBH. Woodlands planted for commercial agricultural purposes and/or subject to farm forest deferral, such as nut and fruit orchards and Christmas tree farms, are excluded from this definition, and from regulation under this Section.

c. A large stature tree is over 20 feet tall and wide with a minimum trunk diameter of 30 inches at DBH.

D. Retention requirements

1. Trees may be considered for removal to accommodate the development including buildings, parking, walkways, grading etc., regardless of D.2 or D.3, below.

C12. —Required Tree Canopy - Residential Developments (Single Family Attached, Single Family Detached and Two – Family)

Each net development site shall provide a minimum total tree canopy of 40 percent. This can be achieved by retaining existing trees or planting new trees. Required street trees can be used toward the total on site canopy required to meet this standard. The expected mature canopy spread

of the new trees will be counted toward the needed canopy cover. A certified arborist shall provide the estimated tree canopy of the proposed trees to the planning department for review.

D23. —Required Tree Canopy – Non-Residential and Multi-family Developments

Each net development site shall provide a minimum total tree canopy of 30 percent. This can be achieved by retaining existing trees or planting new trees. Required landscaping trees can be used toward the total on site canopy required to meet this standard. The expected mature canopy spread of the new trees will be counted toward the needed canopy cover. A certified arborist or other qualified professional shall provide an estimated tree canopy for all proposed trees to the planning department for review as a part of the land use review process.

4. The City may determine that, regardless of D.1 through D.3, that certain trees or stands of trees may be required to be retained. The basis for such a decision shall include: Specific findings that retention of said trees or woodlands furthers the purposes and goals of this Section, is feasible and practical both within the context of the proposed land use plan and relative to other policies and standards of the City Comprehensive Plan, and are:

- a. Within a Significant Natural Area, 100-year floodplain, City greenway, jurisdictional wetland or other existing or future public park or natural area designated by the City Comprehensive Plan, or
- b. A landscape or natural feature as per applicable policies of the City Comprehensive Plan, or are necessary to keep other identified trees or woodlands on or near the site from being damaged or destroyed due to windfall, erosion, disease or other natural processes, or
- c. Necessary for soil stability and the control of erosion, for managing and preserving surface or groundwater quantities or quality, or for the maintenance of a natural drainageway, as per Unified Sewerage Agency Clean Water Services stormwater management plans and standards of the City Comprehensive Plan, or
- d. Necessary as buffers between otherwise incompatible land uses, or from natural areas, wetlands and greenways, or
- e. Otherwise merit retention because of unusual size, size of the tree stand, historic association or species type, habitat or wildlife preservation considerations, or some combination thereof, as determined by the City.

5. Tree retention requirements for properties located within the Old Town Overlay or projects subject to the infill standards of Chapter 16.68 are only subject to retention requirements identified in D.4. above.

~~BE. —Tree and Woodland Inventory~~

~~1. To assist the City in making its determinations on the retention of trees and woodlands, the land use applications referenced in subsection A of this Section shall include a tree and woodland inventory and report, in both map and narrative form, addressing the standards in subsection C or D of this Section (above), and a written report by an arborist, forester, landscape architect, botanist, or other qualified professional, as determined by the City, that generally evaluates the nature and quality of the existing trees and woodlands on the site and also provides information as to the extent and methods by which trees and woodlands will be retained. The inventory shall~~

~~include a resume detailing the qualified professional's applicable background and experience. The City may also require the submission of additional information as per Section 16.136.030.~~

~~2. Trees removed on the property within one year prior to the submittal of the development application shall also be included in the inventory. In the event that adequate data is not available to address the specific inventory requirements below, an aerial photo may be utilized to determine the approximate number, size and type of trees on the property.~~

~~23. In addition to the general requirements of this Section, the tree and woodland inventory's mapping and reports shall include, but are not limited to, the following specific information outlined in the appropriate land use application materials packet. Mapping shall include a composite map, illustrating as much required information as possible while retaining map readability.~~

~~a. The location of the property subject to the land use application and tree and woodland inventory, including street addresses, assessors' map and tax lot numbers, and a vicinity map.~~

~~b. Mapping indicating the location of trees and woodlands, as defined by subsections A2 through 3. Mapping shall include typical tree root zones, given tree species, size, condition and location. For any woodland, inventory data and mapping is required only for the group, rather than on a tree by tree basis.~~

~~c. Mapping and other inventory data shall include, but is not limited to, the boundaries and/or types of soils, wetlands, and floodplains underlying the tree or woodland; site hydrology, drainage, and slope characteristics; the condition, density, form, root zone and aspect of the tree or woodland, including in the case of a woodland, associated understory.~~

~~d. Mapping and other inventory data shall be of sufficient detail and specificity to allow for field location of trees and woodlands by the City, and shall include but is not limited to, existing and proposed property lines, topography at the intervals otherwise specified for the type of land use application being considered, and any significant man-made or natural features that would tend to aid in such field location.~~

~~e. The number, size, species, condition, and location of trees and woodlands proposed for removal, the timing and method of such removal, and the reason(s) for removal.~~

~~f. The number, size, species, condition, and location of trees and woodlands proposed for retention, and the methods by which such trees and woodlands shall be maintained in a healthy condition both during and subsequent to development activity.~~

~~g. Proposed mitigation and replacement efforts as per subsection D of this Section, including a description of how proposed replacement trees will be successfully replanted and maintained on the site.~~

~~CE. Tree and Woodland Retention~~

~~1. The review authority shall make findings identifying all trees and woodlands, or additional trees not inventoried, that merit retention. Alternatively, the City may require planting of new trees in lieu of retention as per subsection D1 through D3 of this Section, or acquire said trees and woodlands as per subsection D4 of this Section. Prior to making any such determinations or recommendations, the review authority may seek the recommendations of the City Parks Advisory Board. Special consideration shall be given in making these determinations to the retention or replanting of trees native to the Willamette Valley and Western Oregon, except in areas where such trees are prohibited as per Section 16.142.050B.~~

~~2. To require retention of trees or woodlands as per subsection B-D of this Section, the Commission or Council must make specific findings that retention of said trees or woodlands furthers the purposes and goals of this Section, is feasible and practical both within the context of~~

~~the proposed land use plan and relative to other policies and standards of the City Comprehensive Plan, and are:~~

- ~~a. Within a Significant Natural Area, 100-year floodplain, City greenway, jurisdictional wetland or other existing or future public park or natural area designated by the City Comprehensive Plan, or~~
- ~~b. A landscape or natural feature as per applicable policies of the City Comprehensive Plan, or are necessary to keep other identified trees or woodlands on or near the site from being damaged or destroyed due to windfall, erosion, disease or other natural processes, or~~
- ~~c. Necessary for soil stability and the control of erosion, for managing and preserving surface or groundwater quantities or quality, or for the maintenance of a natural drainageway, as per Unified Sewerage Agency stormwater management plans and standards or the City Comprehensive Plan, or~~
- ~~d. Necessary as buffers between otherwise incompatible land uses, or from natural areas, wetlands and greenways, or~~
- ~~e. Otherwise merit retention because of unusual size, historic association or species type, habitat or wildlife preservation considerations, or some combination thereof, as determined by the City.~~

~~3. In general, the City shall permit only the removal of trees, woodlands, and associated vegetation, regardless of size and/or density, minimally necessary to undertake the development activities contemplated by the land use application under consideration. For the development of PUDs and subdivisions, minimally necessary activities will typically entail tree removal for the purposes of constructing City and private utilities, streets, and other infrastructure, and minimally required site grading necessary to construct the development as approved. For site developments, minimally necessary activities will typically entail tree removal for the purposes of constructing City and private utilities, streets and other infrastructure, minimally required site grading necessary to construct the development as approved, construction of permitted buildings, and City required site improvements such as driveways and parking lots.~~

~~4156. The Notice of Decision issued for the land use applications subject to this Section shall indicate which trees and woodlands will be retained as per subsection C2-D of this Section, which may be removed or shall be retained as per subsection B-D of this Section, and which shall be mitigated as per subsection D of this Section, and any limitations or conditions attached thereto. The applicant shall prepare and submit a Final Tree and Woodland Plan prior to issuance of any construction permits, illustrating how identified trees and woodlands will be retained, removed or mitigated as per the Notice of Decision. Such Plan shall specify how trees and woodlands will be protected from damage or destruction by construction activities, including protective fencing, selective pruning and root treatments, excavation techniques, temporary drainage systems, and like methods. At a minimum, trees to be protected shall have the area within the drip line of the tree protected from grading, stockpiling, and all other construction related activity unless specifically reviewed and recommended by a certified arborist.~~

~~5. At the time of building permit issuance for any development of a site containing trees or woodlands identified as per subsection C of this Section, the Building Official shall permit only the removal of trees, woodlands and associated vegetation, regardless of size and/or density, minimally necessary to undertake the development activities contemplated by the building permit application under consideration. The permit shall specify how trees and woodlands will be protected from damage or destruction by construction activities, including protective fencing,~~

~~selective pruning and root treatments, excavation techniques, temporary drainage systems, and like methods. Minimally necessary activities will typically entail tree removal for the purposes of construction of City and private utilities, streets and other infrastructure, minimally required site grading necessary to construct the development as approved, construction of permitted buildings, and City required site improvements such as driveways and parking lots. A fee for this inspection shall be established as per Section 16.74.010, provided however that said inspection is not deemed to be a land use action.~~

~~6. When a tree or woodland within an approved site plan, subdivision or Planned Unit Development subsequently proves to be so located as to prohibit the otherwise lawful siting of a building or use, retention of said trees or woodlands may be deemed sufficient cause for the granting of a variance as per Chapter 16.84, subject to the satisfaction of all other applicable criteria in Chapter 16.84.~~

7. All trees, woodlands, and vegetation located on any private property accepted for dedication to the City for public parks and open space, greenways, Significant Natural Areas, wetlands, floodplains, or for storm water management or for other purposes, as a condition of a land use approval, shall be retained outright, irrespective of size, species, condition or other factors. Removal of any such trees, woodlands, and vegetation prior to actual dedication of the property to the City shall be cause for reconsideration of the land use plan approval.

~~EE.~~ Preservation Incentives

1. General Provisions. To assist in the preservation of trees, the City may apply one or more of the following flexible standards as part of the land use review approval. To the extent that the standards in this section conflict with the standards in other sections of this Title, the standards in this section shall apply except in cases where the City determines there would be an unreasonable risk to public health, safety, or welfare. Flexibility shall be requested by the applicant with justification provided within the arborist's report as part of the land use review process and is only applicable to trees that are eligible for credit towards the effective tree canopy cover of the site. A separate adjustment application as outlined in Section 16.84.030.A is not required.

2. Flexible Standards. The following flexible standards are available to applicants in order to preserve trees on a development site. These standards cannot be combined with any other reductions authorized by this code.

a. Lot size averaging. To preserve existing trees in the development plan for any Land Division under Division VII, lot size may be averaged to allow lots less than the minimum lot size required in the underlying zone as long as the average lot area is not less than that allowed by the underlying zone. No lot area shall be less than 80 percent of the minimum lot size allowed in the zone;

b. Setbacks. The following setback reductions will be allowed for lots preserving existing trees using the criteria in subsection (1) below. The following reductions shall be limited to the minimum reduction necessary to protect the tree.

(1) Reductions allowed:

(a.) Front yard – up to a 25 percent reduction of the dimensional standard for a front yard setback required in the base zone. Setback of garages may not be reduced by this provision.

(b.) Interior setbacks - up to a 40 percent reduction of the dimensional standards for an interior side and/or rear yard setback required in the base zone.

(c.) Perimeter side and rear yard setbacks shall not be reduced through this provision.

c. Approval criteria:

(1.) A demonstration that the reduction requested is the least required to preserve trees; and

(2.) The reduction will result in the preservation of tree canopy on the lot with the modified setbacks; and

(3.) The reduction will not impede adequate emergency access to the site and structure.

3. Sidewalks. Location of a public sidewalk may be flexible in order to preserve existing trees or to plant new large stature street trees. This flexibility may be accomplished through a curb-tight sidewalk or a meandering public sidewalk easement recorded over private property and shall be reviewed on a case by case basis in accordance with the provisions of the Engineering Design Manual, Street and Utility Improvement Standards. For preservation, this flexibility shall be the minimum required to achieve the desired effect. For planting, preference shall be given to retaining the planter strip and separation between the curb and sidewalk wherever practicable. If

a preserved tree is to be utilized as a street tree, it must meet the criteria found in the Street Tree section, 16.142.060.

4. Residential Density Transfer. Up to 100% density transfer is permitted from the preserved portion of a significant tree stand within the development site to the buildable area of the development site.

a. Density may be transferred provided that:

(1.) At least 50% of the significant tree stand's canopy within the development site (and not within the sensitive lands or areas that areas dedicated to the City) is preserved;

(2.) The project arborist certifies the preservation is such that the connectivity and viability of the remaining significant tree stand is maximized.

(3.) Maximum density for the net site area including the Significant tree stand is not exceeded;

(4.) The lots must maintain an 80 percent minimum lot size;

(5.) The Significant tree stand is protected through an instrument or action subject to approval by the City Manager or the City manager's designee that demonstrates it will be permanently preserved and managed as such:

(1.) A conservation easement;

(2.) An open space tract;

(3.) A deed restriction; or

(4.) Through dedication and acceptance by the City.

b. The proposed development may include the following:

(1.) Zero lot line single family detached housing for the portion of the development site that receives the density transfer.

(2.) The following variations from the base zone development standards are permitted:

(1.) Up to 25% reduction of average minimum lot width;

(2.) Up to 10 foot minimum front yard setback

(3.) Up to 33% reduction in side or rear yard, however the side yard cannot be less than three feet;

(4.) Up to four foot reduction in the garage setback;

(5.) Up to 20% increase in maximum height as long as the height requirement adjustment complies with the State Building Code.

(3.) When the portion of the development receives the density transfer abuts a developed residential district with the same or lower density zoning, the average area of abutting perimeter lots shall not be more than 150% of the adjacent zoning.

5. Adjustments to Commercial and Industrial development Standards. Adjustments to Commercial or Industrial Development standards of up to 20 feet additional building height are permitted provided:

a. At least 50% of a Significant Tree stand's canopy within a development site (and not also within the sensitive lands or areas that areas dedicated to the City) is preserved;

- b. The project arborist certifies the preservation is such that the connectivity and viability of the remaining significant tree stand is maximized;
- c. Applicable buffering and screening requirements are met;
- d. Any height adjustments comply with state building codes;
- e. Significant tree stand is protected through an instrument or action subject to approval by the City Manager or the City manager's designee that demonstrates it will be permanently preserved and managed as such:
 - (1.) A conservation easement;
 - (2.) An open space tract;
 - (3.) A deed restriction; or
 - (4.) Through dedication and acceptance by the City.

a.—

D.—Mitigation

~~1.—The City may require mitigation for the removal of any trees and woodlands identified as per subsection C of this Section if, in the City's determination, retention is not feasible or practical within the context of the proposed land use plan or relative to other policies and standards of the City Comprehensive Plan. Such mitigation shall not be required of the applicant when removal is necessitated by the installation of City utilities, streets and other infrastructure in accordance with adopted City standards and plans. Provided, however, that the City may grant exceptions to established City street utility and other infrastructure standards in order to retain trees or woodlands, if, in the City's determination, such exceptions will not significantly compromise the functioning of the street, utility or other infrastructure being considered. Mitigation shall be in the form of replacement by the planting of new trees.~~

~~2.—Replacement trees required as part of mitigation as per this Section shall, as determined by the City, be generally of a substantially similar species, size and quantity to those trees proposed for removal, taking into account soils, slopes, hydrology, site area, and other relevant characteristics of the site on which the mitigation is proposed. In consideration of the foregoing factors the City may require replacement trees to be replanted at greater than a 1:1 caliper inch ratio. Exotic or non-native trees shall generally be replaced with species native to the Willamette Valley or Western Oregon, except where such native trees are prohibited by Section 16.142.050B2. Said replacement trees shall be in addition to trees along public streets required by Section 16.142.050A. Standards for trees along public streets may be different than those for trees required for retention or replacement under this Section.~~

~~3.—If replacement trees of the species, size or quantity being removed are not available, or cannot be successfully replanted due to soils, slopes, hydrology, site area, or other relevant characteristics of the site, the City may require:~~

~~a.—Different species of trees to be submitted, or~~

~~b.—Replacement trees to be planted on another, more suitable site within the City, or~~

~~c.—Cash payments equivalent to the fair market value of the otherwise required replacement trees, including estimated installation costs, said payments to be set aside by the City in a dedicated fund for eventual purchase and planting of trees when suitable sites become available.~~

~~4.—The Commission may also make recommendation to the Council, based on the recommendation of the Parks Advisory Board, that trees or woodlands identified as per this Section be purchased by the City, if such trees cannot otherwise be retained as part of the proposed land use plan, obtained as a parks and open space or other dedication to the City, or otherwise be mitigated as per subsection D of this Section.~~

F. Tree Protection During Development

The applicant shall prepare and submit a Final Tree and Woodland Plan prior to issuance of any construction permits, illustrating how identified trees and woodlands will be retained, removed or mitigated as per the Notice of Decision. Such Plan shall specify how trees and woodlands will be protected from damage or destruction by construction activities, including protective fencing, selective pruning and root treatments, excavation techniques, temporary drainage systems, and like methods. At a minimum, trees to be protected shall have the area within the drip line of the tree protected from grading, stockpiling, and all other construction related activity unless specifically reviewed and recommended by a certified arborist. Any work within the dripline of the tree shall be supervised by the arborist being onsite during construction.

EG. Penalties

Violations of this Section shall be subject to the penalties defined by Section 16.02.040, provided that each designated tree or woodland unlawfully removed or cut shall be deemed a separate offense. (Ord. 2006-021; Ord. 91-922, § 3)

16.142.080 Trees on Private Property -- not subject to a land use action

A. Generally

In general, existing mature trees on private property shall be retained unless determined to be a hazard to life or property. For the purposes of this section only, existing mature trees shall be considered any deciduous tree greater than ten (10) inches diameter at the breast height (dbh) or any coniferous tree greater than twenty (20) inches dbh.

B. Residential (Single Family and Two-Family) Standards

In the event a property owner determines it necessary to remove existing mature trees on their property that are not a hazard, they may remove the trees as described below:

1. Removal of up to five (5) trees, or up to 10 percent of the number of trees on site, whichever is greater, within a twelve month period. No review or approval required provided that trees are not located within a natural resource area, that -the planning department is notified in writing 48 hours prior to removing the tree, including the property address, property owner name and contact information, and provided with the type and size of the tree. Failure to notify the Planning Department shall not result in a violation of this code unless it is determined that the tree removal is located within a natural resource area, or in excess of that permitted outright.
2. Removal of six (6) or more trees, or more than 10 percent of the number of trees on site, whichever is greater, within a twelve month period except as allowed in subsection 1, above.
 - a. The applicant shall submit the following:
 - (1.) A narrative describing the need to remove the tree(s).
 - (2.) A statement describing when and how the Homeowner's Association (HOA) was informed of the proposed tree cutting and their response. If there is not an active HOA, the applicant shall submit as statement indicating that there is not a HOA to contact.
 - (3.) A plan showing the location of the tree and
 - (4.) The applicant shall submit a replacement tree plan. Half of the number of trees removed shall be replaced on site with native trees within six months from the date of removal.

3. The City may determine that, regardless of B.1 through B.2, that certain trees or stands of trees may be required to be retained.

a. If removal is proposed within a natural resource area, the applicant shall submit documentation from a licensed qualified professional in natural resources management such as a wetland scientist, a botanist, or biologist, discussing the proposed tree removal and how it would or would not compromise the integrity of the resource. It shall also discuss the feasibility and practicability of tree removal relative to policies and standards of the City Comprehensive Plan, listed in section 3.b. below.

b. The basis for such a City decision shall include; specific findings that retention of said trees or woodlands furthers the purposes and goals of this Section, is feasible and practical relative to other policies and standards of the City Comprehensive Plan, and are:

- (1.) Within a Significant Natural Area, 100-year floodplain, City greenway, jurisdictional wetland or other existing or future public park or natural area designated by the City Comprehensive Plan, or
- (2.) A landscape or natural feature as per applicable policies of the City Comprehensive Plan, or are necessary to keep other identified trees or woodlands on or near the site from being damaged or destroyed due to windfall, erosion, disease or other natural processes, or
- (3.) Necessary for soil stability and the control of erosion, for managing and preserving surface or groundwater quantities or quality, or for the maintenance of a natural drainageway, as per Clean Water Services stormwater management plans and standards of the City Comprehensive Plan, or
- (4.) Necessary as buffers between otherwise incompatible land uses, or from natural areas, wetlands and greenways, or
- (5.) Otherwise merit retention because of unusual size, size of the tree stand, historic association or species type, habitat or wildlife preservation considerations, or some combination thereof, as determined by the City.

~~up to 5 trees per acre per calendar year by right, not to exceed 100 inches total dbh.~~

~~The property owner shall document the number of trees and the date removed for their records and shall notify the City Planning Department 48 hours prior to tree removal. Failure to notify the Planning Department shall not result in a violation of this code unless it is determined that the tree removal is in excess of that permitted outright.~~

~~If the property owner determines that it is necessary to remove more trees than is permitted by right, the act is considered to be an alteration of the exterior appearance of the property and site plan review is required. In that instance, the requirements of Section 16.142.060 shall apply. The review authority shall be determined by the square footage of the area to be disturbed.~~

~~(Ord. 2006-021)~~

C. Non-Residential and Multi-family Standards

In the event a property owner determines it necessary to remove existing mature trees on their property that are not a hazard, they may remove the trees as described below;

1. Trees required by a land use decision after the effective date of this code can be removed. Any trees removed shall be replaced within six months of removing the tree with an appropriate tree for the area.

2. Trees that were not required by land use or planted prior to the effective date of this code can be removed after receiving approval from the City of Sherwood.
 - a. Removal of up to 25 percent of the trees on site can be removed and replaced through a type I review process. The applicant shall submit the following:
 - (1.) A narrative describing the need to remove the trees.
 - (2.) A plan showing the location of the trees and
 - (3.) A replacement tree plan. Half of the number of trees removed shall be replaced on site with similar trees within six months from the date of removal.
 - b. Removal of more than 25 percent of the trees on site can be removed and replaced through a type II review process. The applicant shall submit the following:
 - (1.) An arborists report describing the need to remove the trees. The cause for removal must be necessitated by the trees.
 - (2.) A plan showing the location of the tree and
 - (3.) A replacement tree plan. Two – thirds of the number of trees removed shall be replaced on site with similar trees within six months from the date of removal.
3. The City may determine that, regardless of C.1 through C.2, that certain trees or stands of trees may be required to be retained.
 - a. The applicant shall submit documentation from a licensed qualified professional in natural resources management such as wetland scientist, botanist or biologist, discussing the proposed tree removal within the context of the proposed land use plan and relative to other policies and standards of the City Comprehensive Plan, listed in section 3.b. below.
 - b. The basis for such a City decision shall include; specific findings that retention of said trees or woodlands furthers the purposes and goals of this Section, is feasible and practical both within the context of the proposed land use plan and relative to other policies and standards of the City Comprehensive Plan, and are:
 - (1.) Within a Significant Natural Area, 100-year floodplain, City greenway, jurisdictional wetland or other existing or future public park or natural area designated by the City Comprehensive Plan, or
 - (2.) A landscape or natural feature as per applicable policies of the City Comprehensive Plan, or are necessary to keep other identified trees or woodlands on or near the site from being damaged or destroyed due to windfall, erosion, disease or other natural processes, or
 - (3.) Necessary for soil stability and the control of erosion, for managing and preserving surface or groundwater quantities or quality, or for the maintenance of a natural drainageway, as per Clean Water Services stormwater management plans and standards of the City Comprehensive Plan, or
 - (4.) Necessary as buffers between otherwise incompatible land uses, or from natural areas, wetlands and greenways, or
 - (5.) Otherwise merit retention because of unusual size, size of the tree stand, historic association or species type, habitat or wildlife preservation considerations, or some combination thereof, as determined by the City.

Trees on Private Property Subject to Land Use Review

Current Code Language	Proposed Code Language
Code language applies to all zones and uses in the city	Code language has been differentiated between two categories; <ul style="list-style-type: none"> • Residential requirements (single-family & two-family) • Non-Residential requirements (multi-family, commercial, institutional public & industrial) Retention requirements do not apply to Old Town or Infill projects.
Inventory of existing trees required. Trees that are removed must be mitigated for on an inch for inch basis. (Example – the developer removes a 10inch DBH tree, replant or pay the fee-in lieu for 10 inches. This can be accomplished by paying \$75 per inch or planting five 2 inch DBH trees.)	Inventory of existing trees continues to be required. The code language has been updated to include; <ul style="list-style-type: none"> • The needed materials are specified. • Developer to meet a minimum mature canopy requirement (30% non-residential and 40% residential). Incentives for tree preservation added including: Residential <ul style="list-style-type: none"> • Lot size averaging • Setback reductions • Flexible sidewalk standards • Residential density transfer Non-Residential <ul style="list-style-type: none"> • Increased building height
Protect trees in natural areas. This standard justifies saving trees because of environmental and social reasons consistent with Goal 5; i.e. soil stability, buffers, unusual size, historic association, wildlife, etc.	Continue to protect trees in natural areas. The size of the tree stand was added to the list to merit the retention of trees.
Tree protection during development standards.	Tree protection during development standards will continue. Additional tree protection has been added by indicating that the “work within the dripline must supervised by an arborist was added”.

See other side.

Trees on Private Property NOT Subject to Land Use Review

Current Code Language	Proposed Code Language
Code language applies to all zones and uses in the city	Code language has been differentiated between two categories; <ul style="list-style-type: none"> • Residential requirements (single-family & two-family) • Non-Residential requirements (multi-family, commercial, institutional public & industrial)
<p>All zones and uses in the city can remove up to five trees per acre per year not to exceed 100 total inches DBH by right.</p> <ul style="list-style-type: none"> • Must notify the Planning Department 48 hours prior to cutting the tree. <p>Removal of more than five trees per acre per year requires site plan review.</p>	<p>Residential – removal of up to five trees or 10% of the trees whichever is greater per year by right.</p> <ul style="list-style-type: none"> • Must notify the Planning Department 48 hours prior to cutting the tree. <p>Six trees or more than 10% requires planning department review and half of the number of trees that are removed must be replaced.</p> <p>Non-Residential –</p> <ul style="list-style-type: none"> • If required by land use after the effective date of the code can be removed as long as they are replaced. • If required by land use prior to the effective date of the code, the review varies based on the percentage of trees removed and replaced. <ul style="list-style-type: none"> ▪ Up to 25% - Type I process & replace half of the trees removed ▪ Over 25% - Type II process & replace two-thirds of the trees removed
Code language protecting natural areas is within the tree code but not specifically within <i>trees not subject to land use approval</i> section.	Protecting trees in natural areas, necessary for soil stability, etc., buffers or because of unusual size, historic association, wildlife, etc. has been added to this section.

See other side.

Tree Code Update: Goals and Objectives **Part of the Code Clean-up Project**

Goal 1: Establish and maintain the maximum quality tree cover.

Objective: Encourage the preservation of natural habitat for wildlife.

Objective: Encourage the preservation of established tree stands during development.

Objective: Encourage area cooling while not degrading solar photovoltaic potential.

Goal 2: Maintain trees in a healthy condition through good practices.

Objective: Conserve woodland resources during development.

Objective: Provide clear tree maintenance guidelines for citizens and developers.

Objective: Establish clear guidelines for safely removing trees that are unhealthy or posing a threat to life or property.

Goal 3: Establish and maintain an ideal level of tree diversity in age and species.

Objective: Establish clear planting requirements.

Objective: Conserve woodland resources during development.

Goal 4: Foster community support for the local urban forestry program and encourage good tree management on privately-owned properties

Objective: Provide clear tree maintenance guidelines for citizens and developers.

Objective: Establish a committee to review the tree standards periodically

Goal 5: Establish clear, fair and easily implemented code changes that meet Sherwood's current values.

Objective: Establish regulations that provide clear and diverse options to citizens and developers.

Objective: Create code changes that are consistent with the community's values on trees.

Goal 6: Revise or maintain tree standards that meet the values of the community and provide clear and reasonable standards that seek to preserve trees that are valued by the community without causing unnecessary hardships for developers

Objective: Promote retaining natural tree groves without penalizing developers who develop heavily wooded lots.

Goal 7: Establish standards for commercial, industrial and residential zones to meet the intent of these zones to ensure that development of land is not inhibited while also preserving trees.

Objective: Create code changes that meet the intent of the concept plan that brought the area into the city as well as the needs of the underlying zone

Objective: Consider economic impacts. Provide removal and mitigation options for residential or commercial and industrial developments.

Objective: Create flexible criteria that allow developers to provide mitigation or maintenance of an area depending on the constraints of the site.

Sylvia Murphy

From: Kurt Kristensen <kurtk@poetspeak.com>
Sent: Saturday, February 04, 2012 9:46 AM
To: Sylvia Murphy
Subject: Public Hearing PA 11-06 - Trees on Private Property (Code Clean Up)

Mr. Mayor and Council Members:

I have testified in favor of the City of Sherwood having a tree code for several years, and I am in favor of adopting the proposed tree code in front of you in a public hearing on Tuesday, February 21, 2012, with a few concerns that I hope you will consider:

1. The proposed code allows resident or developer to remove five (5) trees in any calendar year from a specific property; this essentially removes the benefit of the proposed tree code to 99% of all residents. Additionally a developer, or owner planning to develop, can simply progressively remove almost all trees within a few years leading up to a building proposal.
 - a. I suggest that you adopt language that limits it to one (1) significant tree per calendar year, and that additional removals be addressed by the planning department in an informal neighborhood hearing.
2. The proposed code does not require any property owner to discuss his plans to remove one or more trees from his property with neighbors; aside from a complementary call to city planning staff, one or more trees can be removed at will.
 - a. I suggest that council adopt Tree Code language recognizing that tree canopy in a neighborhood impacts the entire neighborhood as well as the financial value of individual property, and that the code language calls for property owner to notify neighbors in writing of intent to remove one or more significantly sized trees, as well as having city planning post a street sign providing a contact number at planning department.

Public Hearing PA 11-06 – Trees on Private Property (Code Clean Up) – The Planning Commission will consider proposed revisions to the Sherwood Zoning and Community Development Code. The proposed changes will update the “Trees on Private Property” section (16.142.070). Specifically, the proposed language will update the standards to be consistent with community values, incentivize tree preservation and remove the mitigation standard. Instead of mitigating based on an inch for inch basis, developments will be required to satisfy minimum canopy coverage that would be measured based on a trees canopy size when mature. Additionally, housekeeping updates from the open space standards and this code update have been made. The Planning Commission will make a recommendation to the City Council who will make the ultimate decision. (Staff contact – Zoe Monahan).

Respectfully,

Kurt Kristensen

Kurt Kristensen - M. Ed.
22520 SW Fair Oaks Ct.
Sherwood, OR 97140-9720

TO: Sherwood City Council
FROM: Michelle Miller, AICP, Associate Planner
Through: Julia Hajduk, Planning Manager
Subject: Denali Planned Unit Development, PUD 11-01, SUB 11-01

EXECUTIVE SUMMARY

Summary: The applicant has requested approval for a planned unit development and subdivision located in southeast Sherwood and zoned very low density residential (VLDR). The applicant requested eight lots; however after review, the Planning Commission recommended approval of a seven-lot subdivision, roadway improvements to SW Ironwood, extension of SW Denali Ct., and an area of open space.

Previous Council Action: None

Background/Problem Discussion: The applicant, Emerio Design requests a Planned Unit Development and Subdivision approval for a residential subdivision located in southeast Sherwood. The applicant initially proposed to subdivide a 3.71-acre parcel into eight lots, just east of SW Murdock Road and north of SW Denali Lane in the Very Low Density Residential (VLDR) zone. The proposed lots range in size from 10,004 to 12,616 square feet. The applicant proposes a planned unit development (PUD) in this zone in order to utilize the special density allowance of two units per acre (as opposed to 1 unit per acre without a PUD) and 10,000 square foot minimum lot size. The applicant proposes areas of open space to comply with the planned unit development requirements. The applicant proposes to construct a local street through the center of the site to connect SW Ironwood Lane to the north and SW Denali Lane to the south. The applicant's submittal is included in the Council packet as Attachment A to Exhibit 1.

The Planning Commission held a public hearing and took public testimony on December 13, 2011. On January 10, 2012, the Commission heard rebuttal testimony from the applicant and deliberated on their recommendation to the Council. After deliberation, the Commission generally agreed that seven lots was appropriate due to the specific constraints of the parcel and directed staff to make necessary changes to the analysis, findings and conditions based on their recommendation for approval of a seven-lot subdivision. The Planning Commission recommendation for seven lots follows the design and intention of the S.E. Sherwood Master Plan adopted by the Planning Commission via resolution in 2006. The Planning Commission voted three to one to forward their recommendation to the City Council on January 24, 2012.

Since that date, staff reviewed the Planning Commission recommendation with legal counsel to confirm the analysis and findings for the density calculation for the site were sufficient. Counsel determined the recommendation should include additional reference to the planned unit development standards and objectives in order to find the rationale for the flexible density standard the Commission determined for this PUD. In the event that the City Council agrees with the intent of the Planning Commission recommendation, Staff has incorporated additional language underlined in [blue](#) with Exhibit 1 on page 5-6 to address the legal advice received. The Commission recommendation documenting the findings and conditions of the Planning Commission is attached to this document as Exhibit 1.

Alternatives: The Council could approve the Ordinance and Exhibits as drafted, direct changes to the findings and conditions prior to adopting the Ordinance, direct changes to the Ordinance itself or direct staff to prepare and Order denying the requested PUD.

Financial Implications: None

Recommendation: Staff recommends that the City Council hold a hearing to consider and adopt the attached Ordinance approving the requested Planned Unit Development and Subdivision.

Attachments:

Ordinance

- Exhibit 1 –Planning Commission Recommendation to City Council dated January 24, 2012
- Exhibit 1A- Applicant’s Materials submitted February 9, and September 23, 2011
- Exhibit 1B- City of Sherwood Engineering Comments dated November 2, 2011
- Exhibit 1C- Clean Water Services letter submitted November 14, 2011
- Exhibit 1D-TualatinValley Fire and Rescue letter submitted November 18, 2011
- Exhibit 1E- DEQ Fact Sheet Ken Foster Farm
- Exhibit 1F- Citizen Comments from Mrs. Beverly Baugus, dated November 29, 2011
- Exhibit 1G-DEQ Comments from Mark Pugh, dated December 6, 2011
- Exhibit 1H- Citizen Comments from Dennis and Paula Yuzon, dated December 6, 2011
- Exhibit 1I- Citizen Comments from Kurt Kristensen, dated December 7, 2011
- Exhibit 1J- Citizen Comments from Patrick Huske, dated December 12, 2011
- Exhibit 1K- Proposed Amendments to Staff Report, dated December 13, 2011
- Exhibit 1L- Citizen Comments from Lisa and Roger Walker, dated December 13, 2011
- Exhibit 1M- Applicant’s Exhibit presented at December 13, 2011 hearing
- Exhibit 1N- Citizen Comments from Lisa and Roger Walker, dated December 27, 2011
- Exhibit 1O- City of Sherwood Planning Memo regarding density calculation dated January 3, 2012
- Exhibit 1P- Planning Commission Resolution 2006-01, including the Southeast Sherwood Master Plan



ORDINANCE 2012-004

AN ORDINANCE APPROVING A PLANNED UNIT DEVELOPMENT (PUD) TO BE KNOWN AS DENALI PLANNED UNIT DEVELOPMENT INCLUDING APPLICATION OF A PLANNED UNIT DEVELOPMENT OVERLAY ON THE COMPREHENSIVE PLAN AND ZONE MAP, AND APPROVING THE SEVEN-LOT SUBDIVISION

WHEREAS, The applicant, Emerio Design, requested a planned unit development and subdivision and approval with the ultimate goal of developing an eight-lot residential development in the southeast area of Sherwood; and

WHEREAS, after full consideration of the Sherwood Zoning and Development Code, the City has determined that the maximum number of lots permitted is seven; and

WHEREAS, the subdivision would dedicate right of way and five tracts (an open space area, two vegetated corridors and a strip of land adjacent to the right of way); and

WHEREAS, the planned unit development approval would allow the applicant to utilize the special density allowance in the very low density residential zone, allow some flexibility in standards, an area of common usable open space, and ensure a unified development to occur over time; and

WHEREAS, the decision is a quasi-judicial land use decision subject to the following criteria: Zoning and Community Development Code Sections 16.10 (VLDR), 16.40 (PUD), 16.96 (on-site circulation), Division VI (public improvements), 16.122 (Subdivision preliminary plat), 16.126 (subdivision design standards), 16.142 (Parks and Open Space); and

WHEREAS, the Planning Commission held two public hearings on December 13, 2011 and January 10, 2012 to take testimony and consider the proposed planned unit development and subdivision and made a recommendation of approval with conditions on January 24, 2012; and

WHEREAS, the City Council held a public hearing on February 21, 2012 to take public testimony; and

WHEREAS, the Sherwood City Council has received the proposal materials, the Planning Commission recommendation including all exhibits entered into the record (PUD 11-01/SUB 11-01), and after considering the applicable criteria, the Planning Commission recommendation, applicant testimony, public testimony and all documents in the land use record, the City Council determined that the PUD as conditioned meets the applicable criteria.

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

Section 1. Commission Review & Public Hearings. The application for a planned unit development and subdivision of one parcel specifically identified as Tax Map 2S133CB Tax Lot 1000 was subject to full and proper review and public hearings were held before the Planning Commission on December 13, 2011 and January 10, 2012 and the City Council on February 21, 2012.

Section 2. Findings. After full and due consideration of the proposal, the Planning Commission recommendation, applicant testimony, public testimony, applicant rebuttal and all documents included in the land use record, the City Council finds that the proposed PUD as conditioned meets the applicable criteria including all local, regional and state requirements. The findings of fact and evidence relied upon by the City are attached to this Ordinance as Exhibit 1.

Section 3. Approval.

- A. The Planned Unit Development and subdivision is approved as described and conditioned in the Planning Commission Recommendation attached as Exhibit 1.
- B. The Plan and Zone Map shall be updated to reflect the approved PUD overlay applied to the parcels identified as Tax Map 2S133CB Tax Lot 1000.

Section 4. Manager Authorized. The Planning Manager is hereby directed to take such action as may be necessary to document and implement this ordinance.

Section 5. Effective Date. This ordinance shall become effective the 30th day after its final adoption by the City Council and signature of the Mayor. Duly approved by the City Council and signed by the Mayor this 21st day of February 2012.

Keith S. Mays, Mayor

Attest:

Sylvia Murphy, CMC, City Recorder

	<u>AYE</u>	<u>NAY</u>
Clark	_____	_____
Langer	_____	_____
Butterfield	_____	_____
Folsom	_____	_____
Henderson	_____	_____
Grant	_____	_____
Mays	_____	_____

CITY OF SHERWOOD

Date: January 17, 2011

Planning Commission Recommendation to the City Council Denali PUD (PUD 11-01, and SUB 11-01)

Pre App. Meeting: November 2, 2010
App. Submitted: February 9, 2011
App. Complete: October 12, 2011
120 Day Deadline: February 9, 2012
120 Day Deadline EXTENDED: March 9, 2012
Public Hearing: December 13, 2011

The Planning Commission held a public hearing on December 13, 2011 to take testimony and consider the proposed planned unit development and subdivision. The record was left open for two weeks and the closing rebuttal and Commission deliberations were continued to January 10, 2012. After considering the staff report, applicant testimony and the public comments, the Commission recommends approval of the plan with conditions. The recommendation includes an interpretation in the density calculation to enable the project to develop seven lots based on the intention of the SE Sherwood Master Plan and the flexibility allowed through a Planned Unit Development. The objectives of the planned unit development encourage flexibility in the standards and code requirements. This recommendation will require the applicant to reduce the number of lots from eight to seven lots. The applicant is in agreement with this recommendation to the City Council.

Proposal: The applicant proposes to subdivide a 3.71 acre parcel into eight lots just east of SW Murdock Road and north of SW Denali Lane in the Very Low Density Residential (VLDR) zone. The lots range in size from 10,004 to 12,616 square feet. The applicant proposes a planned unit development (PUD) in this zone order to utilize the special density allowance of 10,000 square foot minimum lot size. The applicant proposes areas of open space in order to comply with the planned unit development requirements. The applicant proposes construction of a local street through the center of the site to connect SW Ironwood Lane to the north and SW Denali Lane to the south.

NOTE: The plan set that the applicant provided identifies Tracts A-E. However, the labeling of the tracts is inconsistently represented on the nine page plan set. In order to clarify which tract is identified in this staff report, please refer to the applicant's materials, sheet 1, "Preliminary Plat" to determine the tract being discussed in this report.

I. APPLICATION INFORMATION

Applicant and Owner	John Satterberg Community Financial PO Box 1969 Lake Oswego, OR 97035
Applicant's Representative	Emerio Design 6900 SW 105 th Avenue

Beaverton OR 97008
Contact: Kirsten Van Loo 503-956-4180

Tax Lot: 2S133CB01000

Property Description: The parcel is 3.71 acres in size and rectangular in shape with the exception of a narrow strip that extends to SW Murdock at the northwest corner of the site approximately 710 feet long and 25 feet wide. There also is a narrow strip of land on the southeast corner of the site, approximately 210 feet long and 40 feet wide that is proposed to include the sanitary sewer easement.

Existing Development and Site Characteristics: The site slopes steeply upward from north to the south. There is no development on the site. There are eight fir trees approximately 8-10" in diameter on the site that will remain in the southwest corner of the site. There are blackberry bushes in several places on the site that will be removed. A I segment of the site, approximately 710 feet long and 25 feet wide follows along SW Ironwood Lane and has a line of trees bordering the street.

Comprehensive Plan Land Use Designation and Zoning Classification: Very Low Density Residential (VLDR) for residential use and single family homes.

Adjacent Zoning and Land Use: The surrounding properties to the north and south are zoned VLDR and the properties to west and across SW Murdock Road are zoned Low Density Residential. The land use is residential.

Land Use Review: The Planned Unit Development Conceptual Plan is a Type V decision with the City Council as the approval authority after recommendation by the Planning Commission. An eight-lot subdivision is generally a Type III review; however it is being processed concurrent with the PUD. An appeal of the City Council decision would go to the Land Use Board of Appeals (LUBA).

After PUD conceptual plan approval, the development or individual phases must receive detailed final development plan approval. The detailed final development plan requires Planning Commission review and approval and ensures compliance with any conditions of conceptual approval as well as applicable community design standards, etc. The code is not clear regarding the process and fee but it is determined that the final plan and site plan are processed concurrently and heard by the Planning Commission (regardless of development size) with no additional fee beyond the site plan fee.

Neighborhood Meeting: The applicant held two neighborhood meetings over the past year: one on November 23, 2010 and the other on September 19 2011 on the site. The second meeting was attended by approximately 12 people. Some of the issues concerned an increase in traffic, concern about privacy and character of the development. The comments are part of the applicant's materials. (Exhibit A)

Public Notice: Notice of this land use application was posted at two locations at the site and five public locations throughout the city. Notice was also mailed to property owners within 1000 feet of the site and any other party who expressed an interest in receiving mailed notice on November 22, 2011 in accordance with § 16.72.020 of the Sherwood Zoning and Community Development Code. Notice was also published in The Times and Sherwood Gazette newspaper on December 1, 2011.

Review Criteria: Zoning and Community Development Code Sections 16.12 (VLDR), 16.40 (PUD), 16.92 (Landscaping) 16.94 (Off-Street Parking), 16.96 (On-Site Circulation), Division VI (Public

Improvements), 16.122 (Subdivision Preliminary Plat), 16.126 (Subdivision Design Standards), 16.142 (Parks and Open Space), 16.144 (Wetland, habitat and natural areas)

For the Planned Unit Development - Upon receipt of the findings and recommendations of the Commission, the Council shall conduct a public hearing pursuant to Chapter 16.72. The Council may approve, conditionally approve, or deny the Preliminary Development Plan. A Council decision to approve the Preliminary Development Plan shall, by ordinance, establish a PUD overlay zoning district. The ordinance shall contain findings of fact per this Section, state all conditions of approval, and set an effective date subject to approval of the Final Development Plan per Section 16.40.030.

Site History: The site was part of the “Ken Foster Farm” site, originally about 40 acres and was used for farming. It was subdivided approximately twenty years ago a portion of which is this 3.71 acre parcel. The site has remained vacant with no buildings. It is known that portions of the larger Ken Foster Farm site had been used for discarding animal hides and carcasses that were remnants from the local tannery operation in the city. As part of the Department of Environmental Quality (DEQ) investigation of the Tannery site on SW Oregon Street, it was discovered that the soil on the Ken Foster Farm site was contaminated. The property to the northeast, Ironwood Subdivision, was in development when the issue became known which required significant soil removal and oversight from the Department of Environmental Quality (DEQ).

An excerpt from the Department of Environmental Quality Technical Memorandum dated July 13, 2005 describes that from 1962 to 1971, tannery wastes from the Frontier Leather Company were applied by Mr. Foster to several areas of pasture land. Liquid sludge from tannery’s primary wastewater settling tanks was also distributed on the site.

DEQ entered the Ken Foster Farm site into the Environmental Cleanup Site Information Database in 2000, and completed a Preliminary Assessment (PA) in 2004, funded by cooperative grant funds from the Environmental Protection Agency (EPA) Region 10. (DEQ Technical Memorandum) The results of the soil sampling completed for this site listed concentrations of antimony, chromium, lead and mercury above expected background concentrations. In addition sediment samples from the wetland areas on the site were found to contain elevated concentrations of chromium copper, mercury and zinc on a nearby parcel. They found that the human health risk based upon the soil results from the EPA Impervious Area results and data from property-owner site investigations on two of the properties within the former Farm acreage was relatively low, according to the report. Since valid soil sample tests of the subject site indicate that hexavalent chromium was not present in soils, and that the prevalent form of chromium in soils is trivalent chromium. The other concentrations do not present an unacceptable human health risk on an individual contaminant basis. The DEQ concluded that the chance of significant exposure to residents living around these areas is low under current conditions.

The applicant’s representatives met with the DEQ on January 6, 2011 where Mark Pugh of DEQ indicated that the cleanup on this site would be based on the site specific ecological risk based concentration (RBC)s for exposure to chromium in soil. DEQ indicated that a site specific RBC was specifically developed to protect terrestrial birds due to the potential for bioaccumulation and because avian receptors are considered to be the most sensitive to the effects of chromium.

The soil samples that were collected by the applicant’s representative on the subject site indicate that in five of the six samples taken, concentrations of chromium exceeded the “hot spot” criteria of 1,300 mg/kg, requiring removal. (Applicant’s Materials Exhibit A, page 5 of BB & A Environmental report). The applicant proposed a method of how they will address the soil contamination in their application materials. They plan on capping the soil and adding clean soil on top of the capped soil. This will be subject to the approval of the DEQ and prior to development of the site.

The site is also part of the SE Sherwood Master Plan, which was approved in concept by the Planning Commission via resolution in 2006. Although not formally adopted and incorporated into the Comprehensive Plan nor adopted by the City Council, it does provide guidance for development and the intention of the community and surrounding property owners for the area. Had it been formally adopted, it would have required amendments to the SZDC regarding the density requirements in this particular zone as the density shown in the plan is much higher than the existing special density allowance currently allowed in the VLDR.

II. PUBLIC COMMENTS

Mrs. Beverly Baugus, 14092 SW Ironwood Lane, Sherwood submitted comments on December 1, 2011 and raised safety concerns about the increase in traffic of SW Ironwood Lane with the new subdivision. Ms. Baugus is concerned that vehicles traveling on SW Murdock Road will not see vehicles waiting to turn onto SW Ironwood Lane. The current conditions of SW Ironwood Lane make it difficult to pass oncoming traffic especially if emergency vehicles are needed in the area.

Staff Response: The existing design of SW Ironwood is not up to City standards and as part of the development approval, staff recommends that SW Ironwood Lane be improved on the applicant's portion of the roadway in order to make the street more accessible and safe for vehicular and pedestrian traffic. The speed limit on SW Murdock Road is 25 mph heading northward and site distances and visibility will be evaluated during the engineering approval process.

The Planning Commission received public comments orally as well as in writing. Exhibits H through P are written comments received by the Commission. The public provided comments at the hearing on the roadway connections, the required open space design, the SE Sherwood Master Plan, views and access, and the environmental cleanup of the contaminated soils by the applicant. The Planning Commission's recommendation reflects their review and consideration of the comments received.

III. AGENCY/DEPARTMENTAL COMMENTS

The City requested comments from affected agencies. All original documents are contained in the planning file and are a part of the official record on this case. The following information briefly summarizes those comments:

Sherwood Engineering Department has reviewed the proposal and provided comments which have been incorporated into this report and decision. The City Engineer provided a letter of concurrence with the proposed street design modifications which is included as Exhibit B.

The City Engineer wanted the applicant to be aware that the preliminary plat drawings were inadequate for the purposes of the Engineering submittal. The basic development plan layout does not meet the requirements of Section 115.2.1 of the Engineering Design and Standard Details Manual (Manual). The plans do not show topographic items a distance of 200 feet outside the site boundary. The existing topographic information ends at the site boundary. The applicant should read and conform to the requirements of the Manual when developing the project drawings.

RECOMENDED CONDITION: Prior to approval of the public improvement plans, comply with the requirements delineated in the City's Engineering Design and Standard Details Manual.

Clean Water Services provided comments and recommended conditions which are included as Exhibit C to this report.

Tualatin Valley Fire and Rescue (TVF&R) provided comments which are included as Exhibit D to this report.

Department of Environmental Quality

The applicant met with the Department of Environmental Quality (DEQ) in January 2011 as they prepared their land use application submittal. Mark Pugh of the DEQ provided the applicant with some preliminary guidance on possible alternatives for the soil cleanup on the site. Since the land use application was submitted, staff discussed the proposal with Mark Pugh who plans on providing specific written comments by the date of the hearing that will be available at the hearing. Preliminary comments include a requirement that the applicant follow DEQ recommendations for the cleanup of the site before issuance of any City permits for the development. This will be discussed further within this report. Staff provided a DEQ Fact Sheet on the Former Ken Foster Farm Site that is attached as Exhibit E.

IV. PLANNED UNIT DEVELOPMENT

The Commission shall review the application pursuant to Chapter 16.72 and may act to recommend to the Council approval, approval with conditions or denial. The Commission shall make their recommendation based on the following criteria:

Chapter 16.40

PLANNED UNIT DEVELOPMENT (PUD)

16.40.010 Purpose

A. PUDs integrate buildings, land use, transportation facilities, utility systems and open space through an overall site design on a single parcel of land or multiple properties under one or more ownerships. The PUD process allows creativity and flexibility in site design and review which cannot be achieved through a strict adherence to existing zoning and subdivision standards.

B. The PUD district is intended to achieve the following objectives:

- 1. Encourage efficient use of land and resources that can result in savings to the community, consumers and developers.**

This area of the City has remained relatively undeveloped for a lengthy period of time. The PUD development will preserve significant open space and connect two existing streets together in keeping with the intention of the SE Sherwood Master Plan. Additionally, the site will be easily accessible to infrastructure connections due to its proximity to existing development. Currently, there are under 40 vacant "shovel-ready" buildable lots remaining within the City and a limited number of lots at this particular size, thus providing a unique lot size for residential development within the City boundaries.

Additionally, this site has several constraints that have made it difficult to develop within the confines of the VLDR zone. A PUD will allow a limited increase in density that will make the project more feasible rather than the primary zoning. The site was severely constrained with steep slopes, vegetated corridor buffers and contaminated soils. Generally, any one of these could pose a financial hardship for development. By allowing an additional lot that meets the minimum lot size requirements and meets the gross density for the site, the site will be cleaned up and be a better

utilization of the highest and best use of the land. While recognizing that allowing the proposed number of lots may conflict with the density standards in SZDC § 16.40.50.C.1, the Planning Commission determined it was not clear how to interpret the density standard when it conflicts with the purpose of and compliance with this section. The Planning Commission determined that a seven-lot subdivision would best encourage the efficient use of land and resources under these particular circumstances that would result in savings to the community, consumers and developers.

FINDING: Based on the above discussion, the applicant meets this objective.

2. Preserve valuable landscape, terrain and other environmental features and amenities as described in the Comprehensive Plan or through site investigations.

The special density allowance within the VLDR provides for a limited amount of increased density and therefore helps preserve the unique landscape and environmental features and amenities of the site. The applicant was required to obtain a Clean Water Service Provider Letter. Clean Water Services (CWS) required a geotechnical report as part of the service provider letter (SPL). A geotechnical report has been submitted as part of the application. The buffer impact and mitigation areas delineated in the SPL exhibits and the related requirements noted in the SPL have not been incorporated into the planning submittal plan sheets. These items will need to be incorporated into the engineering plan sets prior to any approval being granted.

The landscaping plans shall incorporate the requirements of the SPL. Requirements 21 through 24 of the SPL specifically relate to the information that is required to be included in the plan set. The applicant will be required to meet several conditions. The applicant proposes to create Tract B and C to serve as part of the vegetative corridor buffer.

FINDING: Based on the above discussion, the applicant appears to meet the PUD objective but cannot fully comply without the following conditions in regard to the preservation of environmental features.

RECOMMENDED CONDITION: Prior to recording the final plat, comply with the conditions as set forth in the Service Provider Letter No. 10-002401, dated July 14, 2011.

RECOMMENDED CONDITION: Prior to recording the final plat, provide an easement over the vegetated corridor conveying storm and surface water management to CWS that would prevent the owner of the vegetated corridor from activities and uses inconsistent with the purpose of the corridor and any easements therein.

RECOMMENDED CONDITION: Prior to recording the final plat, provide detailed plans showing the sensitive area and corridor delineated, along with restoration and enhancement of the corridor.

RECOMMENDED CONDITION: Prior to issuance of a grading or erosion control permit, provide DSL and Corps of Engineers permits for any work in the wetlands or creek.

RECOMMENDED CONDITION: Prior to approval of the public improvements, a note shall be added to the construction plan set that states that the project shall comply with the recommendations outlined in the geotechnical report prepared by GeoPacific Engineering, Inc., dated August 26, 2011.

RECOMMENDED CONDITION: Prior to approval of the public improvements, submit plans that identify the buffer and mitigation areas and related mitigation measures and notes delineated in the

SPL shall be incorporated into the grading and ESC plan sheets of the planning and construction plans submittals.

3. Provide diversified and innovative living, working or neighborhood shopping environments that take into consideration community needs and activity patterns.

The proposed lots are similar to the surrounding lots within the VLDR zone. The site design connects with the other surrounding to both SW Denali Lane and SW Ironwood Lane, creating a more walkable neighborhood throughout. The development will have access to a usable open space that is somewhat limited in this area. Murdock Park is the nearest public park and Sherwood View Estates subdivision does not have any usable open space. The area designated open space within this neighborhood can improve the other neighborhoods with improved connection to usable opens space and an improved street grid.

FINDING: Based on the above discussion the applicant meets this objective.

4. Achieve maximum energy efficiency in land uses.

The applicant proposes to connect with the existing main lines and utilize the existing services such as roadway infrastructure and water, sanitary and sewer lines. This promotes energy efficiency in land uses as it is nearby already developed properties.

FINDING: Based on the above discussion, the applicant meets this objective.

5. Promote innovative, pedestrian-friendly, and human scale design in architecture and/or other site features that enhance the community or natural environment. (Ord. 2001-1119 § 1)

The applicant has proposed a development that connects with the surrounding neighborhood. The applicant chose a type of architecture from the architectural pattern book that will be compatible with the existing neighborhood as the surrounding properties have Pacific Northwest style architecture and are all larger single family homes. The applicant shows that the neighborhood will connect on a human scale by connecting the sidewalk on SW Murdock Road and SW Denali Lane with the surrounding Sherwood View Estates neighborhood. Additionally, the applicant proposes that the area of open space be accessed with a pathway surrounding the open space area. This will enhance the neighborhood feel in the area, provided that the applicant identify amenities such as lighting, signage and street furniture such as park benches or tables that will make the open space inviting for pedestrians. This will allow the open space to serve as an outdoor gathering place for the area.

FINDING: Based on the above discussion, the applicant meets this objective.

16.40.020 Preliminary Development Plan

A. Generally

A PUD Preliminary Development Plan shall be submitted for the review and approval in accordance with Chapter 16.72. PUDs shall be considered: a.) on sites that are unusually constrained or limited in development potential, as compared to other land with the same underlying zoning designation, because of: natural features such as floodplains, wetlands, and extreme topography, or man-made features, such as parcel configuration and surrounding development; b.) on parcels of land within the Urban Renewal District where flexibility and creativity in design may result in greater public benefit than strict adherence

to the code; or c.) in other areas deemed appropriated by Council during the adoption of a concept plan required by a Metro UGB expansion.

The applicant proposes a PUD in order to capitalize on the special density allowance allocated for this zone. The site contains contaminated soils and is constrained due to the wetland nearby and the steep slope of the site. The developer will remediate the soil and provide the community with the added benefit of provide a connection to SW Denali Lane and improved connection on SW Ironwood Lane.

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

C. Commission Review

The Commission shall review the application pursuant to Chapter 16.72 and may act to recommend to the Council approval, approval with conditions or denial. The Commission shall make their decision based on the following criteria:

- 1. The proposed development is in substantial conformance with the Comprehensive Plan and is eligible for PUD consideration per 16.40.020. A.**

The applicant proposes a development that is conformance with the Comprehensive Plan as it meets or can meet with conditions the criteria of the adopted SZDC. It is capable of consideration for a PUD as it is within the VLDR zone, which based on its zoning, is classified as an environmentally sensitive area.

The applicant contends and staff agrees that that in its present zoning category has limited development potential due to the cost of cleaning up the contaminated soils and topography of the site. Cleaning up the contaminated soils will satisfy the public benefit of making the site useable and safe for the surrounding area.

FINDING: Based on the above discussion the applicant can meet this criterion or is able to meet the criterion as conditioned further within this report based on the applicable code provisions.

- 2. The preliminary development plans include dedication of at least 15 percent of the buildable portion of the site to the public in the form of usable open space, park or other public space, (subject to the review of the Parks & Recreation Board) or to a private entity managed by a homeowners association. Alternatively, if the project is located within close proximity to existing public spaces such as parks, libraries or plazas the development plan may propose no less than 5% on-site public space with a detailed explanation of how the proposed development and existing public spaces will together equally or better meet community needs.**

The buildable portion of the site is approximately 2.36 acres which includes the designated open space of Tract D and the eight proposed lots. Fifteen percent of the buildable portion is 15,420 square feet. The applicant proposes that Tract 'D', approximately 15,864 sq. feet would serve as the usable open space to meet this requirement. The applicant proposes a bark dust path to circumvent the tract and connect with the sidewalk at the northeastern corner of SW Ironwood Lane and at the southeastern corner of SW Denali Lane.

This open space area will be accessible to all of the surrounding area and preserve the views of the region. The applicant shows that the open space will be accessed via a 10 ft. wide pathway from SW Denali Lane onto the southern edge of the site along Lot 8 and the adjacent property, 23524 SW Denali Lane. The pathway from the street will be approximately 156 feet before

reaching the larger open space and the applicant will need to have signage in order to make sure the area is available and welcoming to all properties, and not just used by Lots 7 and 8. Other amenities should be considered such as benches, tables, or other structures either for play or for exercise in order to make this a truly inviting and public space. The applicant has provided the square footage and pathway, but further details are in order to fully comply with this section.

The applicant proposes that the Home Owner's Association will maintain Tract D and this will be conditioned further within this report. This will provide a long term solution to the ongoing maintenance of the site.

Due to the proposed composition of the pathway and the steepness of the slope, the City Engineer determined that the alignment proposed and comprised of woodchips relative to the grades do not appear to make a walkable path because grades would approach 22%.

The applicant makes the argument that Tract 'A', consisting of a long strip approximately 25 feet wide and 710 feet long, is also considered open space because it will provide a meandering pathway from SW Murdock Road to the subject property along SW Ironwood Lane.

However, the City Engineer indicates that this strip is part of the public improvements required to provide SW Ironwood Lane with sidewalks and a planter strip, making it in compliance with a local street design. When the Ken Foster Farm site was divided, it created three large parcels with three 25 foot strips accessing SW Murdock Road. With the development of Ironwood Acres, the center portion of the road was dedicated and paved, but without curb or sidewalks. As part of this development, the City Engineer recommends improvement of this strip and dedication to the public for a sidewalk, curb, paved roadway portion and treatment of the storm water runoff. This will be discussed further under the public improvement section of this report. For the purpose of this criterion, it will not be considered as part of the open space requirement.

FINDING: Based on the above discussion, the applicant meets this criterion on the concept of open space. However, the following conditions are required to ensure that Tract D be a usable open space by all of the property owners within the development.

RECOMMENDED CONDITION: Prior to approval of the public improvements, provide a pathway alignment that does not exceed a 15% grade for the open space area known as Tract D.

RECOMMENDED CONDITION: Prior to final development plan approval, submit a detailed plan for Tract D, the open space area that describes a cross section detail and includes the type of materials that will be used for the pathway, landscaping, signage, street furniture and other pedestrian and neighborhood amenities on site to satisfy the open space requirements.

3. That exceptions from the standards of the underlying zoning district are warranted by the unique design and amenities incorporated in the development plan.

The VLDR is unique from the other residential zones in that it specifically identifies a special density allowance for a PUD because of distinctiveness of the area and the community's desire to preserve the natural resource and landscape with limited development. The applicant provides for the required open space and also connects the roadways of SW Ironwood and SW Denali Lane. Additionally, the applicant proposes to clean up the soil contamination that has been present for at least 30 years. These amenities and improvements unique to the site warrant consideration of a planned unit development. By creating a PUD in this area, it ensures that open space will be incorporated into the development rather than larger privately held lots. The amenities will be part of the PUD and unique to this development.

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

- 4. That the proposal is in harmony with the surrounding area or its potential future use, and incorporates unified or internally compatible architectural treatments, vernacular, and scale subject to review and approval in Subsection (B)(6).**

The larger lot sizes are compatible with the surrounding developments as Sherwood View Estates are also zoned VLDR along with the properties to the west and north of the site that have not been developed to their full potential. The applicant has identified in the architectural pattern book that they will use Pacific Northwest design that is compatible with the surrounding development.

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

- 5. That the system of ownership and the means of developing, preserving and maintaining parks and open spaces are acceptable.**

The applicant proposes that the open space be monitored through a home owner's association and developed as conditions within the CC & R's. This is a suitable resolution, but a condition is required in order to fully comply.

FINDING: Based on the above discussion, the applicant does not meet this criterion, but can do so with the following criterion.

RECOMMENDED CONDITION: Prior to the final development plan approval, provide CC & Rs that document how the open space will be maintained by the neighborhood association.

- 6. That the PUD will have a beneficial effect on the area which could not be achieved using the underlying zoning district.**

The underlying zoning district allows for a density of up to one unit per acre. Because development is very limited on the site coupled with the known soil contamination and environmental constraints, the site would likely continue to remain undeveloped for many years to come if the developer was required to adhere to the regular density standard of one dwelling unit per acre. The applicant argues that the special density allowance of the VLDR zone allows for the site to be developed in a more financially feasible manner in order to install the appropriate infrastructure and remediate the soil. The applicant believed that they could not recoup the cost of the cleanup if the larger lot size was required through the standard zoning.

The proposed development also will have a beneficial effect on the area by extending several stub streets that may not have been able to be connected if the site did not develop into a PUD. The idea for the street connection follows the intention of the SE Sherwood Master Plan.

The applicant submitted an environmental assessment report prepared by BB&A Environmental, January 13, 2011. The report is unsigned and does not document the authorship. The report does contain a statement regarding a discussion with DEQ about capping soils disturbed during overall site development and prior to residential individual site development; however the report provides no statements of recommended actions on which to hold the applicant accountable. In the applicant's materials, the applicant is considering that environmental cleanup of the site is adequate enough to call the site developed and not include construction of the public infrastructure. The City requires a standard Compliance Agreement that includes construction of the public infrastructure, not just the planning of it. Cleanup and remediation of the site should be viewed as a part of the construction process.

The City Engineer is also concerned that stormwater runoff from the site must be free of contamination during and post construction. The City Engineer recommends that a written protocol plan be developed and included as part of the engineering submittal and complied with by the contractor.

Additionally, as discussed above, the applicant proposes a large open space area that will be a beneficial amenity for the surrounding neighborhood.

FINDING: Based on the above discussion, the applicant does not meet the criterion, but can do so with the following conditions.

RECOMMENDED CONDITION: Prior to approval of the public improvement plans, provide the appropriate recommendations from a registered professional civil/environmental engineer or geotechnical engineer regarding how the soils are to be handled to prevent contaminated material from leaving the site. These recommendations are to be complied with in the development of the construction drawings and may require full review and approval from DEQ as part of the City approval process.

RECOMMENDED CONDITION: Prior to approval of the public improvement plans, comply with the requirements of the DEQ pertaining to the cleanup of the contaminated soils on site.

RECOMMENDED CONDITION: Prior to approval of the final plat, construct all public improvements in the delineated timeline as required by the City's Compliance Agreement.

RECOMMENDED CONDITION: Prior to obtaining the Certificate of Final Occupancy, construct and install the pathway and other Tract D open space amenities described in the final development plan.

7. That the proposed development, or an independent phase of the development, can be substantially completed within one (1) year from date of approval.

The applicant proposes to complete the development within one year and thus is able to satisfy this condition. In the alternative, if the applicant is unable to complete the project, safeguards are in place including creating a phasing plan or lapsing of the land use approval in order to meet this criterion.

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

8. That adequate public facilities and services are available or are made available by the construction of the project.

The City Engineer has reviewed the preliminary plat and determined that the site is serviceable or able to be served with conditions outlined further within this report.

FINDING: Based on the above discussion, the applicant meets this criterion or may be conditioned to meet this criterion further within this report.

9. That the general objectives of the PUD concept and the specific objectives of the various categories of the PUDs described in this Chapter have been met. (Ord. 2001-1119 § 1; 98-1053; 86-851)

FINDING: Based on the above discussion earlier within this report, the applicant meets this criterion.

10. The minimum area for a Residential PUD shall be five (5) acres, unless the Commission finds that a specific property of lesser area is suitable as a PUD because it is unusually constrained by topography, landscape features, location, or surrounding development, or qualifies as "infill" as defined in Section 16.40.050(C)(3). (Ord. 2001-1119 § 1)

The site is 3.71 gross acres which does not qualify it for a PUD outright. However, because the site is zoned VLDR zone, it is considered to be within "natural resource and environmentally sensitive areas warranting preservation, but otherwise deemed suitable for limited development," according to the purpose statement of this zone. The subject site in particular is steeply sloped and the surrounding development contains a wetland area as well as another planned unit development to the south of the property making it unusually constrained. The applicant is not able to add adjacent parcels to the proposal as the surrounding property is already developed and is under separate ownership. Even if the site was a bit larger and satisfied the five acre minimum of a PUD with this particular zoning, it would still only be a maximum of two units added to the proposal in order for it to comply with the special density allowance granted for VLDR PUDs.

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

E. Effect of Decision

Approval of the Preliminary Development Plan shall not constitute final acceptance of the PUD. Approval shall, however, be binding upon the City for the purpose of preparation of the Final Development Plan, and the City may require only such changes in the plan as are necessary for compliance with the terms of preliminary approvals.

FINDING: The applicant is aware that a final development plan will be required upon approval of the preliminary development plan. This criterion cannot be met at this time, but can be met with the final development phase submittal that is in substantial compliance with the approval of the PUD.

16.40.050 Residential PUD

A. Permitted Uses

The following uses are permitted outright in Residential PUD when approved as part of a Final Development Plan:

- 1. Varied housing types, including but not limited to single-family attached dwellings, zero-lot line housing, row houses, duplexes, cluster units, and multi-family dwellings.**
- 2. Related NC uses which are designed and located so as to serve the PUD district and neighborhood.**
- 3. All other uses permitted within the underlying zoning district in which the PUD is located.**

FINDING: The applicant proposes residential uses and all lots will be for single family homes, the only permitted housing type within this zone.

B. Conditional Uses

A conditional use permitted in the underlying zone in which the PUD is located may be allowed as a part of the PUD upon payment of the required application fee and approval by the Commission as per Chapter 16.82. (Ord. 86-851 § 3)

FINDING: The applicant does not propose a conditional use, and thus this criterion is not applicable.

C. Development Standards

1. Density

The number of dwelling units permitted in a Residential PUD shall be the same as that allowed in the underlying zoning district, except as provided in Subsection (C)(2), below or 16.40.040.C above.

The SZDC § 16.10 defines density as “(t)he intensity of residential land uses per acre, stated as the number of dwelling units per net buildable acre. Net acre means an area measuring 43,560 square feet after excluding present and future rights-of-way, environmentally constrained areas, public parks and other public uses.” The VLDR zone is unique that there is a special density allowance permitting a greater density (two units) than what would be allowed in the underlying zoning designation (one unit) if the applicant requests a planned unit development. No other residential zoning has a special density zoning allowance within a PUD or other zoning classification. The effect of the special density allowance grants two units per acre rather than the underlying zoning density of up to one unit per acre.

In this case, there are approximately 1.99 net buildable acres because environmentally constrained lands, right of way, as well as the open space area are all excluded in the overall calculation of net buildable acreage. Calculating net density under the special density allowance of two units per acre provides for up to four units (1.99 net acres x 2 units). Tract A, B, C, D and E are not developable for a number of reasons either due to the irregular shape of the subject parcel, the steep slopes of the site, used for the public or the required vegetated corridor buffer, the requirement of the open space or the location of the utilities.

In order to make the site financially feasible, the applicant proposes to subdivide the site into eight lots. Contrary to the standard definition of density, the applicant proposes to use a gross density calculation rather than the net density described above because the site is unusually constrained. Additionally, the applicant contends that calculating gross density rather than net provides for better preservation of the natural resources in the area and allows for recoupment of the costs of cleanup of the contaminated soils. Calculating under the gross density calculation provides for 7.42 units and the applicant requests that the decision maker round up to get 8 units. The applicant proposes eight units because each lot meets the minimum lot size and the applicant satisfies the required 15 % of open space. According to the applicant, development at any lower density would not make the site financially viable and the site would remain undeveloped.

Staff argued that the using net density has been the standard means of calculating density in subdivision projects within the City and based on the definition. However, this project is indeed unique with special environmental constraints and costly contaminated soils and the VLDR

allows for a special density allowance of two. The provisions in that section do not specifically call out whether gross density could be used instead of net density as the applicant contends. However, common math practices would dictate that the number 7.42 is not able to be “rounded up” to 8 as it is below .5.

The Planning Commission found the applicant’s argument persuasive that a seven-lot subdivision would follow the overall design and intention of the SE Sherwood Master Plan. The property is part of the SE Sherwood Master Plan, which was approved in concept by the Planning Commission via resolution in 2006. Although not formally adopted and incorporated into the Comprehensive Plan nor adopted by the City Council, it does provide guidance for development and the intention of the community and surrounding property owners for the area. In this case, all of the design alternatives outlined in the Master Plan call for a “seven or eight” lot subdivision that closely aligns with existing property lines.

The Planning Commission found that there were multiple constraints on this site making development difficult. The Planning Commission determined that planned unit developments allowed a certain amount of flexibility and creativity in site design and review which cannot be achieved through a strict adherence to existing zoning and subdivision standards. In this case, the Planning Commission determined that the other dimensional standards concerning minimum lot size and amount of open space were met with a seven lot subdivision instead of fewer units. The site had several tracts that were not developable and decreased the amount of buildable land. The Planning Commission found compatibility with the surrounding neighborhoods and overall compliance with the Comprehensive Plan and more specifically the SE Sherwood Master Plan.

FINDING: Based on the above discussion the applicant does not meet this criterion, but can do so with the condition under the specific density transfer section.

2. Density Transfer

Where the proposed PUD site includes lands within the base floodplain, wetlands and buffers, or steeply sloped areas which are proposed for public dedication, and such dedication is approved as a part of the preliminary development plan, then a density transfer may be allowed adding a maximum of 20% to the overall density of the land to be developed.

The proposed special density for the site has been discussed above. The following table describes the five tracts and purpose for each tract to determine whether the density transfer allowance should be allowed in this circumstance.

Name	Size of Tract	Purpose of Tract
Tract A	17,932 sq. ft.-Roadway dedication 710 sq. ft.	Roadway extension adj. SW Ironwood
Tract B	2360 sq. ft.	Water quality bio-swale
Tract C	5148 sq. ft.	Steep slope and vegetated buffer
Tract D	15,864 sq. ft.	Open Space
Tract E	8365 sq. ft.	Sanitary sewer easement

This site in particular is constrained with steep slopes and wetland buffers. The applicant proposes to dedicate steeply sloped areas and wetland buffers in order to comply with Clean Water Services requirements. (Tract B and C). These tracts are available for a density transfer per this section.

The maximum special density allowed in the VLDR is 2 units per net buildable acre and thus an increase of 20 % would be 2.4 units per net buildable acre. Based on the net buildable acreage of 1.99 (total of the proposed eight buildable lots) multiplied by 2.4 units, would allow a total of five lots on the site. This allows for one additional unit with the density transfer.

As discussed earlier, the applicant proposes eight lots because the applicant uses gross density 3.72 acres x 2 units (Special Density Allowance) to calculate the density and number of lots available for this site. Based on that calculation the applicant gets 7.42 units and then rounds up a lot because of the special constraints on the site. While staff raised concerns that gross acreage is not the appropriate multiplier to use because there is no precedent as to the methodology used in the VLDR zone, the Planning Commission did not concur. [The Planning Commission found that in](#) this case because it was a Planned Unit Development and in the SE Sherwood Master plan area, it was appropriate to consider gross versus net density. In addition, the Commission felt that other elements and conditions of the site warranted increased density for the site. This was due in part to the constraints of the site, the intention of the SE Master Planning efforts and the benefits the development would bring to the area. The Commission did not support the applicant's argument that the 7.42 units should be rounded up to 8 units.

FINDING: Based on the above discussion, the applicant does not meet this criterion. This criterion could be met with the following condition.

RECOMMENDED CONDITION: Prior to final development approval, redesign the preliminary plat to identify seven lots with a minimum lot size of 10,000 square feet.

3. Minimum Lot Size

The minimum lot size required for single-family, detached dwellings is 5,000 square feet, unless the subject property qualifies as infill, defined as: parent parcel of 1.5 acres or less proposed for land division, where a maximum 15% reduction in lot size may be allowed from the minimum lot size. (Ord. 2001-1119 § 3; 86-851) (Ord. No. 2008-015, § 1, 10-7-2008)

FINDING: The applicant proposes lots sizes of over 10,000 square feet, thus satisfying this criterion.

V. PRELIMINARY PLAT – REQUIRED FINDINGS

16.122 Required Findings

No preliminary plat shall be approved unless:

- A. Streets and roads conform to plats approved for adjoining properties as to widths, alignments, grades, and other standards, unless the City determines that the public interest is served by modifying streets or road patterns.**

The applicant proposes to construct a public street through the development to connect with the existing street to the north at SW Ironwood Lane and to the south at SW Denali Lane. The applicant

requested a street modification in order to address the slope of the street and corresponding speed due to the lot configuration. This will be discussed under the relevant criterion.

FINDING: Based on the above discussion, the applicant meets this criterion or can be conditioned further within this report under the public improvement section.

B. Streets and roads held for private use are clearly indicated on the plat and all reservations or restrictions relating to such private roads and streets are set forth thereon.

FINDING: No private streets are proposed; therefore, this standard is not applicable.

C. The plat complies with Comprehensive Plan and applicable zoning district regulations.

FINDING: This standard is satisfied through compliance with the applicable criteria discussed throughout this report. If necessary, conditions are imposed to ensure compliance.

D. Adequate water, sanitary sewer, and other public facilities exist to support the use of land proposed in the plat.

FINDING: As discussed further within this report, (Public Improvements), adequate water, sanitary sewer and other public facilities exist or will be constructed to support the lots proposed in this plat. In addition, the applicant will be required to come in for detailed PUD approval at which time additional review can and will be provided.

E. Development of additional, contiguous property under the same ownership can be accomplished in accordance with this Code.

FINDING: While there are no adjacent properties under the same ownership, the applicant proposes to connect with SW Ironwood Lane and SW Denali Lane, which allows development on adjoining properties. Thus, the applicant meets this criterion.

F. Adjoining land can either be developed independently or is provided access that will allow development in accordance with this Code.

FINDING: All adjoining properties have existing access to public streets. Approval of this subdivision and PUD will not prohibit any adjoining properties from being developed. In fact, with the dedication of the 1 foot strip of land adjacent to Ironwood Lane, properties to the south of Ironwood Lane will have access to this public street.

G. Tree and Woodland inventories have been submitted and approved per Section 16.142.060.

A partial tree inventory has been submitted with this application that described the trees that will not be removed. The applicant did not identify the trees located within Tract A that will need to be removed. Compliance with this standard is discussed and conditioned as necessary further in this report.

FINDING: Based on the above discussion, the applicant meets this criterion or will be conditioned further within this report.

16.126 – Subdivision/Partition Design Standards

16.126 Design Standards- Blocks- Connectivity

A. Block Size. The length, width, and shape of blocks shall be designed to provide adequate building sites for the uses proposed, and for convenient access, circulation, traffic control and safety.

FINDING: According to the submitted preliminary plat and conceptual PUD plan, the sizes of the lots are adequate for building residential single family homes.

B. Block Length. Blocks shall not exceed five-hundred thirty (530) feet in length, except blocks adjacent to principal arterial, which shall not exceed one thousand eight hundred (1,800) feet.

FINDING: The site is irregularly shaped and the street network is a continuation of already designed and constructed roadways. The extension of Denali will complete a block by connecting Ironwood Lane to Denali Lane. While this results in a block length greater than 530 feet, the topography and existing site constraints and development to the east and west prohibits an additional east/west street connection in this area. Additionally, the applicant is also constrained by the large lot size and the limited density allowed in this zone.

C. Pedestrian and Bicycle Connectivity. Paved bike and pedestrian accessways shall be provided on public easements or right-of-way consistent with Figure 7.401.

FINDING: There are no unusually long blocks or dead end streets that warrant the need for off-street pedestrian or bicycle accessways, therefore this standard is not applicable.

16.126.020 Easements-Utilities

Easements for sewers, drainage, water mains, electric lines, or other utilities shall be dedicated or provided for by deed. Easements shall be a minimum of ten (10) feet in width and centered on rear or side lot lines; except for tie-back easements, which shall be six (6) feet wide by twenty (20) feet long on side lot lines at the change of direction.

The location of the existing sanitary sewer mainline at the southeast corner of the site, and the location of the related sanitary sewer easement is at issue on the plan set provided by the applicant, noted as Tract E. The sanitary sewer was not constructed within the easement, or the easement recorded was not adjusted to match the as-built sewer line alignment. The applicant has not provided an easement that extends over the actual sanitary sewer line. This must be resolved as part of the plat process.

FINDING: As discussed above, this standard has not been fully met but can be as conditioned below.

RECOMMENDED CONDITION: Prior to approval of the public improvements, provide a 15-foot wide sanitary sewer easement over the portion of the existing sanitary sewer alignment which falls outside the existing sanitary sewer easement or is otherwise located within Tract E.

16.126.030 Pedestrian and Bicycle Ways

Pedestrian or bicycle ways may be required to connect cul-de-sacs, divide through an unusually long or oddly shaped block, or to otherwise provide adequate circulation.

FINDING: There are no cul-de-sacs provided and the applicant proposes to connect two roadways through the site, thus this criterion is not applicable.

16.126.040 Lots

16.126.040.1 - Lot size, width, shape, and orientation shall be appropriate for the location and topography of the subdivision, and shall comply with applicable zoning district requirement.

As discussed further in this report, the lot sizes are appropriate for the zoning district except as modified for the PUD. The shape and orientation are appropriate when considering the conceptual development and building locations and orientations.

FINDING: As discussed above, this standard is satisfied.

16.126.040.2 - Access - All lots in a subdivision shall abut a public street.

FINDING: All of the lots will take access onto SW Denali Lane, which extends through the center of the site, thus meeting this criterion.

16.126.040.05 Grading -Grading of building sites shall conform to the following standards, except when topography of physical conditions warrant special exceptions:

A. Cut slopes shall not exceed one and one-half (1 1/2) feet horizontally to one (1) foot vertically.

B. Fill slopes shall not exceed two (2) feet horizontally to one (1) foot vertically.

The submitted Environmental Sediment Control (ESC) plan is inadequate for the proposed grading plan. The two fill sections identified on the plans show a measured distance of 45 and 54 feet respectively. CWS ESC requirements indicate the need for more than ESC fencing at the site boundary

FINDING: Based on the discussion the applicant has not met this criterion, but can do so with the following condition:

RECOMMENDED CONDITION: Prior to approval of the ESC plans, include the following ESC measures:

- a. Sediment fencing at the project boundaries, filter fabric catch basin inserts, and rockered construction entrances.
- b. Straw wattle ESC measures shall be provided across fill slopes faces, spaced at 25 foot intervals maximum down the face of fill slopes.
- c. The street section grading shall include temporary drainage ditches with check dams until the finished street surface and related open space sidewalk improvements are installed.

VI. APPLICABLE ADDITIONAL CODE PROVISIONS

A. Division II - Land Use and Development

The subject site is zoned Very Low Density Residential (VLDR). Compliance with this section is discussed below.

16.12.010 Purpose

The VLDR zoning district provides for low density, larger of single-family housing and other related uses in natural resource and environmentally sensitive areas warranting preservation, but otherwise deemed suitable for limited development, with a density of .7 to 1 dwelling unit per acre. If developed through the PUD process, as per Chapter 16.40 and if all floodplain, wetlands, and other natural resource areas are dedicated or remain in common open space, a density not to exceed two dwelling units per acre and a density not

less than 1.4 dwelling units per acre may be allowed. Minor land partitions shall be exempt from the minimum density requirements.

The applicant proposes low density housing by subdividing the property into a maximum of eight lots. The applicant proposes to protect the environmentally sensitive areas with tracts. Tract A is the extension from SW Murdock Road to the subject site where the applicant proposes a meandering pathway. Tract B and C are considered within the wetland buffer that extends along the rear of the properties on the east side of SW Denali Lane. Tract D will be the open space and Tract E will serve as the connection for the sanitary sewer line. As discussed in several sections, the applicant exceeds two dwelling units per net buildable acre, by over three lots.

FINDING: Based on the above discussion, the applicant does not meet this criterion due to the density; however this is addressed in other portions of this report.

16.12.040 Dimensional Standards

a. Lot dimensions

1.	Lot areas:	
	a. Single-Family Detached (conventional):	40,000 sq. ft.
	b. Single-Family Detached (PUD)	10,000 sq. ft
2.	Lot width at front property line:	25 feet
3.	Lot width at building line:	No minimum
4.	Lot depth:	No minimum

The applicant proposes lots for single family detached dwelling units ranging in size from 10,004 to 12,616 square feet meeting the requirements of the PUD standard.

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

b. Setbacks

1.	Front yard:	20 feet
2.	Side yard:	
	a. Single-Family Detached:	5 feet
	Corner Lot (street side):	20 feet
	b. Single-Family Attached (one side):	5 feet
	Corner Lot (street side):	20 feet
3.	Rear yard:	20 feet

4.	Height	2 stories or thirty (30) feet

FINDING: The applicant has shown that the building footprint can easily be placed within the required setbacks due to the large lot sizes. This will be confirmed at the time of the plot plan review for each specific house. Therefore the applicant meets this criterion.

16.12.070 Special Density Allowances

Housing Densities up to two (2) units per acre, and minimum lot sizes of 10,000 square feet, may be allowed in the VLDR zone when:

- A. The housing development is approved as a PUD as per Chapter 16.40; and**
- B. The following areas are dedicated to the public or preserved as common open space: floodplains, as per § 16.134.020 (Special Resource Zones); natural resources areas, per the Natural Resources and Recreation Plan Map, attached as Appendix C. or as specified in Chapter 5 of the Community development Plan; and wetlands defined and regulated as per current Federal regulations and Division VIII of this Code; and**
- C. The Review Authority determines that the higher density development would better preserve natural resources as compared to a one (1) unit per acre design.**

FINDING: The applicant does not meet this criterion; however this has been discussed earlier in this report.

B. Division IV - Public Improvements

16.108.030 Required improvements

16.108.030.1 states that except as otherwise provided, all developments containing or abutting an existing or proposed street, that is either unimproved or substandard in right-of-way width or improvement, shall dedicate the necessary right-of-way prior to the issuance of building permits and/or complete acceptable improvements prior to issuance of occupancy permits.

SW Ironwood Lane is not fully developed to City standards because, while it includes pavement, neither side of Ironwood Lane includes curb, gutters and sidewalks to meet City Standards. In addition, the pavement width is approximately 14 feet, whereas the Code requires at least 28 feet of pavement for a full residential street. The applicant will need to expand the existing Ironwood Lane street section that meets City standards. The expansion of the public infrastructure dedicated with this development should fit within this existing right-of-way with the exception of the one-foot dedication of Tract A.

The development abuts SW Denali to the south and the applicant proposes to extend the existing SW Denali Lane through the development to connect with SW Ironwood Lane. The applicant proposes a street modification due to the steep slopes on the site that will be discussed further within this report.

FINDING: It appears that the required improvement standards could be met, however the applicant must receive Engineering approval of the public improvement plans in order to ensure

the streets will be improved as planned. If the applicant complies with the conditions below, this standard will be met.

RECOMMENDED CONDITION: Prior to the approval of the public improvement plans:

1. The applicant shall submit plans that include the expansion of the existing Ironwood Lane road section to meet current City road section standards for a residential street. This expansion shall include: additional asphalt pavement section to bring the pavement width to 22 feet, concrete curb and gutter, a five foot planter strip, and six foot wide concrete sidewalk along the southern portion of SW Ironwood Lane.
2. A storm drainage system will be required to provide adequate collection and conveyance of storm water runoff from SW Ironwood Lane to the water quality treatment facility.
3. The applicant shall dedicate on the plat the one foot of necessary right-of-way to conform to City requirements along the existing SW Ironwood Lane.
4. The applicant shall submit plans that include the extension SW Denali Lane to meet current City road section standards for a residential street.

16.108.030.2 (Existing Streets) states that except as otherwise provided, when a development abuts an existing street, the improvements requirement shall apply to that portion of the street right-of-way located between the centerline of the right-of-way and the property line of the lot proposed for development. In no event shall a required street improvement for an existing street exceed a pavement width of thirty (30) feet.

The development abuts SW Ironwood Lane which has not been developed to City standards as discussed above. The applicant will be required to improve the portion of right of way to allow for twenty-two feet of pavement, curb, planter strip and sidewalks along the flag portion of the parcel, a portion of which is Tract A.

FINDING: The applicant has not met the standard with respect to the improvements to SW Ironwood Lane, on the plan set as Tract A, however this was conditioned previously in this report.

4. Extent of Improvements

Streets required pursuant to this Chapter shall be dedicated and improved consistent with Chapter 6 of the Community Development Plan, the Transportation System Plan and applicable City standards and specifications included in the City of Sherwood Construction Standards, and shall include curbs, sidewalks, catch basins, street lights, and street trees. Improvements shall also include any bikeways designated on the Transportation System Plan map.

**Catch basins shall be installed and connected to storm sewers and drainage ways. Upon completion of the improvements, monuments shall be re-established and protected in monument boxes at every public street intersection and all points of curvature and points of tangency of their center lines. Street signs shall be installed at all street intersections and street lights shall be installed and served from an underground source of supply unless other electrical lines in the development are not underground.
(Ord. 2005-009 § 5; 91-922)**

The subject parcel abuts SW Ironwood Lane, a partial street that is a paved hard surface, but not to full City street design standards. A portion of SW Ironwood Lane was installed with the development Ironwood Acres. As this road will be utilized by the Denali Lane development as a primary access to SW Murdock Road, street improvements are required. The street is partially

complete with one lane of asphalt but there is no means currently to treat the storm runoff from the roadway. The applicant has called out this portion as Tract A to be used as a pedestrian connection to SW Murdock Road. However, based on street design standards the applicant will be required to dedicate a foot of right of way that extends the length from SW Murdock Road to the development or a one-foot wide dedication approximately 710.72' feet long as public right of way.

This dedication is roughly proportional to the exaction as this will be the primary vehicular access to the development and will provide a critical pedestrian accessway. Also, it will serve an important mechanism of treating the impervious roadway surface. Thus, the applicant is required to dedicate the portion of the Ironwood Lane roadway located on their site for a total of 710 square feet. Because this roadway is partially completed to City standards, the applicant will be required to treat the stormwater, provide a sidewalk, planter strip, curb for the roadway on this portion, and bring the pavement width to 22 feet. The northern street segment of SW Ironwood Lane will be completed with the development of that property.

RECOMMENDED CONDITION: Prior to approval of the public improvement plans, provide a storm drainage system along SW Ironwood Lane to handle storm runoff from the expanded road section.

RECOMMENDED CONDITION: Prior to approval of the public improvement plans, expand the proposed water quality facility to handle the treatment of the additional runoff as necessary to meet the Clean Water Services treatment requirements.

RECOMMENDED CONDITION: Prior to approval of the public improvement plans, dedicate at least 710 feet of the right-of way, known on the plan set as Tract A to conform to the City's design for a local street.

5. Street Modifications

A. Modifications to standards contained within this Chapter and Section 16.58.010 and the standard cross sections contained in Chapter 8 of the adopted Sherwood Transportation System Plan (TSP), may be granted in accordance with the procedures and criteria set out in this section.

B. Types of Modifications. Requests fall within the following two categories:

1. Administrative Modifications. Administrative modification requests concern the construction of facilities, rather than their general design, and are limited to the following when deviating from standards in this Chapter, Section 16.58.010 City of Sherwood Construction Standards or Chapter 8 contained in the adopted Transportation System Plan:

d. Exceeding the maximum street grade.

The plans have two street design components that do not meet City design standards. A design variation request has been submitted to the City Engineer for each non-compliant design element. Both design variation requests have been submitted by a registered civil engineer. All supporting calculations must be submitted as part of the modification. The applicant requests a modification to allow a street grade of 12% for the entire length of the street alignment (approx. 340'). City standard (Section 210.4 of the Design Manual) is a maximum street grade of 10% for unlimited length, and up to 12% maximum for a distance of not more than 200'.

Approval of the modification will be based on two main considerations; 1) that the physical constraints of the site prevent the design from meeting the design requirements of the City; and

2) that the proposed street grade falls within the limitations established by TVF&R for requiring building sprinkler systems on streets with grades between 10% and 15%. Both constraints have been proved and satisfied.

FINDING: Based on the above discussion, the applicant meets the criterion for a street modification however; the applicant cannot fully comply without the following condition.

RECOMMENDED CONDITION: Prior to approval of the public improvement plans, receive approval from TVF&R to allow this modified street grade.

RECOMMENDED CONDITION: Prior to building permit approval, provide building plans that show the buildings having an adequate fire sprinkler system per Tualatin Valley Fire and Rescue standards.

2. Design Modifications. Design modifications deal with the vertical and horizontal geometrics and safety related issues and include the following when deviating from this Chapter, Section 16.58.010 or Chapter 8 cross sections in the adopted Transportation System Plan:

e. Design speed.

a. Variation Request #2 – Variation request to allow a reduction of the local speed limit from 25 mph to 20 mph due to horizontal curve restrictions.

The applicant needs to reduce the local speed limit in order to comply with the horizontal curve restrictions. The City's standard speed limit for residential streets is 25 mph. With this speed, the Engineering Design Manual delineates a minimum centerline radius requirement of 185' with a cross slope of 2.5%. The physical limitations of the site prevent the ability to provide a road design which meets both the vertical and horizontal design requirements based on street grade and horizontal curve requirements. As a result of these tight curves, the applicant proposes a reduction in the speed 20 mph in order to provide safe turning movements on the curves. To develop a usable road design, the horizontal centerline radius needed to be reduced to 100', which is based on a maximum speed limit of 20 mph. This will provide a means of achieving the grade and design of SW Denali Lane as it extends down the hill.

FINDING: Based on the above discussion, the City Engineer approves the street modification with the following condition.

RECOMMENDED CONDITION: Prior to approval of the public improvement plans, show that the speed limit signage of 20 mph is posted at either end of the street section where this speed limit is in effect.

D. Street modifications may be granted when criterion D.1 and any one of criteria D.2 through D.6 are met:

1. A letter of concurrency is obtained from the City Engineer or designee.

2. Topography, right-of-way, existing construction or physical conditions, or other geographic conditions impose an unusual hardship on the applicant, and an equivalent alternative which can accomplish the same design purpose is available.

3. A minor change to a specification or standard is required to address a specific design or construction problem which, if not enacted, will result in an unusual hardship. Self-imposed hardships shall not be used as a reason to grant a modification request.

4. An alternative design is proposed which will provide a plan equal to or superior to the existing street standards.
5. Application of the standards of this chapter to the development would be grossly disproportional to the impacts created.
6. In reviewing a modification request, consideration shall be given to public safety, durability, cost of maintenance, function, appearance, and other appropriate factors, such as to advance the goals of the adopted Sherwood Comprehensive Plan and Transportation System Plan as a whole. Any modification shall be the minimum necessary to alleviate the hardship or disproportional impact.
(Ord. 2005-009 § 5)

FINDING: Based on the above discussion the City Engineer has reviewed the request with consideration of these criteria and the letter of concurrency demonstrates that this criteria are met. (See Exhibit B).

16.108.040 LOCATION AND DESIGN

1. GENERALLY

The location, width and grade of streets shall be considered in their relation to existing and planned streets, topographical conditions, and proposed land uses. The proposed street system shall provide adequate, convenient and safe traffic and pedestrian circulation, and intersection angles, grades, tangents, and curves shall be adequate for expected traffic volumes. Street alignments shall be consistent with solar access requirements as per Chapter 16.156, and topographical considerations. (2005-009 § 5; 91-922)

2. Street Connectivity and Future Street Systems

A. Future Street Systems. The arrangement of public streets shall provide for the continuation and establishment of future street systems as shown on the Local Street Connectivity Map contained in the adopted Transportation System Plan (Figure 8-8).

B. Street Connectivity and Future Street Systems

1. Future Street Systems. The arrangement of public streets shall provide for the continuation and establishment of future street systems as shown on the Local Street Connectivity Map contained in the adopted Transportation System Plan (Figure 8-8).

2. Connectivity Map Required. New residential, commercial, and mixed use development involving the construction of new streets shall be submitted with a site plan that implements, responds to and expands on the Local Street Connectivity map contained in the TSP. A project is deemed to be consistent with the Local Street Connectivity map when it provides a street connection in the general vicinity of the connection(s) shown on the map, or where such connection is not practicable due to topography or other physical constraints; it shall provide an alternate connection approved by the Review Authority. Where a developer does not control all of the land that is necessary to complete a planned street connection, the development shall provide for as much of the designated connection as practicable and not prevent the street from continuing in the future. Where a development is disproportionately impacted by a required street connection, or it provides more than its proportionate share of street improvements along property line (i.e., by

building more than 3/4 width street), the developer shall be entitled to System Development charge credits, as determined by the City Engineer.

3. Block Length. For new streets except arterials, block length shall not exceed 530 feet. The length of blocks adjacent to arterials shall not exceed 1,800 feet.

FINDING: As discussed earlier in this report the applicant plans on connecting SW Denali Lane through the center of the site to SW Ironwood Lane in compliance with the adopted Transportation System Plan and therefore meets this criterion.

6. Pedestrian and Bicycle Connectivity. Paved bike and pedestrian accessways at least 8 feet wide, or consistent with cross section standards in Figure 8-6 of the TSP, shall be provided on public easements or right-of-way when full street connections are not possible, with spacing between connections of no more than 300 feet. Multi-use paths shall be built according to the Pedestrian and Bike Master Plans in the adopted Transportation System Plan.

The applicant proposes to connect the open space area (Tract D) with a pedestrian pathway to SW Denali Lane at the southern edge of the property, approximately 10 feet wide. This would allow for a foot wide landscaped area on each side of the paved access way. This will not allow enough of a buffer to the adjacent properties and would create a "tunnel" effect along the entire 155 ft. to the open space. Additionally, the fence standards require a 3 foot landscape buffer between pathways and the fence, if a six foot high fence is proposed. Otherwise the fence could only be 42 inches. (SZDC § 16.58.020.D. 2) The applicant has not provided a cross section or landscape to determine whether they have complied with this standard.

FINDING: Based on the above discussion, the applicant does not meet this standard, but could do so with the following condition.

RECOMMENDED CONDITION: Prior to approval of the public improvement plans, provide a pedestrian accessway for Tract D that shows the pavement, landscaped area and height of the fence along the southern portion of Lot 8 in compliance with the SZDC.

16.108.060 SIDEWALKS

1. Required Improvements

A. Except as otherwise provided, sidewalks shall be installed on both sides of a public street and in any special pedestrian way within new development.

B. Local Streets

Local streets shall have minimum five (5) foot wide sidewalks, located as required by this Code.

FINDING: As discussed and conditioned earlier within this report, the applicant will be required to provide sidewalks along both sides of the street on SW Denali Lane. as well as the sidewalk along one side of SW Ironwood Lane, approximately five feet in width.

16.110 Sanitary Sewers - Required Improvements

Sanitary sewers shall be installed to serve all new developments and shall connect to existing sanitary sewer mains. . Sanitary sewers shall be constructed, located, sized and

installed at standards consistent with the Code, applicable Clean Water Services standards and City standards to adequately serve the proposed development and allow for future extensions.

Sanitary sewer is proposed to extend throughout the site. The City Engineer has indicated that it appears the sanitary sewer proposal will be feasible. However the existing location of the sanitary sewer mainline at the southeast corner of the site does not provide for a related sanitary sewer easement. The sanitary sewer was not actually constructed within easement or the easement recorded was not adjusted to match the as-built sewer line alignment. This must be resolved prior to final subdivision plat.

FINDING: While it appears feasible to provide sanitary sewer service to all proposed lots, this cannot be confirmed until the public improvement plans are reviewed and approved and the final plat submitted. The following condition is needed.

RECOMMENDED CONDITION: The sanitary sewer system design and installation shall be in conformance with City design and construction standards, and must receive City Engineer review and approval to be accepted by the City.

RECOMMENDED CONDITION: Prior to approval of the public improvement plans, provide a 15-foot wide sanitary sewer easement on the plat over the portion of the existing sanitary sewer alignment which falls outside the existing sanitary sewer easement, and located within "Tract E."

16.112 Water Supply - Required Improvements

Water lines and fire hydrants conforming to City and Fire District standards shall be installed to serve all building sites in a proposed development. All waterlines shall be connected to existing water mains.

The applicant proposes to provide a public water distribution system within the public right-of-way to service the development. This design is acceptable to the City, however full compliance will need to be reviewed and approved as part of the public improvement plan review process.

FINDING: The applicant proposes to install water lines; however, staff cannot confirm the proposed lines fully conform to the standards until public improvement plans are approved. This standard will be fully met when Engineering reviews and approves the public improvement plans, which has been conditioned previously in this report.

RECOMMENDED CONDITION: The public water distribution system design and installation shall be in conformance with City design and construction standards, and must receive City Engineer review and approval to be accepted by the City.

16.114 Storm Water - Required Improvements

Storm water facilities, including appropriate source control and conveyance facilities, shall be installed in new developments and shall connect to the existing downstream drainage systems consistent with the Comprehensive Plan and the requirements of Clean Water Services water quality regulations contained in their Design and Construction Standards R&O 04-9 or its replacement.

Clean Water Services has reviewed this proposal and provided comments that include requiring a CWS Storm Water Connection Permit be obtained prior to plat approval and recordation. As part of that Permit the applicant will be required to submit the materials outlined in the CWS Memo dated November 14, 2011(Exhibit C). The memo outlines conditions that will need to be followed in order to fully comply with this criterion.

The CWS Service Provider Letter, provided in the applicant's materials indicates that Tract "C" have a "STORM SEWER, SURFACE WATER, DRAINAGE AND DETENTION EASEMENT OVER IT'S ENTIRETY" denoted on the plans.

FINDING: As discussed above, staff cannot confirm at this time that the standard has been met. If the applicant submits a revised plan that complies with the following conditions, this standard will be met.

RECOMMENDED CONDITION: Prior to approval of the final plat, receive a Clean Water Services Storm Water Connection Permit Authorization that meets the requirements of the CWS Memorandum dated November 14, 2011.

RECOMMENDED CONDITION: Prior to approval of the public improvements, Tract "C" shall show and denote that a "STORM SEWER, SURFACE WATER, DRAINAGE AND DETENTION EASEMENT OVER ITS ENTIRETY" be granted to the City or CWS in compliance with Item 19 of the SPL.

16.116 Fire Protection Required Improvements

When land is developed so that any commercial or industrial structure is further than two hundred and fifty (250) feet or any residential structure is further than five hundred (500) feet from an adequate water supply for fire protection, as determined by the Fire District, the developer shall provide fire protection facilities necessary to provide adequate water supply and fire safety.

John Wolff of Tualatin Valley Fire and Rescue provided general comments on November 18, 2001(Exhibit D). Compliance with TVF&R will be required at time of detailed development plan review. Because of the slope of the site, it is necessary to install sprinklers within all residences in the subdivision. The applicant concurs. This has been conditioned earlier within this report.

FINDING: This standard is satisfied for this stage of the development. However the applicant cannot fully comply without the following condition.

RECOMMENDED CONDITON: Prior to approval of the public improvement plans, submit revised plans that provide adequate turning radius, hydrant location, fire flow, and adherence in compliance with TVF&R standards as verified by an acceptance letter from TVF&R.

16.118 Public And Private Utilities

A. requires that installation of utilities be provided in public utility easements and shall be sized, constructed, located and installed consistent with this Code, Chapter 7 of the Community Development Code, and applicable utility company and City standards.

B. Requires that public utility easements shall be a minimum of eight feet in width unless a reduced width is specifically exempted by the City Engineer. An eight (8) foot wide public utility easement (PUE) shall be provided on private property along all public street frontages. This standard does not apply to developments within the Old Town Overlay.

C. Indicates that where necessary, in the judgment of the City Manager or his designee, to provide for orderly development of adjacent properties, public and franchise utilities shall be extended through the site to the edge of adjacent property(ies).

D. Requires franchise utility conduits to be installed per the utility design and specification standards of the utility agency.

E. Requires Public Telecommunication conduits and appurtenances to be installed per the City of Sherwood telecommunication design standards.

The City of Sherwood Broadband manager has submitted comments that conduit is not necessary as part of this development. As part of the public improvement plan review and approval, the applicant will be required to show conduits for all public and private utilities.

FINDING: As discussed above, this standard is not applicable.

16.118.030 Underground Facilities

Except as otherwise provided, all utility facilities, including but not limited to, electric power, telephone, natural gas, lighting, cable television, and telecommunication cable, shall be placed underground, unless specifically authorized for above ground installation, because the points of connection to existing utilities make underground installation impractical, or for other reasons deemed acceptable by the City.

FINDING: All existing and proposed utilities are underground therefore this standard is met.

16.142.030 Visual Corridors

New developments located outside of the Old Town Overlay with frontage on Highway 99W, or arterial or collector streets designated on the Transportation Plan Map, attached as Appendix C, or in Section VI of the Community Development Plan, shall be required to establish a landscaped visual corridor. The required width along a collector is 10 feet and 15 feet along an arterial. In residential developments where fences are typically desired adjoining the above described major street the corridor may be placed in the road right-of-way between the property line and the sidewalk.

The streets proposed with this development are local and thus no visual corridor is necessary.

FINDING: As discussed above, this standard is not applicable.

16.142.050 Trees Along Public Streets or on Other Public Property

Trees are required to be planted by the land use applicant to the specifications identified in 16.142.050 along public streets abutting or within any new development. Planting of such trees shall be a condition of development approval.

FINDING: As discussed above, the plans do not indicate the standard is met. If the applicant submits public improvement plans for review and approval that includes street trees in compliance with this provision.

RECOMMENDED CONDITION: Prior to approval of the public improvement plans, submit plans for review and approval that include the appropriate number of street trees along the frontage of SW Ironwood Lane and SW Denali Court.

16.142.060 Trees on Property Subject to Certain Land Use Applications

Required site grading necessary to construct the development as approved.

D. Mitigation

1. The City may require mitigation for the removal of any trees and woodlands identified as per Section 8.304.07C if, in the City's determination, retention is not feasible or practical

within the context of the proposed land use plan or relative to other policies and standards of the City Comprehensive Plan. Such mitigation shall not be required of the applicant when removal is necessitated by the installation of City utilities, streets and other infrastructure in accordance with adopted City standards and plans. Provided, however, that the City may grant exceptions to established City street utility and other infrastructure standards in order to retain trees or woodlands, if, in the City's determination, such exceptions will not significantly compromise the functioning of the street, utility or other infrastructure being considered. Mitigation shall be in the form of replacement by the planting of new trees.

There are eight inventoried trees on the property ranging in size from 8 inches to 10 inches diameter at breast height (DBH). The applicant has indicated that all will be retained. However the applicant has not shown street trees along SW Ironwood Lane that will need to be removed or relocated in order to construct SW Ironwood Lane to City standards.

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

RECOMMENDED CONDITION: Prior to final plat approval, submit a tree mitigation plan to the City Planning Department. Complete mitigation or bond for the completion of the mitigation prior to signature by the City of the Mylar.

RECOMMENDED CONDITION: Prior to any grading on site, submit a tree protection plan showing how the trees to be retained will be protected throughout the construction of the site.

RECOMMENDED CONDITION: Prior to any grading on site, install tree protection fencing around trees to be retained. The tree protection fencing shall be inspected and deemed appropriate by the arborist to be reviewed by the Planning Department.

VII. RECOMMENDATION

Based on a review of the applicable code provisions, agency comments and staff review, staff finds that the Planned Unit Development and Subdivision do not fully meet the applicable review criteria. However, the applicable criteria can be satisfied if specific conditions are met. Therefore, staff **recommends that the Planning Commission forward a recommendation of APPROVAL with conditions** of Denali PUD (PUD 11-01, and SUB 11-01). Required conditions are as follows:

A. General Conditions

1. Compliance with the Conditions of Approval is the responsibility of the developer or its successor in interest.
2. Approval of this Preliminary PUD does not constitute approval of a final development plan for the PUD or approved phases of the PUD.
3. Final Development plans for the PUD or phases of the PUD shall substantially comply with the preliminary plan dated September 13, 2011 and prepared by Emerio Design, and must comply with the conditions in this approval in addition to any other conditioned deemed necessary to ensure compliance with the development code and this approval.
4. Development and construction on the site shall conform substantially to the preliminary plat development plans submitted by Emerio Design and dated September 21, 2011 except as modified in the conditions below, (and shall conform specifically to final construction plans reviewed and approved by the City Engineer, the Building Official, Clean Water Services, Tualatin Valley Fire and Rescue, Tualatin Valley Water District and Washington County). All

plans shall comply with the applicable building, planning, engineering and fire protection codes of the City of Sherwood.

5. The developer is responsible for all costs associated with any remaining public facility improvements and shall assure the construction of all public streets and utilities within and adjacent to the plat as required by these conditions of approval, to the plans, standards, and specifications of the City of Sherwood. The developer shall also provide to the City financial guarantees for construction of all public streets and utilities within and adjacent to the plat, as required by the engineering compliance agreement.
6. This approval is valid for a period of two (2) years from the date of the decision notice. Extensions may be granted by the City as afforded by the Sherwood Zoning and Community Development Code.
7. The continual operation of the property shall comply with the applicable requirements of the Sherwood Zoning and Community Development Code and Municipal Code.
8. Placement of construction trailers on the subject property shall require a Temporary Use Permit per Section 16.86 of the SZCDC.
9. This approval does not negate the need to obtain permits, as appropriate from other local, state or federal agencies, even if not specifically required by this decision.
10. Retaining walls within public easements or the public right-of-way shall require engineering approval. Retaining walls with a height of 4 feet or higher located on private property will require a permit from the building department.
11. Retaining walls great than four (4) feet in height shall have a geotechnical engineer provide stamped design calculations and details drawings required for retaining wall construction. The retaining wall details shall include at a minimum; wall profile, wall cross section at highest point of wall, wall reinforcing geotextile requirements, wall drainage system, and wall backfill requirements. Retaining wall drainage systems shall either discharge to a public storm drainage system, or discharge on-site in such a manner as to not negatively impact adjacent downslope properties.

B. General and Specific PUD Detailed Final Development Plan requirements:

1. A Detailed final development plan shall be submitted for review and approval within 1 year of the preliminary PUD approval.
2. Submit a detailed plan for Tract D, the open space area that describes a cross section detail and includes the type of materials that will be used for the pathway, landscaping, signage, street furniture and other pedestrian and neighborhood amenities on site to satisfy the open space requirements.
3. Provide the CC & Rs that document how the open space of Tract D will be maintained by the neighborhood association.
4. Redesign the preliminary plat to identify seven lots with a minimum lot size of 10,000 square feet.

C. Prior to issuance of grading or erosion control permits from the Building Department:

1. Obtain Building Department permits and approval for erosion control and grading on private property and Engineering Department permits and approval for all grading in the public right of way.
2. The Developer's engineer is required to provide a site specific drainage plan to temporarily collect, route, and treat surface water and ground water during each construction phase. The construction plans shall specifically identify how the storm drainage system and erosion sediment control measures will be phased during construction, such that at any time during construction the approved plans shall be capable of providing full erosion and sediment control, collection, routing and treatment of storm water runoff and ground water. No site construction will be allowed to take place if the storm drainage system and erosion sediment control measures are not installed per plan and functioning properly.
3. Obtain a 1200C Erosion Control Permit through the Building Department for all the disturbed ground, both on and off site that is in excess of one acre in addition to meeting all CWS Design and Construction Standards. The applicant shall follow the latest requirements from DEQ and CWS for NPDES 1200-C Permit submittals. A copy of the approved and signed permit shall be provided to the City prior to holding a pre-construction meeting or commencing any construction activity.
4. Provide DSL and Corps of Engineers permits for any work in the wetlands or creek.
5. Include the following ESC measures in the submitted plans:
 - a. Sediment fencing at the project boundaries, filter fabric catch basin inserts, and rocked construction entrances.
 - b. Straw wattle ESC measures shall be provided across fill slopes faces, spaced at 25 foot intervals maximum down the face of fill slopes.
 - c. The street section grading shall include temporary drainage ditches with check dams until the finished street surface and related open space sidewalk improvements are installed.
6. Submit a tree protection plan showing how the trees to be retained will be protected throughout the construction of the site.
7. Install tree protection fencing around trees to be retained on site. The tree protection fencing shall be inspected and deemed appropriate by the arborist to be reviewed by the Planning Department.
8. Any existing wells, septic systems and underground storage tanks shall be abandoned in accordance with Oregon state law, inspected by the City Plumbing Inspector and provide verification of such to the City Engineer.
9. A demolition permit shall be obtained from the Sherwood Building Department prior to demolishing or moving any structures.
10. The applicant shall comply with Geotechnical Engineering Report prepared by GeoPacific Engineering, Inc. dated August 26, 2011, which outlines the specific conditions within the right-of-way limits with the exception that the minimum asphalt concrete pavement thickness shall be 4" per Section 210.2.2. of the Engineering Design Manual. Along with the general construction recommendations, delineating the extent of spring and groundwater activity shall be researched and reported. The report shall detail a plan for dewatering these areas and shall further identify those lots which require specific foundation design.

11. In the event there is engineered fill on any public roads or lots, the applicants' soils engineer and testing lab shall obtain and record compaction tests and submit results for the review and approval of the City Engineer.

D. Prior to approval of the public improvement plans:

1. Submit engineering plans for all public improvements and/or connections to public utilities (water, sewer, storm water, and streets) to the Sherwood Engineering Department. The engineering plans shall conform to the design standards of the City of Sherwood's Engineering Department, Clean Water Services, Tualatin Valley Water District, Tualatin Valley Fire & Rescue and other applicable requirements and standards. The plans shall be in substantial conformance with the utility plans dated September 21, 2011 and prepared by Emerio Design with the following modifications:
 - a. The applicant shall submit plans that include the expansion of the existing Ironwood Lane road section to meet current City road section standards for a residential street. This expansion shall include: additional asphalt pavement section to bring the pavement width to 22 feet, concrete curb and gutter, a five foot planter strip, and six foot wide concrete sidewalk along the southern portion of SW Ironwood Lane.
 - b. A storm drainage system will be required to provide adequate collection and conveyance of storm water runoff from SW Ironwood Lane to the water quality treatment facility.
 - c. The applicant shall dedicate on the plat the one foot of necessary right-of-way to conform to City requirements along the existing SW Ironwood Lane.
 - d. The applicant shall submit plans that include the extension and dedication of SW Denali Lane to meet current City road section standards for a residential street. This expansion shall include: additional asphalt pavement section, concrete curb and gutter, planter strip, and concrete sidewalk.
 - e. Provide a pathway alignment that does not exceed a 15% grade for the open space area known as Tract D.
 - f. Provide a pedestrian accessway for Tract D that shows the pavement, landscaped area and height of the fence along the southern portion of proposed Lot 8 in compliance with the SZDC.
 - g. Tract "C" shall show and denote that a "STORM SEWER, SURFACE WATER, DRAINAGE AND DETENTION EASEMENT OVER ITS ENTIRETY" be granted to the City or CWS in compliance with Item 19 of the SPL.
 - h. Submit plans for review and approval that include the appropriate number of street trees along the frontage of SW Ironwood Lane and SW Denali Court.
2. Submit to the Engineering Department for review and approval a stormwater report meeting design standards of both the City of Sherwood and Clean Water Services and the Clean Water Service Provider letter dated July 14, 2011 and the following condition found therein:
 - a. Provide a note to the construction plan set that states that the project shall comply with the recommendations outlined in the geotechnical report prepared by GeoPacific Engineering, Inc. dated August 26, 2011.

- b. Submit plans that identify the buffer and mitigation areas and related mitigation measures and notes delineated in the SPL shall be incorporated into the grading and ESC plan sheets of the planning and construction plan submittal.
3. Private site developments incorporating Low Impact Development (LID) storm systems must submit technical design data and calculations showing how the system complies with City and CWS standards. Approval of such LID systems by City is on a case by case basis. The Developer shall sign an "Access and Maintenance Agreement" authorizing the City rights to access the site and to maintain the LID storm system should the Developer fail to do so. If enforced the Developer will be responsible for all City costs associated with this maintenance.
4. Typical street sections shall conform to the City's "*Engineering Design and Standard Details Manual*" and the City's Transportation System Plan, and shall include an 8-foot wide public utility easement.
5. A cross section for each type of street improvement shall be prepared that illustrates utility locations, street improvements including grade and elevation, and sidewalk location including grade and elevation per current construction standards. Cross sections shall be included in the plan set and submitted to the City Engineer for review and approval.
6. Submit public improvement plans that demonstrate the placement of all existing and proposed utilities underground.
7. Submit public improvement plans to the Engineering Department, with a copy of the landscaping plan to the Planning Department, for review and approval.
8. All public easement dedication documents must be submitted to the City for review, signed by the City and the applicant, and recorded by the applicant with the original or a certified copy of the recorded easements on file at the City prior to release of the public improvement plans.
9. Submit the final plat for review to the Planning Department.
10. Provide the appropriate recommendations from a registered professional civil/environmental engineer or geotechnical engineer regarding how the soils are to be handled to prevent contaminated material from leaving the site. These recommendations are to be complied with in the development of the construction drawings and may require full review and approval from DEQ as part of the City approval process.
11. Comply with the DEQ requirements pertaining to the cleanup of the contaminated soils onsite.
12. Receive approval from TVF&R to allow this modified street grade.
13. Show on the plan set that the speed limit signage of 20 mph is posted at either end of the street section where this speed limit is in effect.
14. Provide a 15-foot wide sanitary sewer easement on the plat over the portion of the existing sanitary sewer alignment which falls outside the existing sanitary sewer easement, and located within "Tract E."
15. Submit revised plans that provide adequate turning radius, hydrant location, fire flow, and adherence in compliance with TVF&R standards as verified by an acceptance letter from TVF&R.

E. Prior to Approval of the Final Plat:

1. The submittal by the applicant for final plat review and approval shall include but not be limited to the following: a final plat application; final plat review fee; narrative identifying how the required conditions of approval have or will be met; three copies of the final plat; and any other materials required to demonstrate compliance with the conditions of approval.
2. Approval of the public improvement plans by the Engineering Department, and signature of a compliance agreement must be complete prior to release of the plat to the County for review. In addition, prior to final plat approval, either all on-site work must be complete or the improvements bonded or guaranteed with a cash deposit.
3. Comply with the conditions as set forth in the Service Provider Letter No. 10-002401, dated July 14, 2011.
4. Provide an easement over the vegetated corridor conveying storm and surface water management to CWS that would prevent the owner of the vegetated corridor from activities and uses inconsistent with the purpose of the corridor and any easements therein.
5. Provide detailed plans showing the sensitive area and corridor delineated, along with restoration and enhancement of the corridor.
6. Receive a Clean Water Connection Permit Authorization that meets the requirements of the CWS Memorandum dated November 14, 2011.
7. The final plat shall show the following:
 - a. The Community Development Director as the City's approving authority within the signature block of the final plat.
 - b. A 15-foot wide public utility easement for any areas where a single public utility line is located outside a public right-of-way with an increase of five (5) feet for each additional utility line.
 - c. Private access easements, utility easements and/or special use easements as required for the development of the site. A plat note shall reference an easement and maintenance agreement or similar document, to be recorded with the plat, for the joint maintenance of any common private utility lines, common driveway improvements, or other common amenity or perimeter fencing. The language of such plat note and associated document shall be reviewed and approved by the Planning Department.
8. Submit revised plans that provide adequate turning radius, hydrant location, fire flow, and adherence in compliance with TVF&R standards as verified by an acceptance letter from TVF&R.
9. The public improvement plans must be approved and bonded for prior to the City's approval of the final plat.
10. Design the public street intersections to meet sight distance requirements. Provide certification by a registered Oregon Professional Engineer that the constructed public street intersections meet sight distance requirements.
11. Submit a tree mitigation plan to the City Planning Department. Complete mitigation or bond for the completion of the mitigation prior to signature by the City of the Mylar.

F. Prior to Issuance of a Building Permit:

1. Prior to issuance of any building permits, the public improvements must be complete and accepted by the City Engineer, and the final plat(s) must be recorded. An approval letter from the Engineering Department, accepting all public improvements, shall be issued prior to issuance of building permits.
2. Prior to issuance of any building permits, the developer shall provide a geotechnical investigation report if required by the Building Official.
3. Prior to issuance of building permits, an electronic version of the final plat must be submitted to the Planning Department.
4. Submit a recorded copy of the CC & Rs.

G. Prior to Final Occupancy of the Subdivision:

1. All public improvements shall be completed, inspected and approved, as applicable, by the City, CWS, TVF & R, TVWD and other applicable agencies.
2. All agreements required as conditions of this approval must be signed and recorded.
3. Plant the required street trees for each lot prior to a certificate of occupancy for the home on the lot.
4. Install the landscaping according to the landscape plan prior to the issuance of the occupancy permits or pay a security bond for 125% of the cost of the landscaping payable to the City. If the landscaping is not completed within six months, the security may be used by the City to complete the installation.
5. Construct and install the pathway and other Tract D open space amenities described in the final development plan.

H. On-going Conditions

1. All homes exceeding 3,600 square feet of living space must have available hydrant flow approved.
2. All rain, storm, and other surface water runoff from roofs, exposed stairways, light wells, courts, courtyards, and exterior paved areas shall be disposed of in compliance with local ordinances and state rules and regulations, in a manner that will not increase runoff to adjacent properties. The approved points of disposal include storm sewer laterals to a public system or other storm sewer system as approved by the City Engineer.
3. Joint mailbox facilities shall be installed prior to the City signing the Letter of Acceptance for the development. Joint mailbox facilities must be installed per U.S. Postal Service's "*Developers' Guide to Centralized Box Units*". The Developer shall provide a signed copy of the U.S. Postal Services "*Mode of Delivery Agreement*". Submittal of this agreement shall be required prior to a pre-construction meeting taking place.
4. The developer shall coordinate location of garbage and recycling receptacles with Pride Disposal.

5. The continual operation of the property shall comply with the applicable requirements of the Sherwood Zoning and Community Development Code.
6. Decks, fences, sheds, building additions and other site improvements shall not be located within any easement unless otherwise authorized in writing by the City Engineer.
7. Fences separating lots from adjacent pedestrian access way may not exceed 42” in height unless the fences are setback with at least three (3) feet of landscaping from the pedestrian easement.
8. Comply with the Clean Water Services Service Provider Letter throughout the development of the site.
9. Restrict and maintain on-site landscaping, utilities, and any other obstructions in the sight distance triangles to provide adequate sight distance at access locations to SW Denali Lane and SW Ironwood Lane.
10. Dust shall be controlled within the development during construction and shall not be permitted to drift onto adjacent properties.
11. Noise shall be kept at the minimum level possible during construction. The developer shall agree to aggressively ensure that all vehicles working in the development shall have adequate and fully functioning sound suppression devices installed and maintained at all times.
12. All construction sites shall be maintained in a clean and sanitary condition at all times. Construction debris, including food and drink waste, shall be restricted from leaving the construction site through proper disposal containers or construction fencing enclosures. Failure to comply with this condition may result in a “Stop Work” order until deficiencies have been corrected to the satisfaction of the Community Development

VIII. EXHIBITS

- A. Applicant’s submittal materials submitted October 13, 2011
- B. City of Sherwood Engineering Comments dated November 2, 2011
- C. Clean Water Services letter submitted November 14, 2011
- D. Tualatin Valley Fire and Rescue letter submitted November 18, 2011
- E. DEQ Fact Sheet Ken Foster Farm

End of Report



Case No. _____
Fee _____
Receipt # _____
Date _____
TYPE _____

City of Sherwood
Application for Land Use Action

Type of Land Use Action Requested: (check all that apply)

- | | |
|---|--|
| <input type="checkbox"/> Annexation | <input type="checkbox"/> Conditional Use |
| <input type="checkbox"/> Plan Amendment (Proposed Zone _____) | <input type="checkbox"/> Partition (# of lots _____) |
| <input type="checkbox"/> Variance(list standard(s) to be varied in description) | <input type="checkbox"/> Subdivision (# of lots _____) |
| <input type="checkbox"/> Site Plan (Sq. footage of building and parking area) | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Planned Unit Development | |

By submitting this form the Owner, or Owner's authorized agent/ representative, acknowledges and agrees that City of Sherwood employees, and appointed or elected City Officials, have authority to enter the project site at all reasonable times for the purpose of inspecting project site conditions and gathering information related specifically to the project site.

Note: See City of Sherwood current Fee Schedule, which includes the "Publication/Distribution of Notice" fee, at www.sherwoodoregon.gov. Click on Departments/Planning/Fee Schedule.

Owner/Applicant Information:

Applicant: John Satterberg/Community Financial	Phone: 503 636 4800
Applicant Address: PO Box 1969 Lake Oswego, Or 97035	Email: _____
Owner: John Satterberg/Community Financial	Phone: _____
Owner Address: PO Box 1969 Lake Oswego, Or 97035	Email: _____
Contact for Additional Information: Kirsten Vanloo - 503 956 4180	

NEIL FERNANDO -- (503) 515 5528
neil@emeriodesign.com

Property Information:

Street Location: SW Murdock, Sw Denali

Tax Lot and Map No: 2S1W Section 33 CB, TL 1000

Existing Structures/Use: N/A

Existing Plan/Zone Designation: VLDR

Size of Property(ies) 3.71 Ac.

Proposed Action:

Purpose and Description of Proposed Action: 8 Lot Subdivision

Proposed Use: Single Family Housing

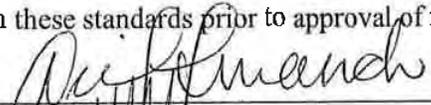
Proposed No. of Phases (one year each): 1 Phase

LAND USE APPLICATION FORM

Authorizing Signatures:

I am the owner/authorized agent of the owner empowered to submit this application and affirm that the information submitted with this application is correct to the best of my knowledge.

I further acknowledge that I have read the applicable standards for review of the land use action I am requesting and understand that I must demonstrate to the City review authorities compliance with these standards prior to approval of my request.



Applicant's Signature

2/9/11

Date

Owner's Signature

2/9/11

Date

The following materials must be submitted with your application or it will not be accepted at the counter. Once taken at the counter, the City has up to 30 days to review the materials submitted to determine if we have everything we need to complete the review.

- 3 * copies of Application Form** completely filled out and signed by the property owner (or person with authority to make decisions on the property).
- Copy of Deed** to verify ownership, easements, etc.
- At least 3 * folded** sets of plans
- At least 3 * sets** of narrative addressing application criteria
- Fee** (along with calculations utilized to determine fee if applicable)
- Neighborhood Meeting Verification** including affidavit, sign-in sheet and meeting summary (required for Type III, IV and V projects)
- Signed checklist** verifying submittal includes specific materials necessary for the application process

* **Note** that the required numbers of copies identified on the checklist are required for completeness; however, upon initial submittal applicants are encouraged to submit only 3 copies for completeness review. Prior to completeness, the required number of copies identified on the checklist and one full electronic copy will be required to be submitted.

80
55
5M

Washington County, Oregon
08/27/2008 10:44:32 AM 2008-073891
D-M Cnt#2 Str#22 | R820
\$80.00 \$5.00 \$5.00 \$11.00 - Total = \$101.00



Richard Hoberecht, Director of Assessment and Taxation and Ex-Officio County Clerk for Washington County, Oregon, do hereby certify that the within instrument of writing was received and recorded in the book of records of said county.
Richard Hoberecht, Director of Assessment and Taxation, Ex-Officio County Clerk



After Recording Return To:
Community Financial Corporation
PO Box 1969
Lake Oswego, Oregon 97035
Attn: Spec Construction

Loan No 300 6476 7
Escrow No 20080011437-FTPOR10

Tax Account Nos. 2S133CB-01000

(LINE OF CREDIT TRUST DEED)¹

**OREGON COMMERCIAL DEED OF TRUST
AND SECURITY AGREEMENT
LAND DEVELOPMENT AND CONSTRUCTION**

The maximum principal amount to be advanced pursuant to the Note (defined below) is FOUR HUNDRED FIFTY FIVE THOUSAND and NO/100 Dollars (\$455,000.00); however, this Deed of Trust secures all other indebtedness evidenced by the Note or created in connection herewith, including contingent or unliquidated liabilities, without any limitation thereon. The maximum principal amount to be advanced pursuant to the Note may be exceeded by advances pursuant to ORS 86.155(2)(c) to complete construction on the Property (defined below). The Note, which is intended as a "credit agreement" within the meaning of ORS 86.155, matures on SEPTEMBER 1, 2009.

DATED:	AUGUST 25, 2008	
GRANTOR:	JC Reeves Corporation, an Oregon Corporation 14945 SW Sequoia Parkway Suite 170 Tigard, Or 97224	HEREIN "BORROWER"
TRUSTEE:	Fidelity National Title 10200 SW Greenburg Rd #110 Portland, Or 97223	HEREIN "TRUSTEE"
BENEFICIARY:	COMMUNITY FINANCIAL CORPORATION, an Oregon corporation P.O. Box 1969 Lake Oswego, Oregon 97035	HEREIN "LENDER"

THIS DEED OF TRUST WITNESSETH:

THAT for good and valuable consideration, the receipt of which is hereby acknowledged, Borrower does hereby irrevocably GRANT, BARGAIN, TRANSFER, SELL, CONVEY, WARRANT AND ASSIGN TO TRUSTEE, IN TRUST, WITH POWER OF SALE, that real property in the County of Washington, State of Oregon, more particularly described as follows:

Parcel 2, PARTITION PLAT 1991-078, in the City of Sherwood, Washington County, Oregon.

TOGETHER WITH the following described estate, property and rights of Borrower (herein collectively called the "Property") as security for the performance of each covenant and agreement of Borrower contained herein and in all other instruments executed in connection herewith, and for the payment of all sums of money secured hereby:

1. All of Borrower's legal and equitable right, title and interest in and to all of the following property of every kind and description (whether now or hereafter existing or acquired) that is attached to, created upon, forming a part of, appurtenant to, situated in or upon, derived from, used or useful in the construction, completion, repair, maintenance, renovation, rehabilitation, alteration or operation of, or arising from the use, occupancy or enjoyment of, or in any way related to or in connection with, all or any portion of such real property, all of which shall be deemed part of the realty and not severable wholly or in part without material injury to the freehold:
 - a. All the estate and rights of Borrower now held and hereafter acquired in and to land lying in streets and roads adjoining such real property, and all access rights and easements appertaining thereto;
 - b. All rents, issues, profits, royalties, income, leases, subleases, leasehold estates, cash, prepaid rentals, security or other tenant deposits and other payments of similar nature;

¹ NOTE: This Deed of Trust is denominated a Line of Credit Trust Deed to comply with ORS 86.155 and is sometimes referred to herein as "Instrument."

FIDELITY NATIONAL TITLE CO. 10 - 2008 - 11437

Washington County, Oregon 2010-032286

04/29/2010 02:05:49 PM
D-DLF Crit=1 Stn=8 C MCKINNEY
\$15.00 \$5.00 \$11.00 \$15.00 \$20.00 - Total = \$66.00



01476915201000322860030034
I, Richard Hobernicht, Director of Assessment and
Taxation and Ex-Officio County Clerk for Washington
County, Oregon, do hereby certify that the within
instrument of writing was received and recorded in the
book of records of said county.

Richard Hobernicht, Director of Assessment and
Taxation, Ex-Officio County Clerk



06
15
20N

AFTER RECORDING RETURN TO:
Jordan Schrader Ramis PC
Two Centerpointe Dr Ste 600
Lake Oswego OR 97035
(46593-38159 - CLK)

UNTIL A CHANGE IS REQUESTED
SEND TAX STATEMENTS TO:
Community Financial Corporation
Attn: John Satterberg
412 A St Ste 150
Lake Oswego OR 97034

This space is reserved for recorder's use.

**NON-MERGER DEED IN LIEU OF FORECLOSURE
BARGAIN AND SALE DEED**

J.C. REEVES CORPORATION, an Oregon corporation ("Grantor"), hereby
conveys to COMMUNITY FINANCIAL CORPORATION, an Oregon corporation
("Grantee"), the following real property located in Washington County, Oregon:

Parcel 2, PARTITION PLAT NO. 1991-078, in the City of
Sherwood, County of Washington and State of Oregon.

(herein the "Denali Property" or the "Property"), together with any interest therein which
Grantor may hereafter acquire.

This Deed is absolute in effect and conveys fee simple title to the Property to
Grantee and does not operate as a mortgage, trust conveyance, or security of any kind.
Grantee shall not be deemed to have accepted this Deed until and unless Grantee causes
this Deed to be recorded. Grantee shall be entitled to immediate possession of the
Property.

This Deed does not constitute a merger of the fee simple title and the lien of that
certain Deed of Trust dated August 25, 2008 and recorded August 27, 2008, as Document
No. 2008-073891 in the Records of Washington County, Oregon ("Deed of Trust"). The
fee title and the lien of the Deed of Trust shall hereafter remain separate and distinct until
Grantee and the beneficiary of the Deed of Trust ("Beneficiary") merge these interests
with a separate instrument. Grantee does not assume any prior liens or obligations secured

Page 1 - NON-MERGER DEED IN LIEU OF FORECLOSURE BARGAIN AND SALE DEED

46593-38159 191709.doc\JKZ\4/28/2010

Recorded By Fidelity National Title
Courtesy Only. Not Examined

25-2010-5610

by the Property. Grantee reserves Grantee's rights to foreclose the Deed of Trust at any time as to any party with any claim, interest, or lien on the Property.

Grantor directs and authorizes Grantee to collect any rentals due with respect to the Property.

Grantor acknowledges that the debt secured by the Deed of Trust is in default, that the Deed of Trust is subject to immediate foreclosure by Grantee, that Grantor is unable to pay or to cure the defaults, and that Grantor therefore desires to avoid litigation by granting this Deed in Lieu of Foreclosure.

Grantor is not acting under misapprehension as to the legal effect of this Deed or under duress, undue influence, or misrepresentation by Grantee or by Grantee's agent or attorney or by any other person.

Grantor acknowledges that the Deed of Trust is valid, subsisting and binding, and shall remain in force and effect.

Grantor hereby waives, surrenders, conveys, and relinquishes to Grantee any equity of redemption and statutory rights of redemption in respect to the Property. The true consideration for this instrument is Grantee's waiver of Grantee's right to enforce judgment against Grantor personally under the Promissory Note secured by the Deed of Trust and specifically Grantee's waiver of Grantee's right to enforce judgment against Grantor for deficiency.

Grantee does not expressly or impliedly agree to assume or to pay any principal balance of any debt, lien, charge, or obligation which encumbers, relates to, or is attributable to the Property.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301

**AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON
LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON
LAWS 2009.**

DATED this 28TH day of April, 2010.

J.C. REEVES CORPORATION, an Oregon
corporation

By: Jerry C. Reeves
Jerry C. Reeves, President

STATE OF OREGON)
) ss.
County of Clackamas)

This instrument was acknowledged before me on this 28th day of
April, 2010, by Jerry C. Reeves, as President of J.C. Reeves
Corporation, an Oregon corporation.



Janice K. Zimmerman
NOTARY PUBLIC FOR OREGON
My Commission Expires: July 13, 2013

THURSDAY 2:00 pm



Home of the Tualatin River National Wildlife Refuge

Pre-Application Conference Notes

PAC 10-05 _____

Meeting Date: 11-2-10

Meeting Time: 3:30pm

Planning Staff Contact: Michelle Miller

Residential

PLEASE NOTE: The conference and notes cannot cover all Code requirements and aspects related to site planning that should apply to the development of your site plan. Failure of the staff to provide information required by the Code shall not constitute a waiver of the applicable standards or requirements. It is recommended that a prospective applicant either obtain and read the Community Development Code or ask any questions of City staff relative to Code requirements prior to submitting an application.

Proposed project name: Denali Subdivision

PROPOSAL DESCRIPTION: The applicant proposes a 7-8 lot PUD subdivision located to the north of SW Denali St., located near the Sherwood View Estates subdivision.

APPLICANT: Emerio Design Inc., Kirsten Van Loo

OWNER: Community Financial

PROPERTY LOCATION:

ADDRESS/GENERAL LOCATION: SE Sherwood, east of SW Murdock Rd. north of SW Denali

TAX MAP(S)/LOT #(S): 2S133CB 01000

Identified potential constraints/issues (wetlands, steep slopes, easements, etc?) slopes, easements, wetland delineation, natural area, possible soil contamination

Based on the information provided, NECESSARY APPLICATIONS: Subdivision, Type III (no PUD) or Type V (PUD)

ZONING DISTRICT DIMENSIONAL REQUIREMENTS (Refer to Code Section 16.12)

MINIMUM LOT SIZE: 40000 (VLDR) 10000(PUD) sq. ft. MINIMUM LOT WIDTH AT BUILDING LINE: none ft.

MINIMUM LOT WIDTH AT FRONT PROPERTY LINE: 25 ft. MINIMUM LOT DEPTH: none ft.

MAXIMUM BUILDING HEIGHT: 30ft. or 2 stories, whichever is less.

Setbacks: Front 20 ft. Side 5 ft. Rear 20 ft. Corner 20 ft. from street.

NARRATIVE

The applicant shall submit a narrative which provides findings based on the applicable approval standards. Failure to provide a narrative or adequately address criteria would be reason to consider an application incomplete and delay review of the proposal. The applicant should review the code for applicable criteria.

CLEAN WATER SERVICES SERVICE PROVIDER LETTER

The applicant shall submit a CWS Service Provider Letter at time of application submittal. An application will not be deemed complete without a CWS Service Provider Letter.

RESIDENTIAL DENSITY CALCULATION

The NET DENSITY on a particular site may be calculated by removing present and future rights-of-way, environmentally constrained areas, public parks and other public uses from the total site area.

PLANNED UNIT DEVELOPMENT (PUD)

Section 16.40 of the Sherwood Zoning and Community Development Code provides information regarding PUDs. If this Pre-Application includes a PUD, this section of the Code will be included as an attachment to these notes.

TOWNHOMES

ACCESSORY STRUCTURES/ACCESSORY DWELLING UNITS

PRELIMINARY PLATS

SUBDIVISION

PARTITION

PUBLIC IMPROVEMENTS

ENVIRONMENTAL RESOURCES

CULTURAL AND HISTORIC RESOURCES

APPLICABLE CODE CRITERIA

(These sections *must* be addressed in the narrative submitted with the land use application)

- | | | |
|--|--|---|
| <input type="checkbox"/> Division II (Zoning Districts) | <input type="checkbox"/> 16.92 (Landscaping) | <input type="checkbox"/> 16.128 (Land Partitions) |
| <input checked="" type="checkbox"/> 16.40 (Planned Unit Development) | <input checked="" type="checkbox"/> 16.94 (Off-Street Parking and Loading) | <input type="checkbox"/> 16.130 (Property Line Adjustments) |
| <input type="checkbox"/> 16.44 (Townhomes) | <input type="checkbox"/> 16.96 (On-Site Circulation) | <input type="checkbox"/> 16.134.020 (Flood Plain Overlay) |
| <input type="checkbox"/> 16.46 (Manufactured Homes) | <input type="checkbox"/> 16.98 (On-Site Storage) | <input type="checkbox"/> 16.142 (Parks and Open Space) |
| <input type="checkbox"/> 16.48 (Non-Conforming Uses) | <input type="checkbox"/> 16.102 (Signs) | <input checked="" type="checkbox"/> 16.146 (Noise) |
| <input type="checkbox"/> 16.50 (Accessory Uses) | <input checked="" type="checkbox"/> 16.108 (Streets) | <input type="checkbox"/> 16.148 (Vibrations) |
| <input type="checkbox"/> 16.58.010 (Clear Vision Areas) | <input checked="" type="checkbox"/> 16.110 (Sanitary Sewers) | <input type="checkbox"/> 16.150 (Air Quality) |
| <input type="checkbox"/> 16.58.020 (Additional Setbacks) | <input checked="" type="checkbox"/> 16.112 (Water Supply) | <input type="checkbox"/> 16.152 (Odors) |
| <input type="checkbox"/> 16.80 (Plan Amendments) | <input checked="" type="checkbox"/> 16.114 (Storm Water) | <input type="checkbox"/> 16.154 (Heat and Glare) |
| <input type="checkbox"/> 16.82 (Conditional Uses) | <input checked="" type="checkbox"/> 16.116 (Fire Protection) | <input type="checkbox"/> 16.162 (Old Town Overlay District) |
| <input type="checkbox"/> 16.86 (Variances) | <input checked="" type="checkbox"/> 16.118 (Private Improvements) | <input type="checkbox"/> 16.166 (Landmark Designation) |
| <input type="checkbox"/> 16.86 (Temporary Uses) | <input type="checkbox"/> 16.122 (Preliminary Plats) | |
| <input type="checkbox"/> 16.88 (Interpretation of Similar Uses) | <input checked="" type="checkbox"/> 16.124 (Final Plats) | |
| <input type="checkbox"/> 16.90 (Site Planning) | <input checked="" type="checkbox"/> 16.126 (Design Standards) | |

ADDITIONAL CONCERNS OR COMMENTS:

PUD process:

The applicant proposes to use the stub at SW Denali and extend the roadway northward. This extension is shown with the proposed future roadway in the Transportation System Plan.

The applicant proposes a PUD in order to gain density and reduce the minimum lot size from 40,000 sq. ft. to 10,000. This special density allowance provides for densities up to two units to the acre, and lot sizes down to 10k when:

- A. It is an approved PUD
- B. The following areas are dedicated to the public or preserved as common open space: floodplains, natural resource areas per the MAP OR as specified in Chapter 5 of the Community Development Plan and wetlands defined and regulated as per current regulations
- C. The Commission determines that the higher density development would better preserve natural resources as compared to one unit to the acre design. (§ 16.12.070)

Please refer to the specific requirements of § 16.40, **Planned Unit Development** for specific requirements
PUDs are only considered on unusually constrained sites or with limited development potential as compared to other land with same underlying zoning designation.

Commission reviews:

1. Substantial conformance with Comp Plan
2. Includes dedication of at least 15% of the buildable portion of the site to the public in the form of useable open space, park or other public space or to a private entity managed by a homeowner's association. Alternatively if the project is located within close proximity to existing public spaces such as parks, libraries or plazas the development plan may propose no less than 5 % on-site public space with a detailed explanation of how the proposed development and existing public spaces will together equally or better meet community needs.
3. Proposal is in harmony with surrounding area
4. System of ownership and means of developing preserving and maintaining open spaces are acceptable.
5. PUD will have a beneficial effect on area which could not be achieved under the underlying zoning district.
6. Proposed development can be done in one year
7. Adequate public facilities
8. General objectives of the PUD concept and the specific objective of the various categories of the PUDs described in this Chapter have been met.
9. The minimum area for Residential PUD shall be five acres, unless the Commission finds that a specific property of lesser area is suitable as a PUD because it is unusually constrained by topography, landscape features, location or surrounding development or infill.

After review by Commission, City Council reviews.

Then prepare Final Development Plan for Planning Commission review.

A neighborhood meeting will be required prior to submittal of the application

You will need to show shadow platting for all surrounding properties.

Engineering issues

1. Follow Clean Water Service rules for treatment of storm water.
2. Refer to the Engineering Design Manual for questions regarding slope, roadway construction etc.-Any street modifications will need to be requested via the land use process.
3. Any as built requests will go through the engineering department.
4. A geo tech report will likely be required at the time of land use submittal.
5. A CWS Service provider letter likely will indicate that at Site Assessment is required.

PROCEDURE

_____ Type II- Administrative Staff Review, Planning Commission for any appeals.

- Type III- Public hearing before the Hearings Officer, Planning Commission for any appeals.
- Type IV- Public hearing before the Planning Commission, City Council for any appeals.
- Type V- Public hearing before the Planning Commission with the Commission making a recommendation on the proposal to the City Council. An additional public hearing shall be held by the City Council. Any appeals shall be heard by the Land Use Board of Appeals (LUBA).

APPLICATION SUBMITTAL PROCESS

The following materials must be submitted with your application or it will not be accepted at the counter. Once taken at the counter, the City has up to 30 days to review the materials submitted to determine if we have everything we need to complete the review.

- 3 * copies of Application Form** completely filled out and signed by the property owner (or person with authority to make decisions on the property).
- Copy of Deed** to verify ownership, easements, etc.
- At least 3 * folded** sets of plans
- At least 3 * sets** of narrative addressing application criteria
- Fee** (along with calculations utilized to determine fee if applicable)
- Signed checklist** verifying submittal includes specific materials necessary for the application process

*** Note** that 15 copies are required for completeness; however, upon initial submittal applicants are encouraged to submit only 3 copies for completeness review. Prior to completeness, 15 copies and one full electronic copy will be required to be submitted.

The Planning Department will perform a preliminary review of the application and will determine whether an application is complete within 30 days of the counter submittal. Staff will notify the applicant if additional information or additional copies of the submitted materials are required.

The administrative decision or public hearing will typically occur approximately 45 to 60 days after an application is deemed complete by the Planning Department. Applications involving difficult or protracted issues or requiring review by other jurisdictions may take additional time to review. Written recommendations from the Planning staff are issued seven (7) days prior to the public hearing. A 14-day public appeal period follows all land use decisions.

Information/Handouts provided at Pre-app:

- Application form
- CWS pre-screen form
- Copy of CAP worksheet
- Copy of fee schedule
- Copy of maps including: __ Aerial, __ Wetlands, __ Floodplain, __ Sanitary lines, __ Storm lines
- Other Natural Resource Map



TUALATIN VALLEY FIRE & RESCUE - SOUTH DIVISION
COMMUNITY SERVICES • OPERATIONS • FIRE PREVENTION

11-1-2010

**Re: Case # Pre-Application
Murdock 7- lot sub-division**

Dear Kristen Van Loo

Thank you for the opportunity to review the conceptual site plan surrounding the above named development project. Tualatin Valley Fire & Rescue approval of this proposal is predicated on the following criteria and conditions of approval:

- 1) **FIRE APPARATUS ACCESS ROAD DISTANCE FROM BUILDING AND TURNAROUNDS:** Access roads shall be within 150 feet of all portions of the exterior wall of the first story of the building as measured by an approved route around the exterior of the building. An approved turnaround is required if the remaining distance to an approved intersecting roadway, as measured along the fire apparatus access road, is greater than 150 feet. (IFC 503.1.1)
- 2) **DEAD END ROADS:** Dead end fire apparatus access roads in excess of 150 feet in length shall be provided with an approved turnaround. (IFC 503.2.5)
- 3) **FIRE APPARATUS ACCESS ROAD EXCEPTION FOR AUTOMATIC SPRINKLER PROTECTION:** When buildings are completely protected with an approved automatic fire sprinkler system, the requirements for fire apparatus access may be modified as approved by the fire code official. (IFC 503.1.1)
- 4) **AERIAL FIRE APPARATUS ACCESS:** Buildings or portions of buildings or facilities exceeding 30 feet in height above the lowest level of fire department vehicle access shall be provided with approved fire apparatus access roads capable of accommodating fire department aerial apparatus. Overhead utility and power lines shall not be located within the aerial fire apparatus access roadway. Fire apparatus access roads shall have a minimum unobstructed width of 26 feet in the immediate vicinity of any building or portion of building more than 30 feet in height. At least one of the required access routes meeting this condition shall be located within a minimum of 15 feet and a maximum of 30 feet from the building, and shall be positioned parallel to one entire side of the building. (IFC D105)
- 5) **FIRE APPARATUS ACCESS ROAD WIDTH AND VERTICAL CLEARANCE:** Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (12 feet for up to two dwelling units and accessory buildings), and an unobstructed vertical clearance of not less than 13 feet 6 inches. Where fire apparatus roadways are less than 26 feet wide, "NO PARKING" signs shall be installed on both sides of the roadway

and in turnarounds as needed. Where fire apparatus roadways are more than 28 feet wide but less than 32 feet wide, "NO PARKING" signs shall be installed on one side of the roadway and in turnarounds as needed. Where fire apparatus roadways are 32 feet wide or more, parking is not restricted. (IFC 503.2.)
The fire district does not endorse the design concept wherein twenty feet of unobstructed roadway width is not provided.

- 6) **FIRE APPARATUS ACCESS ROADS WITH FIRE HYDRANTS:** Where a fire hydrant is located on a fire apparatus access road, the minimum road width shall be 26 feet. (IFC D103.1)
- 7) **TURNOUTS:** When any fire apparatus access road exceeds 400 feet in length, turnouts 10 feet wide and 30 feet long shall be provided in addition to the required road width and shall be placed no more than 400 feet apart, unless otherwise approved by the fire code official. These distances may be adjusted based on visibility and light distances. (IFC 503.2.2)
- 8) **NO PARKING SIGNS:** Where fire apparatus roadways are not of sufficient width to accommodate parked vehicles and 20 feet of unobstructed driving surface, "No Parking" signs shall be installed on one or both sides of the roadway and in turnarounds as needed. Roads 26 feet wide or less shall be posted on both sides as a fire lane. Roads more than 26 feet wide to 32 feet wide shall be posted on one side as a fire lane. Signs shall read "NO PARKING - FIRE LANE" and shall be installed with a clear space above grade level of 7 feet. Signs shall be 12 inches wide by 18 inches high and shall have red letters on a white reflective background. (IFC D103.6)
- 9) **SURFACE AND LOAD CAPACITIES:** Fire apparatus access roads shall be of an all-weather surface that is easily distinguishable from the surrounding area and is capable of supporting not less than 12,500 pounds point load (wheel load) and 60,000 pounds live load (gross vehicle weight). You may need to provide documentation from a registered engineer that the design will be capable of supporting such loading. (IFC D102.1)
- 10) **BRIDGES:** Where a bridge or an elevated surface is part of a fire apparatus access road, the bridge shall be constructed and maintained in accordance with AASHTO *Standard Specification for Highway Bridges*. Bridges and elevated surfaces shall be designed for a live load sufficient to carry the imposed loads of fire apparatus. Vehicle load limits shall be posted at both entrances to bridges when required by the fire code official. Where elevated surfaces designed for emergency vehicle use are adjacent to surfaces which are not designed for such use, approved barriers, approved signs or both shall be installed and maintained when required by the fire code official. (IFC 503.2.6)
- 11) **TURNING RADIUS:** The inside turning radius and outside turning radius shall be not less than 28 feet and 48 feet respectively, measured from the same center point. (IFC 503.2.4 & D103.3)
- 12) **PAINTED CURBS:** Where required, fire apparatus access roadway curbs shall be painted red and marked "NO PARKING FIRE LANE" at approved intervals. Lettering shall have a stroke of not less than one inch wide by six inches high. Lettering shall be white on red background. (IFC 503.3)
- 13) **GRADE:** Fire apparatus access roadway grades shall not exceed 10 percent. Intersections and turnarounds shall be level (maximum 5%) with the exception of crowning for water run-off. When fire sprinklers are installed, a maximum grade of 15% may be allowed. The approval of fire sprinklers as an alternate shall be accomplished in accordance with the provisions of ORS 455.610(5). (IFC 503.2.7 & D103.2)
- 14) **GATES:** Gates securing fire apparatus roads shall comply with all of the following: (IFC D103.5)
Minimum unobstructed width shall be 16 feet, or two 10 foot sections with a center post or island.
Gates serving one- or two-family dwellings shall be a minimum of 12 feet in width.
Gates shall be set back at minimum of 30 feet from the intersecting roadway.
Gates shall be of the swinging or sliding type
Manual operation shall be capable by one person
Electric gates shall be equipped with a means for operation by fire department personnel
Locking devices shall be approved.

Removable bollards are not an approved alternate to a swinging gate.

- 15) **SINGLE FAMILY DWELLINGS - REQUIRED FIRE FLOW:** The minimum available fire flow for single family dwellings and duplexes served by a municipal water supply shall be 1,000 gallons per minute. If the structure(s) is (are) 3,600 square feet or larger, the required fire flow shall be determined according to IFC Appendix B. (IFC B105.2) ***Prior to issuance of a building permit, provide evidence of a current fire flow test of the nearest fire hydrant demonstrating available flow at 20 PSI residual pressure.***
- 16) **FIRE HYDRANTS – ONE- AND TWO-FAMILY DWELLINGS & ACCESSORY STRUCTURES:** Where a portion of a structure is more than 600 feet from a hydrant on a fire apparatus access road, as measured in an approved route around the exterior of the structure(s), on-site fire hydrants and mains shall be provided. (IFC 508.5.1)
- 17) **FIRE HYDRANT NUMBER AND DISTRIBUTION:** The minimum number and distribution of fire hydrants available to a building shall not be less than that listed in Appendix C, Table C 105.1.

Considerations for placing fire hydrants may be as follows:

- Existing hydrants in the area may be used to meet the required number of hydrants as approved. Hydrants that are up to 600 feet away from the nearest point of a subject building that is protected with fire sprinklers may contribute to the required number of hydrants.
 - Hydrants that are separated from the subject building by railroad tracks shall not contribute to the required number of hydrants unless approved by the fire code official.
 - Hydrants that are separated from the subject building by divided highways or freeways shall not contribute to the required number of hydrants. Heavily traveled collector streets only as approved by the fire code official.
 - Hydrants that are accessible only by a bridge shall be acceptable to contribute to the required number of hydrants only if approved by the fire code official.
- 18) **FIRE HYDRANT DISTANCE FROM AN ACCESS ROAD:** Fire hydrants shall be located not more than 15 feet from an approved fire apparatus access roadway. (IFC C102.1)
- 19) **REFLECTIVE HYDRANT MARKERS:** Fire hydrant locations shall be identified by the installation of reflective markers. The markers shall be blue. They shall be located adjacent and to the side of the centerline of the access road way that the fire hydrant is located on. In case that there is no center line, then assume a centerline, and place the reflectors accordingly. (IFC 510.1)
- 20) **PHYSICAL PROTECTION:** Where fire hydrants are subject to impact by a motor vehicle, guard posts, bollards or other approved means of protection shall be provided. (IFC 508.5.6)
- 21) **CLEAR SPACE AROUND FIRE HYDRANTS:** A 3 foot clear space shall be maintained around the circumference of fire hydrants. (IFC 508.5.5)
- 22) **ACCESS AND FIRE FIGHTING WATER SUPPLY DURING CONSTRUCTION:** Approved fire apparatus access roadways and fire fighting water supplies shall be installed and operational prior to any combustible construction or storage of combustible materials on the site. (IFC 1410.1 & 1412.1)
- 23) **PREMISES IDENTIFICATION:** Buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet numbers. Numbers shall be a minimum of 4 inches high with a ½ inch stroke. (IFC 505.1)

If you have questions or need further clarification, please feel free to contact me at (503) 612-7004
Sincerely,

John Wolff

John Wolff
Deputy Fire Marshal II

Proposed PUD Subdivision

The meeting date is: Monday September 19th, 2011
The meeting will be held at: On the property
End of Ironwood Lane
Sherwood, Or 97140-9326
The meeting will start at: 6:00 PM
The property involved is: 2S1 33CB Taxlot 1000
SE Sherwood East of SW Murdock,
North of SW Denali

The purpose of this meeting is to describe the proposed land use application, and to provide a neighborhood forum for input and comments. Your attendance is encouraged, so you can be informed regarding the project, the process, and your opportunities for participation in the land use approval. No decisions will be made at this meeting, this is an informational gathering.

Bring Lawn Chairs

Kirsten Van Loo – Project Planner – Kirsten@emeriodesign.com
Emerio Design, 6900 SW 105th Avenue, Suite C, Beaverton, OR 97008

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Proposed PUD Subdivision

The meeting date is: Tuesday November 23rd, 2010
The meeting will be held at: Sherwood Senior Center
21907 Sherwood Blvd.
Sherwood, Or 97140-9326
The meeting will start at: 6:30 PM
The property involved is: 2S1 33CB Taxlot 1000
SE Sherwood East of SW Murdock,
North of SW Denali

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Emerio Design, 6900 SW 105th Avenue, Suite C, Beaverton, OR 97008

Adjacent Neighbors

23352 Sw Murdock Rd. Sherwood OR 97140
23500 Sw Murdock Rd. Sherwood OR 97140
23525 Sw Denali Ln. Sherwood OR 97140
23524 Sw Denali Ln. Sherwood OR 97140
23514 Sw Robson Rer Sherwood OR 97140
23553 Sw Robson Ter Sherwood OR 97140

Patrick Huske
Roger & Lisa Walker
OPEN LOT
Eric K. Wong
John & Theresa Walker
Adam & Christina Stone

Attendees @ Neighborhood Meeting

Roger & Lisa Walker, Roni Craigmiles (MIL)
Patrick Huske
Mona & Mickael Wray
Leon Simms
Barry Snyder
Gary DeBaer
Nancy Mckinney

23500 Sw Murdock Rd. Sherwood OR. 97140
23352 Sw Murdock Rd. Sherwood OR. 97140

14166 Sw Whitney Ln. Sherwood Or. 97140
23753 Sw Everest Court Sherwood Or. 97140

Notes 9/22/11

Neighborhood Meeting for Denali PUD Subdivision
Held @ Ironwood Lane adjacent to site September 19, 2011

Identified Items/Issues discussed

- Fencing...want fences adjacent to open space
- Intersections...traffic...really worried about traffic impact on Ironwood Lane and through SVE
- Questions about access onto lots
- Density questions, how many lots can fit - Understanding the new regulations
- Saving trees on perimeter of site
- Questions about impact/validity of old land use approvals (promises) on nearby parcels
- Site clean-up/contamination from old uses



Neighborhood Meeting Sign-in Sheet – September 19, 2011 – Denali Subdivision PUD

Name	Street Address	Town	State - Zip Code	e-mail/phone
Garric Leslie	23558 Denali Lane	Sh	OR 97140	iclgleslie@aol.com
Gary DoBoer	14166 SW Whitney	Sherwood	OR 97140	garydober@comcast.net
Elizabeth Cooke	23598 SW McLoughlin Ct	Sherwood	OR 97140	cookebe@comcast.net
Michael Wray	23624 SW Robson Terrace	Sherwood	OR 97140	MRWRAY@comcast.net
ROGER AND LISA WALKER	23500 SW MURDOCK	SHERWOOD	OR 97140	LISA.ROGER.WALKER@GMAIL.COM
R. Craig Miles	23500 SW MURDOCK	Sherwood	OR 97140	MRMILES@juno.com
Christine Stone	23553 SW Robson Terr	Sherwood	OR 97140	hannahbee99@comcast.net

NAME	ADDRESS	CITY	STATE ZIP CODE	PHONE NUMBER
Trick Huske	P 23352 SW Murchick Rd.	Sherwood	OR 97140	503-625-4391 Pat@ironwood-homes.com
Ironwood Homes	PO Box 1608 Ironwood Acres Lot 6,7,8	Sherwood	OR 97140	11
St Bev augus	P.O. Box 1443	Sherwood	OR 97140	503-625-2671 MARGNY@FRONTIER.COM
AULA YUZON ENNIS YUZON	23120 SW Murchick Rd Sherwood 97140	Sherwood	OR 97140	503 625-7909 PYUZON@AOL.COM



Service Provider Letter

CWS File Number

10-002401

This form and the attached conditions will serve as your Service Provider Letter in accordance with Clean Water Services Design and Construction Standards (R&O 07-20).

Jurisdiction: Sherwood Review Type: Corridor Averaging

Site Address / Location: SW Ironwood and Denali Lane
Sherwood, OR 97140 SPL Issue Date: July 14, 2011
SPL Expiration Date: July 13, 2013

Applicant Information:

Name: _____
Company: EMERIO DESIGN, LLC
Address: 6107 SW MURRAY BLVD
BEAVERTON OR 97008
SUITE 147
Phone/Fax: (503) 515-5528
E-mail: _____

Owner Information:

Name: _____
Company: EMERIO DESIGN, LLC
Address: 6107 SW MURRAY BLVD
BEAVERTON OR 97008
SUITE 147
Phone/Fax: (503) 515-5528
E-mail: _____

Tax lot ID

2S133CB01000

Development Activity

8-Lot Subdivision

Pre-Development Site Conditions:

Sensitive Area Present: On-Site Off-Site
Vegetated Corridor Width: Variable; 50-80
Vegetated Corridor Condition: Degraded

Post Development Site Conditions:

Sensitive Area Present: On-Site Off-Site
Vegetated Corridor Width: Variable; 50-100

Enhancement of Remaining Vegetated Corridor Required: Square Footage to be enhanced: 12,840

Encroachments into Pre-Development Vegetated Corridor:

Type and location of Encroachment: _____ Square Footage: _____
Lots (Permanent Encroachment; Mitigation Required) 265

Mitigation Requirements:

Type/Location: _____ Sq. Ft./Ratio/Cost: _____
On-site, located within Tract D and E. 1,066

Conditions Attached Development Figures Attached (5) Planting Plan Attached Geotech Report Required

This Service Provider Letter does NOT eliminate the need to evaluate and protect water quality sensitive areas if they are subsequently discovered on your property.

In order to comply with Clean Water Services water quality protection requirements the project must comply with the following conditions:

1. No structures, development, construction activities, gardens, lawns, application of chemicals, uncontained areas of hazardous materials as defined by Oregon Department of Environmental Quality, pet wastes, dumping of materials of any kind, or other activities shall be permitted within the sensitive area or Vegetated Corridor which may negatively impact water quality, except those allowed in R&O 07-20, Chapter 3.
2. Prior to any site clearing, grading or construction the Vegetated Corridor and water quality sensitive areas shall be surveyed, staked, and temporarily fenced per approved plan. During construction the Vegetated Corridor shall remain fenced and undisturbed except as allowed by R&O 07-20, Section 3.06.1 and per approved plans.
3. Prior to any activity within the sensitive area, the applicant shall gain authorization for the project from the Oregon Department of State Lands (DSL) and US Army Corps of Engineers (USACE). The applicant shall provide Clean Water Services or its designee (appropriate city) with copies of all DSL and USACE project authorization permits. **No Activity Authorized.**
4. An approved Oregon Department of Forestry Notification is required for one or more trees harvested for sale, trade, or barter, on any non-federal lands within the State of Oregon.
5. **Prior to ground disturbance an Erosion Control Permit is required through the City. Appropriate Best Management Practices (BMP's) for Erosion Control, in accordance with Clean Water Services' Erosion Prevention and Sediment Control Planning and Design Manual, shall be used prior to, during, and following earth disturbing activities.**
6. Prior to construction, a Stormwater Connection Permit from Clean Water Services or its designee is required pursuant to Ordinance 27, Section 4.B.
7. Activities located within the 100-year floodplain shall comply with R&O 07-20, Section 5.10.
8. Removal of native, woody vegetation shall be limited to the greatest extent practicable.
9. The water quality facility shall be planted with Clean Water Services approved native species, and designed to blend into the natural surroundings.
10. **Should final development plans differ significantly from those submitted for review by Clean Water Services, the applicant shall provide updated drawings, and if necessary, obtain a revised Service Provider Letter.**

Special Conditions

11. The Vegetated Corridor width for sensitive areas within the project site shall be a minimum of 50 feet wide, as measured horizontally from the delineated boundary of the sensitive area.
12. **For Vegetated Corridors that extend 35 feet from the break in slope, the width of Vegetated Corridors may be reduced to 15 feet wide if a stamped geotechnical report confirms that slope stability can be maintained with the reduced setback from the break in slope. Stamped geotechnical report has been provided by GeoPacific Engineering, Inc. (June 8, 2011 Report, Project No. 11-2329.**
13. The applicant shall enhance the entire Vegetated Corridor to meet or exceed good corridor condition as defined in R&O 07-20, Section 3.14.2, Table 3-3.
14. Prior to any site clearing, grading or construction, the applicant shall provide Clean Water Services with a Vegetated Corridor enhancement/restoration plan. Enhancement/restoration of the Vegetated Corridor shall be provided in accordance with R&O 07-20, Appendix A, and shall include planting specifications for all Vegetated Corridor, including any cleared areas larger than 25 square feet in Vegetated Corridor rated "good."
15. Prior to installation of plant materials, all invasive vegetation within the Vegetated Corridor shall be removed per methods described in Clean Water Services' Integrated Pest Management Guide, 2009. During removal of invasive vegetation care shall be taken to minimize impacts to existing native tree and shrub species.

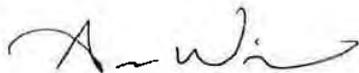
16. The City or Clean Water Services shall be notified 72 hours prior to the start and completion of enhancement/restoration activities. Enhancement/restoration activities shall comply with the guidelines provided in Landscape Requirements (R&O 07-20, Appendix A).
17. Maintenance and monitoring requirements shall comply with R&O 07-20, Section 2.11.2. If at any time during the warranty period the landscaping falls below the 80% survival level, the owner shall reinstall all deficient planting at the next appropriate planting opportunity and the two year maintenance period shall begin again from the date of replanting.
18. Performance assurances for the Vegetated Corridor shall comply with R&O 07-20, Section 2.06.
19. **For any developments which create multiple parcels or lots intended for separate ownership, Clean Water Services shall require that the sensitive area and Vegetated Corridor be contained in a separate tract and subject to a "STORM SEWER, SURFACE WATER, DRAINAGE AND DETENTION EASEMENT OVER ITS ENTIRETY" to be granted to the City or Clean Water Services.**
20. **The easement over the Vegetated Corridor conveying storm and surface water management to Clean Water Services or the City would prevent the owner of the Vegetated Corridor from activities and uses inconsistent with the purpose of the corridor and any easements therein.**

FINAL PLANS

21. **Final construction plans shall include landscape plans.** In the details section of the plans, a description of the methods for removal and control of exotic species, location, distribution, condition and size of plantings, existing plants and trees to be preserved, and installation methods for plant materials is required. Plantings shall be tagged for dormant season identification and shall remain on plant material after planting for monitoring purposes.
22. **A Maintenance Plan shall be included on final plans** including methods, responsible party contact information, and dates (minimum two times per year, by June 1 and September 30).
23. **Final construction plans shall clearly depict the location and dimensions of the sensitive area and the Vegetated Corridor** (indicating good, marginal, or degraded condition). Sensitive area boundaries shall be marked in the field.
24. **Protection of the Vegetated Corridors and associated sensitive areas shall be provided by the installation of permanent fencing and signage** between the development and the outer limits of the Vegetated Corridors. Fencing and signage details to be included on final construction plans.

This Service Provider Letter is not valid unless CWS-approved site plan is attached.

Please call (503) 681-3653 with any questions.



Amber Wierck
Environmental Plan Review

Attachments (5)

RECEIVED
OCT 20 2010
By _____



Clean Water Services File Number
10-002401

Sensitive Area Pre-Screening Site Assessment

1. Jurisdiction: <u>City of Sherwood</u>	
2. Property Information (example 1S234AB01400) Tax lot ID(s): <u>2S1W Section 33 CB, TL 1000</u> Site Address: <u>SW Murdock, SW Denali,</u> City, State, Zip: <u>Sherwood</u> Nearest Cross Street: <u>SW Ironwood, SW Denali</u>	3. Owner Information Name: <u>John Satterberg</u> Company: <u>Community Financial</u> Address: <u>PO Box 1969</u> City, State, Zip: <u>Lake Oswego, Oregon 97035</u> Phone/Fax: <u>503.636.4800</u> E-Mail: _____
4. Development Activity (check all that apply) <input type="checkbox"/> Addition to Single Family Residence (rooms, deck, garage) <input type="checkbox"/> Lot Line Adjustment <input type="checkbox"/> Minor Land Partition <input type="checkbox"/> Residential Condominium <input type="checkbox"/> Commercial Condominium <input checked="" type="checkbox"/> Residential Subdivision <input type="checkbox"/> Commercial Subdivision <input type="checkbox"/> Single Lot Commercial <input type="checkbox"/> Multi Lot Commercial Other _____	5. Applicant Information Name: <u>Kirsten Van Loo</u> Company: <u>Emerio Design</u> Address: <u>6107 SW Murray Suite 147</u> City, State, Zip: <u>Beaverton, OR 97008</u> Phone/Fax: <u>503.956.4180</u> E-Mail: _____

6. Will the project involve any off-site work? Yes No Unknown
Location and description of off-site work _____

7. Additional comments or information that may be needed to understand your project _____

This application does NOT replace Grading and Erosion Control Permits, Connection Permits, Building Permits, Site Development Permits, DEQ 1200-C Permit or other permits as issued by the Department of Environmental Quality, Department of State Lands and/or Department of the Army COE. All required permits and approvals must be obtained and completed under applicable local, state, and federal law.

By signing this form, the Owner or Owner's authorized agent or representative, acknowledges and agrees that employees of Clean Water Services have authority to enter the project site at all reasonable times for the purpose of inspecting project site conditions and gathering information related to the project site. I certify that I am familiar with the information contained in this document, and to the best of my knowledge and belief, this information is true, complete, and accurate.

Print/Type Name Kirsten Van Loo Print/Type Title Planner
Signature [Signature] Date 10.15.2010

FOR DISTRICT USE ONLY

Sensitive areas potentially exist on site or within 200' of the site. **THE APPLICANT MUST PERFORM A SITE ASSESSMENT PRIOR TO ISSUANCE OF A SERVICE PROVIDER LETTER.** If Sensitive Areas exist on the site or within 200 feet on adjacent properties, a Natural Resources Assessment Report may also be required.

Based on review of the submitted materials and best available information Sensitive areas do not appear to exist on site or within 200' of the site. This Sensitive Area Pre-Screening Site Assessment does NOT eliminate the need to evaluate and protect water quality sensitive areas if they are subsequently discovered. This document will serve as your Service Provider letter as required by Resolution and Order 07-20, Section 3.02.1. All required permits and approvals must be obtained and completed under applicable local, State, and federal law.

Based on review of the submitted materials and best available information the above referenced project will not significantly impact the existing or potentially sensitive area(s) found near the site. This Sensitive Area Pre-Screening Site Assessment does NOT eliminate the need to evaluate and protect additional water quality sensitive areas if they are subsequently discovered. This document will serve as your Service Provider letter as required by Resolution and Order 07-20, Section 3.02.1. All required permits and approvals must be obtained and completed under applicable local, state and federal law.

This Service Provider Letter is not valid unless _____ CWS approved site plan(s) are attached.

The proposed activity does not meet the definition of development or the lot was platted after 9/9/95 ORS 92.040(2). NO SITE ASSESSMENT OR SERVICE PROVIDER LETTER IS REQUIRED.

Reviewed by Laurie Harris Date 10/26/10

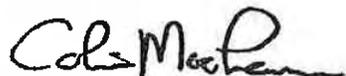
File Number

3695

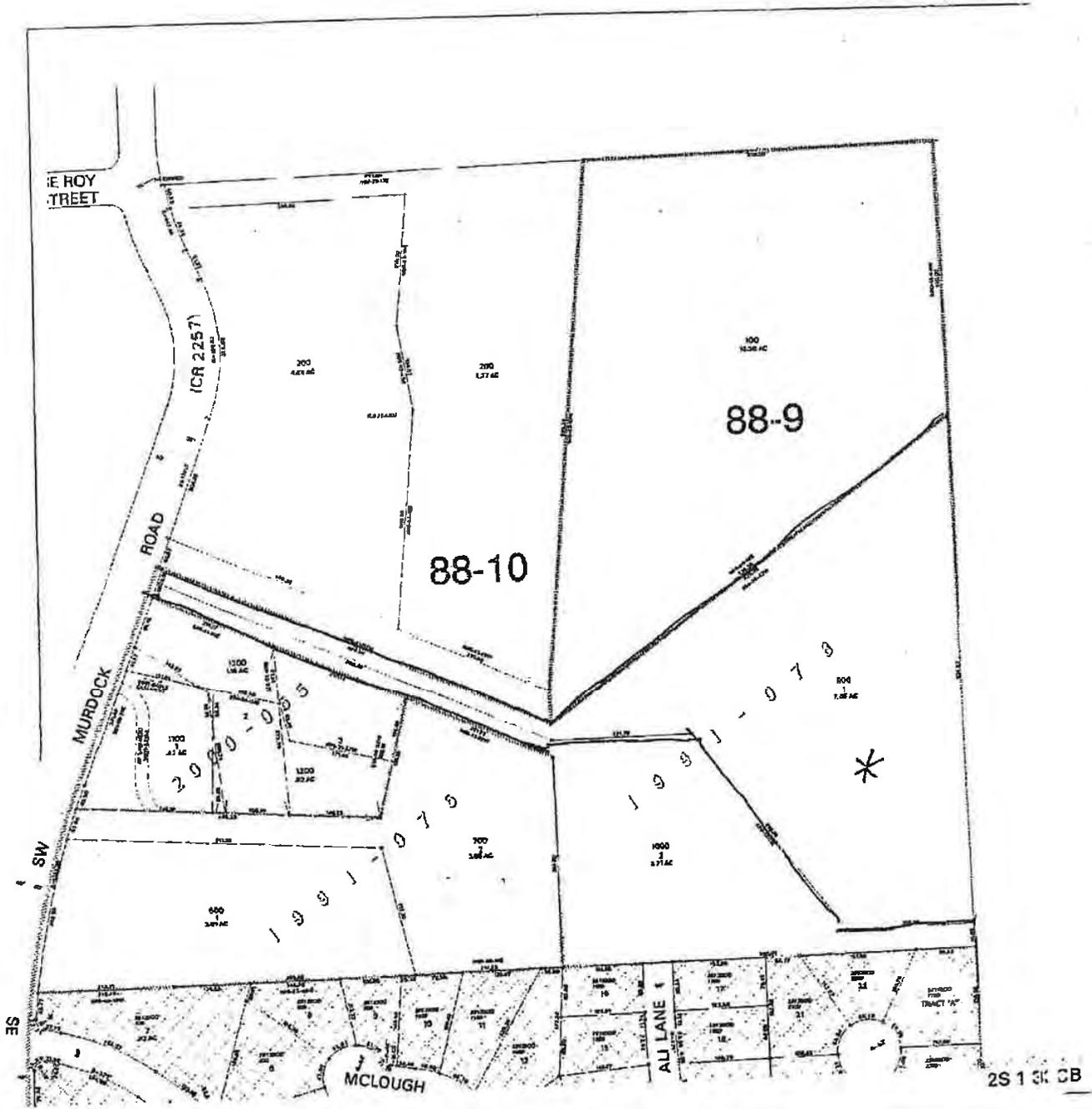
SPECIAL CONDITIONS

14. The vegetated corridor width for sensitive areas within the project site shall be a minimum of 50 feet wide, as measured horizontally from the delineated boundary of the sensitive area.
15. For vegetated corridors that extend 35 feet from the break in slope, the width of vegetated corridor may be reduced to 15 feet wide if a stamped geotechnical report confirms that slope stability can be maintained with the reduced setback from the break in slope. **Geotechnical report submitted. Reduction to 15 feet from break in slope allowed under this SPL.**
16. **Final construction plans shall include landscape plans.** Plans shall include in the details a description of the methods for removal and control of exotic species, location, distribution, condition and size of plantings, existing plants and trees to be preserved, and installation methods for plant materials. Plantings shall be tagged for dormant season identification. **Tags to remain on plant material after planting for monitoring purposes.**
17. **A Maintenance Plan shall be included on final plans including methods, responsible party contact information, and dates (minimum two times per year, by June 1 and September 30).**
18. Clean Water Services shall be notified 72 hours prior to the start and completion of enhancement/restoration activities. Enhancement/restoration activities shall comply with the guidelines provided in Landscape Requirements (R&O 03-11: Appendix D).
19. Prior to installation of plant materials, all invasive vegetation within the vegetated corridor shall be removed. During removal of invasive vegetation care shall be taken to minimize impacts to existing native trees and shrub species.
20. Enhancement/restoration of the vegetated corridor shall be provided in accordance with the attached planting plan and R&O 03-11, Appendix D.
21. Prior to any site clearing, grading or construction, the applicant shall provide the District with the required vegetated corridor enhancement/restoration plan in compliance with R&O 03-11.
22. Protection of the vegetated corridors and associated sensitive areas shall be provided by the installation of permanent fencing and signage between the development and the outer limits of the vegetated corridors.
23. Maintenance and monitoring requirements shall comply with Section 2.11.2 of R&O 03-11. If at any time during the warranty period the landscaping falls below the 80% survival level, the Owner shall reinstall all deficient planting at the next appropriate planting opportunity and the two year maintenance period shall begin again from the date of replanting.
24. Performance assurances for the vegetated corridor shall comply with Section 2.06.2, Table 2-1.4 and Section 2.10, Table 2-2.2.
25. For any developments, which create multiple parcels or lots intended for separate ownership, the District shall require that the vegetated corridor and the sensitive area be contained in a separate tract. The tract plat shall include language protecting the vegetated corridor and sensitive area.

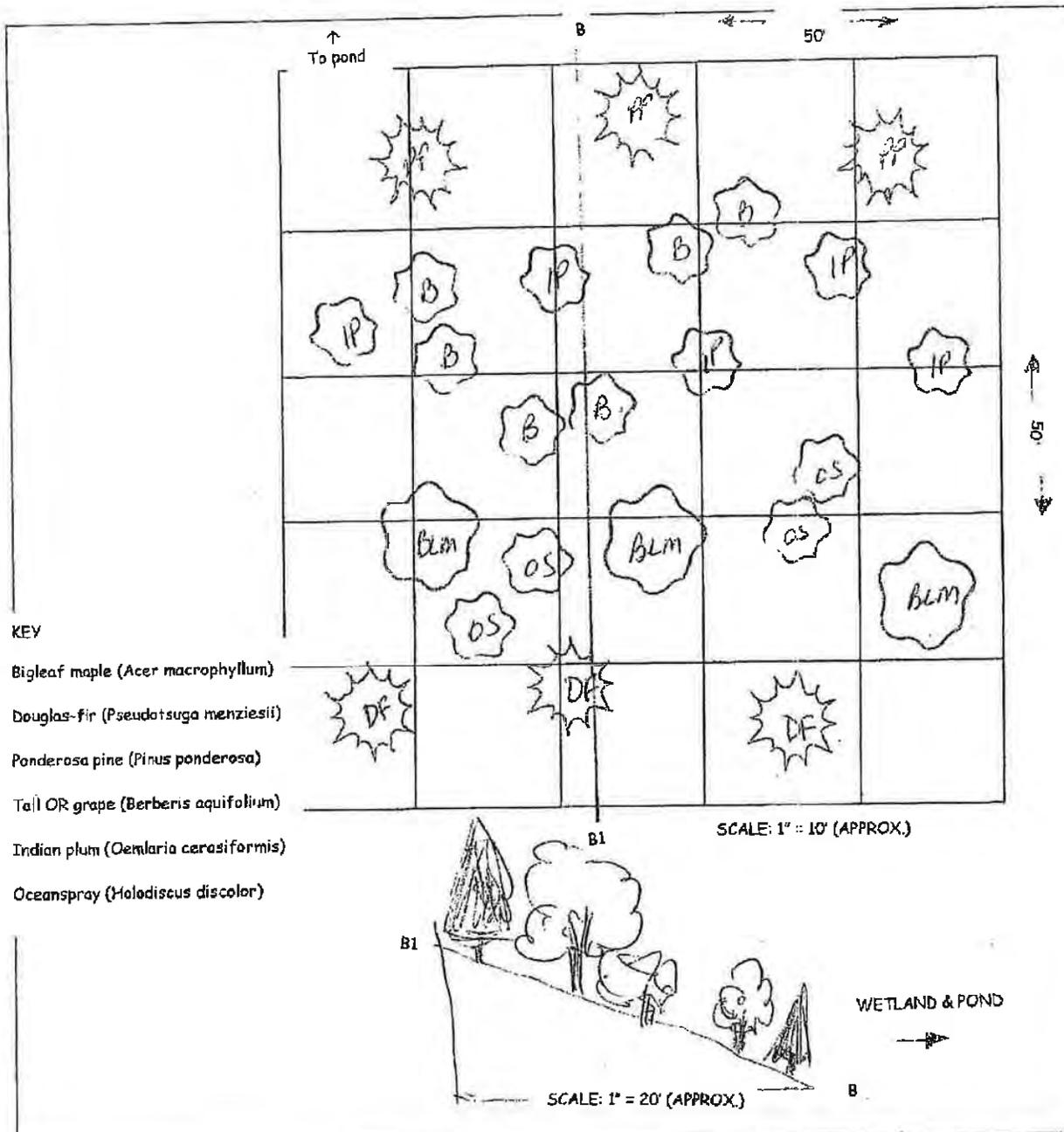
Please call (503) 846-3647 with any questions.


Colin MacLaren
Environmental Plan Review

Attachments (1)



<p>RITA N. MROCZEK, PWS 3980 SW 170TH AVE. ALOHA, OR 97007</p>	<p>FIGURE 3. TAX MAP</p>	<p>PROJECT: MURDOCK RD. SITE PREPARED FOR: IRONWOOD HOMES, INC. DEC. 2003</p> <p style="text-align: right;">N</p>
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- KEY**
- Bigleaf maple (*Acer macrophyllum*)
 - Douglas-fir (*Pseudotsuga menziesii*)
 - Ponderosa pine (*Pinus ponderosa*)
 - Tail OR grape (*Berberis aquifolium*)
 - Indian plum (*Oemleria cerasiformis*)
 - Oceanspray (*Holodiscus discolor*)

RITA N. MROCZEK, PWS
3980 SW 170TH AVE.
ALOHA, OR 97007

FIGURE 5.
PLANTING PLAN & CROSS-
SECTION – SOUTH SLOPES

PROJECT: MURDOCK RD. SITE
 PREPARED FOR:
 IRONWOOD HOMES, INC.
 DEC. 2003

↑
N

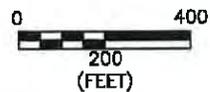
GRID PATTERN USED TO ESTABLISH PLANT QUANTITIES AND SPACING. ALL PLANT MATERIALS WILL BE PLACED IN NATURAL-APPEARING DRIFTS

RITA N. MROCZEK, PWS Ironwood Homes, Inc./Murdock Road site December 2003 Page 2

PLANT MATERIALS AND PLANTING SPECIFICATIONS – SOUTHERN SIDE OF POND

Common Name	Scientific Name	Plant Size	Planting Specs.	Number of Plants
Douglas-fir	<i>Pseudotsuga menziesii</i>	2-3' saplings	Plant on approx. 15' centers at higher elevation, as shown	36
Ponderosa pine	<i>Pinus ponderosa</i>	2-3' saplings	Plant on approx. 10' centers near slope bottom	36
Bigleaf maple	<i>Acer macrophyllum</i>	2-3' saplings	Plant on approx. 20' centers	36
Indian plum	<i>Oemleria cerasiformis</i>	2 gal. plants	Plant on approx. 10' centers	60
Tall Oregon grape	<i>Berberis aquifolium</i>	1 gal. plants	Plant in pairs as shown	72
Oceanspray	<i>Holodiscus discolor</i>	1 gal. plants	Plant in pairs as shown	74

4. SEEDING - After trees and shrubs are planted, seed entire area with native upland grass seed mix, at 30-40# per acre, in this case about 24 pounds). Use at least 3 of these species: California brome (*Bromus carinatus*), native red fescue (*Festuca rubra rubra*), western fescue (*F. occidentalis*), blue wildrye (*Elymus glaucus*), large-leaf lupine (*Lupinus polyphyllum*), western yarrow (*Achillea millefolium*). If necessary, all seeded areas that do not show a prompt uniform germination shall be re-seeded by the landscape contractor at intervals of 45-60 days until a good growth is established over the entire area.



○ SITE LOCATION



EUGENE OFFICE
 32988 Roberts Ct.
 Coburg, OR
 ph: 541.484.9484

PORTLAND OFFICE
 25195 SW Parkway Ave., #207
 Wilsonville, OR
 ph: 503.570.9484

www.BBAENV.COM

PROPOSAL
AERIAL

SW IRONWOOD LANE, SHERWOOD, OREGON

FIGURE #

1

PROJECT CODES EDD1RI/SF.10E	DATE 01/12/11	SCALE AS SHOWN	DRAWN K.D.DESIGNS	CHECKED RANDALL BOESE
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BACKGROUND

BB&A Environmental has reviewed the following in preparation of this Scope of Work and Budgetary Cost Proposal:

- Documents on-line on the DEQ database including a Technical Memorandum titled "Screening Level Human Health Risk Assessment," prepared by the DEQ dated July 13, 2007; and
- U.S. Department of Health and Human Services Public Health Assessment Report dated April 8, 2008.

In addition BB&A has met with the DEQ and discussed sampling protocol with Mark Pugh of the DEQ.

The following is an excerpt from the DEQ's Technical Memorandum dated July 13, 2007:

The Former KFF Property (site or Property) is a former agricultural pasture land that was owned by a Mr. Ken Foster in the 1960s to 70s. The site is located in southeast Sherwood, Oregon (see Figure 1). Mr. Foster is now deceased. The Property covers 40.44-acres that has since been sub-divided into several individually-owned residential properties. Oregon DEQ records indicate that from approximately 1962 to 1971, tannery wastes from the (former) Frontier Leather Company were applied by Mr. Foster to several areas within the 40.44-acres of pasture land. The applications were intended as a humus-building soil amendment.

Until early 1969, wastes from the Frontier Leather Company included animal wastes (hide scrapings, tissue, fat and hair) from the tannery's hide preparation operations, as well as liquid sludge from the tannery's primary wastewater settling tanks. The land applied animal wastes were accumulated in piles and allowed to decompose for up to a year before being tilled into site soils. Lime was applied over the organic wastes to minimize odors. Frontier Leather wastewater treatment system sludge continued to be applied to Foster farm until 1971, when a wastewater vacuum filter was installed at the tannery. At that time, the company began burying its wastewater solids on the tannery site Former Ken Foster Farm.

DEQ entered the KFF site into the Environmental Cleanup Site Information (ECSI) database in 2000, as ECSI #2516, based upon references to the site in records acquired from Frontier Leather. In 2004, DEQ completed a Preliminary Assessment (PA) funded by cooperative grant funds from the Environmental Protection Agency (EPA) Region 10.

DEQ referred the KFF site to EPA in 2005 due to concerns that site soil and groundwater may have been impacted by several metals associated with historical tanning operations including chromium that posed a potential significant risk to human health and the environment. In late 2005, EPA initiated contact with KFF property owners and notified them of EPA's high priority ranking based on the Preliminary Assessment and their decision to proceed with a federal Site Inspection (SI) for consideration in the Superfund process.

In July of 2006, EPA performed sampling work as part of an Integrated Assessment (IA) on the site. Several soils were resampled in October of 2006 and EPA issued the final (revised) IA Report in March of 2007. Sampling included field characterization for total chromium using an x-ray fluorescence (XRF) device for 172 samples and laboratory

analytical tests performed on 34 surface soil samples. The XRF was used for field monitoring of total chromium concentrations. Soils were tested in the laboratory for target analyte metals, semivolatile organic compounds (SVOCs), and chlorinated pesticides.

The findings of the Screening Level Human Health Risk Assessment completed by DEQ for the former KFF property is listed below:

- The results of the soil sampling indicated concentrations of antimony, chromium, lead, and mercury above expected background concentrations. In addition, sediment samples from the wetland area on the site were found to contain elevated concentrations of chromium, copper, mercury and zinc.
- DEQ has evaluated potential human health risks based upon the soil results from the EPA IA results and data from property-owner site investigations on two of the properties within the former KFF acreage. DEQ utilized the document "Guidance for Conduct of Deterministic Human Health Risk Assessments," for this work. The DEQ concluded that the overall potential human health risk from metals-contaminated soils over the entire 40.44-acre footprint of the former KFF property is relatively low. Since valid soil sample tests indicate that hexavalent chromium (chromium VI) is not present in soils, and that the prevalent form of chromium in soils is trivalent chromium (chromium III), a risk-based standard of 100,000 ppm for total chromium has been established for this site.
- The soil contaminants of interest – antimony, chromium, lead and mercury do not present an unacceptable human health risk on an individual contaminant basis. However, antimony and mercury do present a potential unacceptable human health risk based upon a possible cumulative effect since these contaminants do target a similar human organ – the kidney. However, based upon soil sample laboratory data and XRF field results, the contaminants of interest (COI) have been measured at concentrations exceeding risk-based standards in a localized (and apparently limited) area on the central east side of the former KFF site. The area of contaminated soils that pose a human health concern is not in close proximity to currently occupied structures and therefore, DEQ concluded that the chance of significant exposure to residents living around these areas is low under current conditions.
- Since the site is slated for additional residential property development, DEQ recommends that the soils in the area where a potential human health threat exists, be directly addressed (e.g., localized removal or capped) prior to site development. Capping with one (1) foot of clean material was discussed in the meeting with the DEQ.

As discussed with DEQ in a meeting on January 6, 2011, the DEQ indicated that cleanup at the site will be driven by site specific ecological RBCs for exposure to chromium in soil. DEQ indicated that a site specific RBC was specifically developed to be protective for terrestrial birds due to the potential for bioaccumulation and because avian receptors are considered to be the most sensitive to the effects of chromium. Site-specific RBCs for soil were developed for chromium using a bioaccumulation approach presented by Suter, et al., in *Ecological Risk Assessment for Contaminated Sites* (2000) using the American robin as an indicator species. Details on the calculation of this RBC can be found the Remedial Investigation Report prepared by Geoengineers

in 2004. The calculated soil chromium RBC is 130 mg/kg for threatened and endangered (T & E) species and 280 mg/kg for the protection of populations of all other species. The T&E RBC was chosen as the criterion to use to guide future management (i.e., feasibility study) of the site since state and federally-listed avian receptors (i.e., peregrine falcon and bald eagle) have been documented in the vicinity of the site and due to the proximity of the site to the Tualatin River National Wildlife Refuge (TRNWR). In addition, the RI prepared by Geoengineers did not identify any unacceptable risks under the industrial worker, utility worker, recreational user or trespasser scenarios (human receptors). Thus, there are no hot spots in soil on the basis of the protection of human health. By applying an ecological hot spot concentration multiplier of 10 to the site-specific ecological RBC of 130 mg/kg, a hot spot concentration of 1,300 mg/kg is derived.

Soil samples have been collected on tax lot 1000 in nine (9) locations as shown on the Site Plan presented as **Figure 2**. BB&A has been able to obtain the analytical results for six (6) of the locations analyzed using x-ray fluorescence (XRF). This results are presented in **Table 1** below. In five (5) of the six (6) surface samples, concentrations of chromium exceeded the "hot spot" criteria of 1,300 mg/kg.

Table 1. Surface Soil Sample Data Using XRF		
Results in mg/kg (ppm)		
Sample Location	Cr III Concentration	Detection Limit
EE02SS	3,960.11	80.45
EE03SS	3,652.76	77.48
EE04SS	7,406.35	135.92
EE05SS	3,728.55	88.76
EE06SS	1,358.38	49.72
EE07SS	817.98	33.77
WD01SD, WD02SD, and WD03SD - No Data		

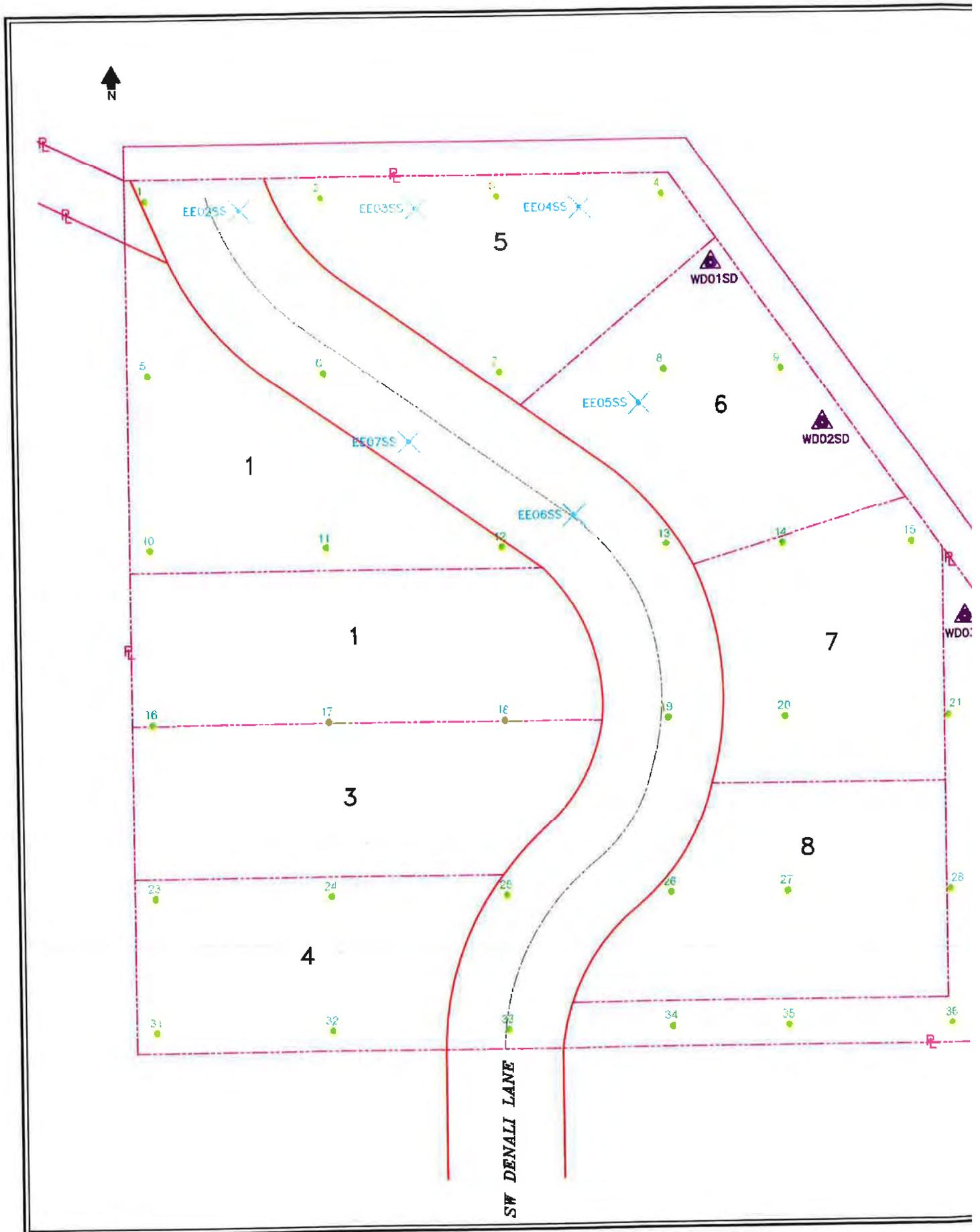
CHROMIUM (ENVIRONMENTAL FATE AND TOXICITY)

The health hazards associated with exposure to chromium are dependent on its oxidation state. The metal form is of low toxicity. The hexavalent form (chromium VI) is toxic. However, laboratory analysis from the site indicates that only the trivalent form of chromium (chromium III) is presented at the site.

There are several different kinds of chromium that differ in their effects upon organisms. Chromium enters the air, water and soil in the chromium III and chromium VI forms through natural processes and human activities. The main human activities that increase the concentrations of chromium III are steel, leather and textile manufacturing. The main human activities that increase chromium VI concentrations are chemical, leather and textile manufacturing, electro painting and other chromium VI applications in the industry.

Most of the chromium in air will eventually settle and end up in waters or soils. Chromium in soils strongly attaches to soil particles and as a result it will not migrate towards groundwater (i.e., leach). In water, chromium will absorb on sediment and become immobile. Only a small part of the chromium that ends up in water will eventually dissolve.

Chromium is not known to accumulate in the bodies of fish, but high concentrations of chromium, due to the disposal of metal products in surface waters, can damage the gills of fish that swim near the point of disposal. In animals chromium can cause respiratory problems, a lower ability to fight disease, birth defects, infertility and tumor formation.



TIME OF CONCENTRATION SUMMARY

Time of Concentration Calculations

Appendix B(5)

Pre-Developed Time of Concentration

	Accum. Tc
Lag One: Sheet Flow (First 300 ft)	
Tt = Travel time	
Manning's "n" =	0.150
Flow Length (300 ft. max.), L =	300 ft
P = 2-year, 24hr storm =	2.5 in
Slope, S ₀ =	0.146 ft/ft
 $T_T = \frac{(0.42)(n * L)^{0.8}}{(P)^{0.5} (S_0)^{0.4}}$	12.0 min
LAG TWO: SHALLOW CONCENTRATED FLOW (NEXT 142 FEET)	
Tc Velocity factor, k=	11
Slope, S ₀ =	0.158 ft/ft
$V = k\sqrt{S_0}$	4.4 ft/s
Flow Length, L =	142 ft
$T' = \frac{L}{(60)(V)}$	0.5 min

Total Predeveloped Tc = 12.6 min

Developed Time of Concentration

Catchment Time	5.0 min
Longest Run of Pipe	20 ft
Velocity of Flow	3.0 ft/s
Time in Pipe = (20 ft)/(3.00 ft/s) =	7 s
Total Developed Tc =	5.1 min
Use	5.0 min

Impervious Area Calculation
Appendix B(6)

Existing Impervious Area
No existing Impervious Area 0 sf

New Impervious Area

Lot Area	8 Lots X 2,640 sf/lot	21,120 sf
Asphalt/Curbs		14,779 sf
Sidewalks		5,724 sf
Total		41,623 sf

Total Shed Area	161,417 sf
-----------------	------------

Existing Impervious Area	0 sf
% Impervious	0%

New Impervious Area	41,623 sf
% Impervious	26%

**Santa Barbara Urban Hydrographs
Appendix B(7)**

DESCRIPTION	Design Storm (yr)	Duration (hr)	Precip (in)	Area Total (Ac.)	% Imp.	Area Per. (Ac.)	CN Per.	Area Imp. (Ac.)	CN Imp.	Time (Min.)	Q (cfs)
Predeveloped 2-Year Peak Discharge	2	24	2.50	3.71	0%	3.71	84	0.00	98	12.6	0.88
Developed 2-Year Peak Discharge	2	24	2.50	3.71	26%	2.74	84	0.96	98	5.0	1.35
Predeveloped 10-Year Peak Discharge	10	24	3.45	3.71	0%	3.71	84	0.00	98	12.6	1.63
Developed 10-Year Peak Discharge	10	24	3.45	3.71	26%	2.74	84	0.96	98	5.0	2.23
Predeveloped 25-Year Peak Discharge	25	24	3.90	3.71	0%	3.71	84	0.00	98	12.6	2.00
Developed 25-Year Peak Discharge	25	24	3.90	3.71	26%	2.74	84	0.96	98	5.0	2.67
Predeveloped 100-Year Peak Discharge	100	24	4.50	3.71	0%	3.71	84	0.00	98	12.6	2.52
Developed 100-Year Peak Discharge	100	24	4.50	3.71	26%	2.74	84	0.96	98	5.0	3.26

APPENDIX D(1) - BIOSWALE CALCULATION

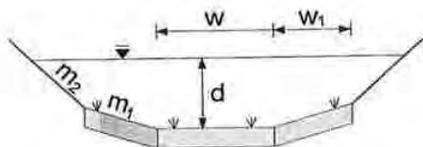
Water Quality Area

Total Impervious = 0.96 ac

Water Quality Flow

$$\begin{aligned} \text{WQ Volume (cf)} &= \frac{0.36 \text{ in} \times \text{Impervious Area (sf)}}{12 \text{ (in/ft)}} \\ \text{WQ Flow (cfs)} &= \frac{\text{WQ Volume (cf)}}{(4 \text{ hr})(60 \text{ min/hr})(60 \text{ sec/min)}} \\ &= \frac{\text{Impervious Area (sf)}}{480,000 \text{ sec/ft}} \\ &= \frac{\text{ac} \times 43,560 \text{ sf/ac}}{480,000 \text{ sec/ft}} \\ &= 0.09 \text{ cfs} \end{aligned}$$

Biofilter Swale



Water Quality Event

Transverse Properties	X-Sectional Properties
Q = 0.09 cfs	w = 2.0'
s = 0.50%	w ₁ = 2.0'
n = 0.240	m ₁ = 4:1
L = 100 LF	m ₂ = 2.5:1
v = 0.13 fps	d = 0.22' ✓
t = 12.48 min ✓	

25-Year Event

Transverse Properties	X-Sectional Properties
Q = 2.67 cfs	w = 2.0'
s = 0.50%	w ₁ = 2.0'
n = 0.240	m ₁ = 4:1
L = 100 LF	m ₂ = 2.5:1
v = 0.36 fps ✓	d = 1.27'
t = 4.63 min	F.B. depth = 2.27'

SOIL FEATURES FOR WASHINGTON COUNTY

Appendix B(2)

Soil name and map symbol	Group	Flooding		
		Frequency	Duration	Months
Aloha: 1	C	None	None	None
Amity: 2	C	None	None	None
Astoria: 3E, 3F	B	None	None	None
Briedwell: 4B, 5B, 5C, 5D	B	None	None	None
Carlton: 6B, 6C	B	None	None	None
Cascade: 7B, 7C, 7D, 7E, 7F	C	None	None	None
Chehalem: 8C	C	None	None	None
Chehalis: 9, 10	B	Common	Brief	Nov-Mar
Cornelius: 11B, 11C, 11D, 11E, 11F:				
Cornelius part	C	None	None	None
Kinton part	C	None	None	None
Cornelius Variient: 12A, 12B, 12C	C	None	None	None
Cove: 13, 14	D	Common	Brief	Dec-Apr
Dayton: 15	D	None	None	None
Delena: 16C	D	None	None	None
Goble: 17B, 17C, 17D, 17E, 18E, 18F	C	None	None	None
Helvetia: 19B, 19C, 19D, 19E	C	None	None	None
Hembre: 20E, 20F, 20G	B	None	None	None
Hillsboro: 21A, 21B, 21C, 21D	B	None	None	None
Hubberly: 22	D	None	None	None
Jory: 23B, 23C, 23D, 23E, 23F	C	None	None	None
Kilchis: 24G				
Kilchis part	C	None	None	None
Klickitat part	B	None	None	None

SOIL FEATURES FOR WASHINGTON COUNTY

Appendix B(2)

Soil name and map symbol	Group	Flooding		
		Frequency	Duration	Months
Klickitat: 25E, 25F, 25G	B	None	None	None
Knappa: 26	B	None	None	None
Lablsh: 27	D	Frequent	Very Long	Dec-Apr
Laurelwood: 28B, 28C, 28D, 28E, 29E, 29F	B	None	None	None
McBee: 30	B	Frequent	Brief	Nov-May
Melborne: 31B, 31C, 31D, 31E, 31F	B	None	None	None
Melby: 32C, 32D, 32E, 33E, 33F, 33G	C	None	None	None
Olyic: 34C, 34D, 34E, 35E, 35F, 35G	B	None	None	None
Pervina: 36C, 36D, 36E, 36F	C	None	None	None
Quatama: 37A, 37B, 37C, 37D	C	None	None	None
Saum: 38B, 38C, 38D, 38E, 38F	C	None	None	None
Tolke: 39E, 39F	B	None	None	None
Udifluvents: 40	B	Frequent	Very Long	Nov-Apr
Verboot: 42	D	Frequent	Brief	Dec-Apr
Wapato: 43	D	Frequent	Brief	Dec-Apr
Willamette: 44A, 44B, 44C, 44D	B	None	None	None
Woodburn: 45A, 45B, 45C, 45D	C	None	None	None
Xerchrepts: 46F	B	None	None	None
Xerochrepts part	B	None	None	None
Haploxeroils part	C	None	None	None
47D	D	None	None	None
Xerochrepts part	D	None	None	None
Rock outcrop part	D	None	None	None

RUNOFF CURVE NUMBERS (TR55)

Appendix B(3)

Table 2-2a: Runoff curve numbers for urban areas ¹

Cover description	Average % impervious area ²	CN for hydrologic soil group			
		A	B	C	D
Fully developed urban areas (vegetation established)					
Open space (lawns, parks, golf courses, cemeteries, etc.) ³ :					
Poor condition (grass cover <50%)		68	79	86	89
Fair condition (grass cover 50% to 75%)		49	69	79	84
Good condition (grass cover >75%)		39	61	74	80
Impervious areas:					
Paved parking lots, roofs, driveways, etc. (excluding right-of-way)		98	98	98	98
Streets and roads:					
Paved; curbs and storm sewers (excluding right-of-way)		98	98	98	98
Paved; open ditches (including right-of-way)		83	89	92	93
Gravel (including right-of-way)		76	85	89	91
Dirt (including right-of-way)		72	82	87	89
Western desert urban areas:					
Natural desert landscaping (pervious areas only) ⁴		63	77	85	88
Artificial desert landscaping (impervious weed barrier, desert shrub with 1- to 2-inch sand or gravel mulch and basin borders)		96	96	96	96
Urban districts:					
Commercial and business	85	89	92	94	95
Industrial	72	81	88	91	93
Residential districts by average lot size:					
1/8 acre or less (town houses)	65	77	85	90	92
1/4 acre	38	61	75	83	87
1/3 acre	30	57	72	81	86
1/2 acre	25	54	70	80	85
1 acre	20	51	68	79	84
2 acres	12	46	65	77	82
Developing urban areas					
Newly graded areas (pervious areas only, no vegetation) ⁵	77	86	91	94	
Idle lands (CNs are determined using cover types similar to those in table 2-2c)					

1: Average runoff condition, and $I_a = 0.2S$.

2: The average percent impervious area shown was used to develop the composite CN's. Other assumptions are as follows: impervious areas are directly connected to the drainage system, impervious areas have a CN of 98, and pervious areas are considered equivalent to open space in good hydrologic condition. CN's for other combinations of conditions may be computed using figure 2-3 or 2-4.

3: CN's shown are equivalent to those of pasture. Composite CN's may be computed for other combinations of open space cover type.

4: Composite CN's for natural desert landscaping should be computed using figures 2-3 or 2-4 based on the impervious area percentage (CN = 98) and the pervious area CN. The pervious area CN's are assumed equivalent to desert shrub in poor hydrologic

5: Composite CN's to use for the design of temporary measures during grading and construction should be computed using figure 2-3 or 2-4 based on the degree of development (impervious area percentage) and the CN's for the newly graded pervious areas.

MANNING'S "n" VALUES

Appendix B(4)

SHEET FLOW EQUATION MANNING'S VALUES		n_s
Smooth Surfaces (concrete, asphalt, gravel, or bare hand packed soil)		0.011
Fallow Fields or loose soil surface (no residue)		0.05
Cultivated soil with residue cover ($\leq 20\%$)		0.06
Cultivated soil with residue cover ($> 20\%$)		0.17
Short prairie grass and lawns		0.15
Dense grasses		0.24
Bermuda grasses		0.41
Range (natural)		0.13
Woods or forrest with light underbrush		0.40
Woods or forrest with dense underbrush		0.80
SHALLOW CONCENTRATED FLOW (after initial 300 ft of sheet flow, $R = 0.1$)		k_s
Forrest with heavy ground litter and meadows ($n = 0.010$)		3
Brushy ground with some trees ($n = 0.060$)		5
Fallow or minimum tillage cultivation ($n = 0.040$)		8
High grass ($n = 0.035$)		9
Short grass, pasture and lawns ($n = 0.030$)		11
Nearly bare ground ($n = 0.25$)		13
Paved and gravel areas ($n = 0.012$)		27
CHANNEL FLOW (Intermittent) (At the beginning of all visible channels, $R = 0.2$)		k_c
Forested swale with heavy ground cover ($n = 0.10$)		5
Forested drainage course/ravine with defined channel bed ($n = 0.050$)		10
Rock-lined waterway ($n = 0.035$)		15
Grassed waterway ($n = 0.030$)		17
Earth-lined waterway ($n = 0.025$)		20
CMP pipe ($n = 0.024$)		21
Concrete pipe ($n = 0.012$)		42
Other waterways and pipe	$0.508/n$	
CHANNEL FLOW (continuous stream, $R = 0.4$)		k_c
Meandering stream ($n = 0.040$)		20
Rock-lined stream ($n = 0.035$)		23
Grass-lined stream ($n = 0.030$)		27
Other streams, man-made channels and pipe	$n = 0.807/n$	

Project Overview

This property has been evaluated by several developers over the past 10-15 years as a potential site for a small high-quality subdivision development. The downturn in residential subdivision values several years ago forced the return of this parcel to the investor/financial organization. This application is presented to the City of Sherwood for approval in order to position the property for sale to a qualified developer/builder.

The site is beautiful, however it is fraught with development challenges. The land is sloped and connection of the stub street – Denali – to Ironwood Lane is a design challenge. A conceptual horizontal and vertical alignment for the street extension/connection has been designed that has been reviewed and preliminarily accepted by the City Engineer. A modification to the street standards is included with this application package to address the specific street connection design. The underlying rock sub-stratum requires a storm water management design that reduces underground piping and uses surface flows and shallow piping to convey waters for treatment and redistribution to the natural system.

There is evidence of soil contamination from earlier rural farm operations that included application of tannery wastes for “soil amendments” between 1962 and 1971. A comprehensive report was produced addressing the contamination titled: PUBLIC HEALTH ASSESSMENT – KEN FOSTER FARM – SHERWOOD, OREGON. A copy of that report is included with the application materials for public information purposes. Final management of potentially contaminated soil on the site requires overall grading and soil storage on Tract A. A meeting with DEQ provided two alternatives for addressing the surface soil contamination. Either the soil can be scraped off of the site and hauled to an approved dump site or it can be scraped from the developable area and stockpiled on-site and capped with clean fill dirt. This proposal is the latter, to grade the contaminated soil to a single location and cap the spoils with clean soil. Subsequent grading of the site (phase II grading plan) readies the site for infrastructure development and building homes for the proposed eight lots.

Because this property requires significant investment in both infrastructure and site “clean-up” a traditional subdivision design using the BASE ZONING is not appropriate. The VLDR zone proposes a density of one unit/acre. That style of residential development cannot facilitate the necessary infrastructure development (street connection) and contaminated soil management. A PUD design was developed for the property using the concept plans promulgated in the SE Sherwood Master Plan. All of the alternative concept plans in the Master Plan included 8 residential lots on the subject property. For this reason, the preliminary plan has been designed for 8 lots with a minimum 10,000 square foot area.

The section of the development code that permits a PUD for this site with the VLDR zoning is not detailed in the methodology to be used to calculate density for the property. Relying on the SE Sherwood Master Plan that was presented to the public and was reviewed and RESOLVED as an aspiration by Sherwood City Council, the site has been designed with 8 lots containing 10,000 square feet each, with significant open spaces set apart from the platted lots.

While not addressed in the master plan concept designs, this preliminary plan includes significant open space tracts. These tracts provide additional vegetated corridors to enhance the wetland resource and vegetated buffers already delineated and enhanced on the property to the east. There is also a soft surface path proposed to connect with the adjacent streets and subdivisions provide a walking/viewing route on the open space adjacent to the wetland. Low maintenance native landscape materials are selected to mesh with the enhancement plantings on the adjacent property. The tract containing the water quality swale on-site will enhance the open spaces adjacent to the north/east and will provide re-introduction of clean storm water runoff to the existing drainage basin.

SE Sherwood Master Plan

The subject site is within the study area that is the focus of the SE Sherwood Master Plan. The intent of the plan is to coordinate the separate land use actions and infrastructure investments of property owners, developers, and the City of Sherwood to create a cohesive, livable neighborhood. The goals of the study were to plan:

- A. *A pedestrian friendly transportation system that will link the site with nearby residential developments, parks, school, commercial sites and other destinations;*
- B. *An increase in residential densities;*
- C. *A land use plan that provides for a mix of housing types that is compatible with adjacent uses;*
- D. *Conceptual plans for public facilities (roads, paths, water, sewer and storm drainage) needed to support the land use plan;*
- E. *Implementing strategies including map and text amendments for the City to adopt (to be prepared by the City); and*
- F. *A high level of neighborhood and citizen involvement.*

The proposed project is compatible with the goals of the Plan. All conceptual alternatives developed through the Master Plan study process, including the **'recommended plan'**, show the subject site containing 7 to 8 lots, with Denali Lane being extended to connect with Ironwood Lane, as required by the Sherwood Transportation System Plan. While this plan is aspirational in nature, and has not been enacted as a development standard, it was developed with significant input from the community. It is also the result of much technical work and review by the Planning Commission and City Council. In the absence of any other guiding regulation addressing density in conjunction with a PUD application in the VLDR zone, it is appropriate to use the work accomplished with this document to develop a subdivision plan that increases residential densities while keeping a minimum lot size (10,000 feet) that is compatible with the surrounding existing development.

Approval of the proposed PUD will facilitate a pedestrian-friendly neighborhood by providing sidewalks on both sides of the extension of Denali Lane down to Ironwood Lane, as well as a meandering path along the south side of Ironwood Lane connecting to Murdock Road.

Increased residential density is proposed while keeping lot sizes comparable to the adjacent development to the south and future proposed uses in the Plan area. All public services are available to serve the site. Neighborhood meetings have been held and multiple public hearings required by the PUD process provide further opportunity for a high level of neighborhood and citizen involvement.

Zoning and Community Development Code

Chapter 16.12 VERY LOW DENSITY RESIDENTIAL (VLDR)*

16.12.010 Purpose

The VLDR zoning district provides for low density, larger lot single-family housing and other related uses in natural resource and environmentally sensitive areas warranting preservation, but otherwise deemed suitable for limited development, with a density of 0.7 to 1 dwelling unit per acre. If developed through the PUD process, as per Chapter 16.40, and if all floodplain, wetlands, and other natural resource areas are dedicated or remain in common open space, a density not to exceed two (2) dwelling units per acre and a density not less than 1.4 dwelling units per acre may be allowed. Minor land partitions shall be exempt from the minimum density requirement.

16.12.020 Permitted Uses

The following uses and their accessory uses are permitted outright:

H. PUDs, subject to Chapter 16.40 and Section 16.12.070.

Response: The proposed project is an 8-lot Planned Unit Development that complies with the criteria of Chapter 16.40 and Section 16.12.70, both of which are addressed in this document. The base lot is 3.7 acres +/-, which facilitates a PUD development of 8 lots with a density of approximately 2 units/acre.

16.12.040 Dimensional Standards

A. Lot Dimensions.

Except as modified under Chapter 16.68 (Infill Development), Section 16.144.030 (Wetland, Habitat and Natural Areas), or as otherwise provided, required minimum lot areas and dimensions shall be:

1.	Lot area (conventional):	40,000 square feet
	Lot area (under PUD):	10,000 square feet
2.	Lot width at front property line:	25 feet
3.	Lot width at building line:	No minimum
4.	Lot depth:	No minimum

Response: As allowed under the PUD standards, all lots are a minimum of 10,000 square feet. Lot widths are greater than 25' at the front property line.

B. Setbacks.

Except as modified under Chapter 16.68 (Infill Development), Section 16.144.030 (Wetland, Habitat and Natural Areas), or as otherwise provided, required minimum setbacks shall be:

1.	Front yard:	20 feet
2.	Side yard:	
	a. Single-Family Detached:	5 feet
	b. Corner Lots (street side):	20 feet
	c. Single-Family Attached (one side):	20 feet
3.	Rear yard:	20 feet
4.	Accessory buildings see Chapter 16.50 -- Accessory Uses	

Response: All proposed lots will comply with the setback requirements.

C. Height

Except as otherwise provided for accessory structures, and for infill development under Chapter 16.68, the maximum height of structures shall be two (2) stories or thirty (30) feet, whichever is less. Chimneys, solar and wind energy devices, radio and TV aerials, and similar structures attached to residential dwellings or to accessory buildings, may exceed this height limitation by up to twenty (20)

feet. Some accessory structures, such as chimneys, stacks, water towers, radio or television antennas, etc. may exceed these height limits with a conditional use permit, per chapter 16.62.
Response: All dwellings will be a maximum of 2 stories or 30 feet in height, whichever is less.

16.12.050 Community Design

For standards relating to off-street parking and loading, energy conservation, historic resources, environmental resources, landscaping, access and egress, signs, parks and open space, on-site storage, and site design, see Divisions V, VIII, IX.

Response: The relevant sections of Divisions V, VIII and IX are addressed in this application package.

16.12.060 Floodplain

Except as otherwise provided, Section 16.134.020 shall apply.

Response: No floodplains exist on the site.

16.12.070 Special Density Allowances

Housing densities up to two (2) units per acre, and minimum lot sizes of 10,000 square feet, may be allowed in the VLDR zone when:

- A. The housing development is approved as a PUD, as per Chapter 16.40; and*
- B. The following areas are dedicated to the public or preserved as common open space: floodplains, as per Section 16.134.020 (Special Resource Zones); natural resources areas, per the Natural Resources and Recreation Plan Map, attached as Appendix C, or as specified in Chapter 5 of the Community Development Plan; and wetlands defined and regulated as per current Federal regulations and Division VIII of this Code; and*
- C. The Review Authority determines that the higher density development would better preserve natural resources as compared to a one (1) unit per acre design.*

Response: The maximum gross density for this site under the PUD standards is 7.42 units, which has been rounded up to 8 units in conformance with the SE Sherwood Master Plan. The request is for approval of an 8-lot PUD with a minimum lot size of 10,000 square feet. The site has ample area for eight 10,000+ square foot lots, while also accommodating necessary infrastructure and providing plenty of open space. Eight lots are necessary to make it financially feasible to cover the costs of extending Denali Lane as shown in the SE Sherwood Master Plan and the Sherwood Transportation System Plan, and most importantly, cleanup of contaminated soils on this portion of the former Ken Foster Farms site.

While some developments qualify for a PUD by preserving resources on their specific site, this project will contribute greatly to preserving area resources by providing remediation of tainted soils that have the potential to further spread contaminants to soil, air and water. A Service provider letter has been prepared by CWS and requires removal of invasive species and additional native vegetation plantings that will further enhance the open spaces in conjunction with this development.

City officials have determined that the extension of Denali must be connected with Ironwood Lane as a part of this development. The higher density proposed as a PUD subdivision facilitates the future construction of this public street connection while creating open spaces for resource enhancement.

Chapter 16.40 PLANNED UNIT DEVELOPMENT (PUD)*

16.40.010 Purpose

A. PUDs integrate buildings, land use, transportation facilities, utility systems and open space through an overall site design on a single parcel of land or multiple properties under one or more ownerships. The PUD process allows creativity and flexibility in site design and review which cannot be achieved through a strict adherence to existing zoning and subdivision standards.

B. The PUD district is intended to achieve the following objectives:

1. Encourage efficient use of land and resources that can result in savings to the community, consumers and developers.

Response: All necessary services are already available to serve the site including a public street abutting the site that is designated for extension. Allowing a PUD makes it feasible to facilitate the cleanup of contaminated soils to eliminate a potential public health hazard in addition to providing the extension of Denali Lane to Ironwood Lane. The approval of the PUD will facilitate the removal of invasive species and additional planting of native species adjacent to the existing wetland resource.

2. Preserve valuable landscape, terrain and other environmental features and amenities as described in the Comprehensive Plan or through site investigations.

Response: While environmental features don't exist on the subject site, proposed open space Tract 'C' will enhance opportunities to enjoy off-site resources as it overlooks nearby wetlands and has a view of Mt. Hood. The native plantings will enhance the eco-diversity of the area and support increased varieties of small wildlife. In this case, the preservation of resources is provided with the cleanup of contaminated soils that have the potential to spread harmful toxins in soil, air and water.

3. Provide diversified and innovative living, working or neighborhood shopping environments that take into consideration community needs and activity patterns.

Response: The proposal is for development that is compatible with existing and proposed future neighboring uses and provides for increased connectivity for cars, pedestrians and bicyclists. There is a demand for single family lots of this size facilitating construction of homes at the SE edge of the City.

4. Achieve maximum energy efficiency in land uses.

Response: Increased density where public services already exist achieves this objective. Economies of scale are achieved when existing infrastructure and utilizes are used to achieve well-planned integrated residential development.

5. Promote innovative, pedestrian-friendly, and human scale design in architecture and/or other site features that enhance the community or natural environment.

Response: Sidewalks are proposed along both sides of the extension of Denali Lane to Ironwood Lane. Tract 'A' will contain a meandering soft path along the south side of Ironwood Lane connecting to Murdock Road.

16.40.020 Preliminary Development Plan

A. Generally

A PUD Preliminary Development Plan shall be submitted for the review and approval in accordance with Chapter 16.72. PUDs shall be considered: a.) on sites that are unusually constrained or limited in development potential, as compared to other land with the same underlying zoning designation, because of: natural features such as floodplains, wetlands, and extreme topography, or man-made features, such as parcel configuration and surrounding development; b.) on parcels of land within the Urban Renewal District where flexibility and creativity in design may result in greater public benefit than strict adherence to the code; or c.) in other areas deemed appropriated by Council during the adoption of a concept plan required by a Metro UGB expansion.

Response: In this case, the site is unusually limited in development potential because of the cost of cleanup of contaminated soils due to dumping of tannery waste on the site of the former Ken Foster Farms, in addition to the cost of extending Denali Lane. The site is also constrained because it is between a wetland and developed land so there are no opportunities to consolidate this parcel with other land for a larger development. Lastly, the site is constrained by the requirement to design and construct a public street extension of Denali Lane. Development as proposed facilitates the complete remediation of contaminated soils on this portion of the former KFF site, which is of great public benefit as chromium, lead and other harmful toxins have been detected in soils within the boundaries of the former KFF property. There is further public benefit in the extension of Denali Lane to Ironwood Lane, as shown in the Sherwood Transportation System Plan and the SE Sherwood Master Plan. The reduced lot size and increased lot number make it feasible to develop the property in light of the cleanup and infrastructure costs, thereby ensuring that the potential public health hazard is eliminated.

B. Content

The Preliminary Development Plan application shall include the following documentation:

1. Existing conditions map(s) showing: All properties, existing uses, and zoning districts within three hundred (300) feet, topography at five (5) foot intervals, floodplain, significant natural vegetation and features, private and public facilities including but not limited to utilities, streets, parks, and buildings, historic and cultural resources, property boundaries, lot lines, and lot dimensions and area.

Response: An existing conditions map is included with the preliminary development plans.

2. Listing of all property owners adjacent to the PUD as per Section 16.72.020, including names and addresses, and a listing of all persons, including names and addresses, with an interest in the property subject to the PUD application.

Response: The application package includes the names and addresses of nearby property owners, as well as the names and addresses of the owners of the subject site, applicants and consultants.

3. Proposal map(s) showing: Alterations to topography, floodplain, natural vegetation, trees and woodlands, and other natural features, all streets, utility alignments and easements, parks and open space, historic and cultural resources, other public and utility structures, and any other dedicated land features or structures, the parceling, lot consolidation, adjustments, or subdivision of land including basic parcel dimensions and areas, the phasing of the PUD, siting and orientation of proposed new structures, including an identification of their intended use.

Response: The required items are shown on the plans.

4. *Narrative describing: the intent of the PUD and how general PUD standards as per this Chapter are met, details of the particular uses, densities, building types and architectural controls proposed, form of ownership, occupancy and responsibility for maintenance for all uses and facilities, trees and woodlands, public facilities to be provided, specific variations from the standards of any underlying zoning district or other provisions of this Code, and a schedule of development.*

Response: The narrative includes the necessary information. No trees will be removed from the site with exception of the relocation of one street tree along Ironwood Lane.

5. *If the PUD involves the subdivision of land, the proposal shall also include a preliminary subdivision plat and meet all requirements of Chapter 16.122. The preliminary subdivision shall be processed concurrently with the PUD.*

Response: A preliminary subdivision plat is included with the application.

6. *Architectural Pattern Book: A compendium of architectural elevations, details, and colors of each building type shall be submitted with any PUD application. The designs shall conform to the site plan urban design criteria in Section 16.90.020(G) or any other applicable standards in this Code. A pattern book shall act as the architectural control for the homeowner's association or the commercial owner. An Architectural Pattern Book shall address the following:*

- a. *Illustrative areas within the development application covered by the pattern book.*
- b. *An explanation of how the pattern book is organized, and how it is to be used.*
- c. *Define specific standards for architecture, color, texture, materials, and other design elements.*
- d. *Include a measurement or checklist system to facilitate review of the development for conformity with the pattern book.*
- e. *Include the following information for each building type permitted outright or conditionally proposed in the PUD:*
 - (1) *Massing, facades, elevations, roof forms, proportions, materials, and color palette.*
 - (2) *Architectural relevance or vernacular to the Pacific Northwest.*
 - (3) *Doors, windows, siding, and entrances, including sash and trim details.*
 - (4) *Porches, chimneys, light fixtures, and any other unique details, ornamentation, or accents.*
 - (5) *A fencing plan with details that addresses the relationship between public space and maintaining individual privacy subject to Section 16.58.030.*

Response: A conceptual Architectural Pattern Book is included with the application.

The site is currently bank owned and the approved preliminary PUD development package will be sold to a developer for completion of the cleanup and construction. Considering the costs of developing this site, the end product will be built to attract higher income segments of the market.

C. Commission Review

The Commission shall review the application pursuant to Chapter 16.72 and may act to recommend to the Council approval, approval with conditions or denial. The Commission shall make their decision based on the following criteria:

1. *The proposed development is in substantial conformance with the Comprehensive Plan and is eligible for PUD consideration per 16.40.020.A.*

Response: The proposed development complies with the standards of the Development Code, which implements the Comprehensive Plan. The proposal is eligible for PUD consideration per 16.40.20.A in that it is unusually limited in development potential by the financial burden of cleaning up contaminated soils in addition to infrastructure costs. There is great public benefit to facilitating the complete remediation of the contaminated soils on this

part of the former Ken Foster Farms site, as well as the extension of Denali Lane to Ironwood Lane as designated in the Sherwood Transportation System Plan and the SE Sherwood Master Plan.

2. *The preliminary development plans include dedication of at least 15 percent of the buildable portion of the site to the public in the form of usable open space, park or other public space, (subject to the review of the Parks & Recreation Board) or to a private entity managed by a homeowners association. Alternatively, if the project is located within close proximity to existing public spaces such as parks, libraries or plazas the development plan may propose no less than 5% on-site public space with a detailed explanation of how the proposed development and existing public spaces will together equally or better meet community needs.*

Response: Two open space tracts are proposed, comprising approximately 29% of the site. Tract 'A' is the long 'flagpole' along the south side of Ironwood Lane that will contain a meandering pathway connecting to Murdock Road. Tract 'C' is a .67-acre area overlooking the wetlands on the adjacent property. There are numerous possibilities for Tract 'C' to create functional and attractive open space that is an asset to the neighborhood. The open space tracts will be owned and maintained by the homeowners association.

3. *That exceptions from the standards of the underlying zoning district are warranted by the unique design and amenities incorporated in the development plan.*

Response: Exceptions to the 40,000 square foot minimum lot size are warranted particularly by the benefit to the public of the complete remediation of contaminated soils from this portion of the former Ken Foster Farms site, as well as the extension of Denali Lane. Allowing a PUD also ensures that open space is incorporated into the development. The resolution by City Council to support the SE Sherwood Master Plan as an aspirational document is further supported by this PUD application.

4. *That the proposal is in harmony with the surrounding area or its potential future use, and incorporates unified or internally compatible architectural treatments, vernacular, and scale subject to review and approval in Subsection (B)(6).*

Response: The proposal is in harmony with the surrounding area as the proposed lots are comparable to the existing development to the south and to future development as planned for in the SE Sherwood Master Plan. Conceptual architectural treatments are included with the application.

5. *That the system of ownership and the means of developing, preserving and maintaining parks and open spaces are acceptable.*

Response: The proposed open spaces will be owned and maintained by the homeowners association. The HOA will be established by the eventual developer of the property in compliance with any conditions of approval placed on this development.

6. *That the PUD will have a beneficial effect on the area which could not be achieved using the underlying zoning district.*

Response: Due to the costs of cleanup of contaminated soils, it is not financially feasible to develop the site using the 40,000 SF lot size. Allowing the smaller lot sizes facilitates complete remediation of contaminated soils on this portion of the former Ken Foster Farms site. Without PUD approval, complete cleanup of the site may be left undone or as a burden for the taxpayers to fund. Additionally, the proposed development will extend Denali Lane to

Ironwood Lane, providing connectivity as shown in the SE Sherwood Master Plan and the Sherwood Transportation System Plan.

7. *That the proposed development, or an independent phase of the development, can be substantially completed within one (1) year from date of approval.*

Response: The current owner will not be the developer of the property. In this case, remediation of the soil contamination should be considered as substantial progress toward completion of the development as it involves other agencies and may be a lengthy process.

8. *That adequate public facilities and services are available or are made available by the construction of the project.*

Response: Water, sanitary sewer and storm sewer are available to serve the development. The lots will access onto the proposed extension of Denali Lane, which will connect to Ironwood Lane, both of which are public streets.

9. *That the general objectives of the PUD concept and the specific objectives of the various categories of the PUDs described in this Chapter have been met.*

Response: The proposal achieves the general PUD objectives and meets the criteria for a residential PUD as addressed in this Chapter.

10. *The minimum area for a Residential PUD shall be five (5) acres, unless the Commission finds that a specific property of lesser area is suitable as a PUD because it is unusually constrained by topography, landscape features, location, or surrounding development, or qualifies as "infill" as defined in Section 16.40.050(C)(3).*

Response: The subject site is 3.71 acres. As previously discussed, the primary constraining factor on this site is the contaminated soils and the cost of remediation, in addition to the cost of extending Denali Lane to connect with Ironwood Lane. The proposed development is similar to what is shown for this site in the "Recommended Plan" in the SE Sherwood Master Plan. This site would be considered an "infill" parcel as it has residential development surrounding it on three sides.

16.40.030 Final Development Plan

A. Generally

Upon approval of the PUD overlay zoning district and preliminary development plan by the Council, the applicant shall prepare a detailed Final Development Plan as per this Chapter, for review and approval of the Commission. The Final Development Plan shall comply with all conditions of approval as per Section 16.40.020. In addition, the applicant shall prepare and submit a detailed site plan for any non-single-family structure or use not addressed under Section 16.40.020(B)(6), for review and approval, pursuant to the provisions of Chapter 16.90. The site plan shall be processed concurrently with the Final Development Plan.

Response: The Final Development Plan process will proceed as specified.

B. Final Subdivision Plat

If the PUD involves the subdivision of land, a final plat shall be prepared and submitted for final approval, pursuant to Chapter 16.124.

Response: The final plat will be submitted pursuant to 16.124.

16.40.040 General Provisions

A. 1. Phasing

a. *The City may require that development be done in phases, if public facilities and services are not adequate to serve the entire development immediately.*

b. *Any PUD which requires more than twenty four (24) months to complete shall be constructed in phases that are substantially complete in themselves and shall conform to a phasing plan approved as part of the Final Development Plan.*

Response: Phasing is not proposed as public facilities and services are available to serve the development. Additional time may be necessary as complete remediation of the contaminated soils must take place prior to beginning development.

2. Failure to Complete

a. *When substantial construction or development of a PUD, or any approved phase of a PUD, has not taken place within one (1) year from the date of approval of a Final Development Plan, the Commission shall determine whether or not the PUD's continuation, in whole or in part, is in the public interest.*

b. *If continuation is found not to be in the public interest, the Commission shall recommend to the Council that the PUD be extinguished. The Council, after public hearing, may extend the PUD, extend with conditions, or extinguish the PUD.*

Response: In this case, 'substantial construction or development' should include the cleanup of contaminated soils on the site as multiple agencies are involved and the process could be lengthy.

B. Changes in Approved Plans

1. Major Changes

Proposed major changes in a Final Development Plan shall be considered the same as a new application, and shall be made in accordance with the procedures specified in this Chapter.

Response: It is understood that the developer of the site will need to submit a new application for any major changes in a Final Development Plan.

2. Minor Changes

Minor changes in a Final Development Plan may be approved by the Council without further public hearing or Commission review, provided that such changes do not increase densities, change boundaries or uses, or change the location or amount of land devoted to specific uses.

Response: The applicant understands that minor changes to the Final Development Plan will be reviewed by the Council.

C. Multiple Zone Density Calculation

When a proposed PUD includes multiple zones, the density may be calculated based on the total permitted density for the entire project and clustered in one or more portions of the project, provided that the project demonstrates compatibility with the adjacent and nearby neighborhood(s) in terms of location of uses, building height, design and access.

Response: The site does not include multiple zones.

16.40.050 Residential PUD

A. Permitted Uses

The following uses are permitted outright in Residential PUD when approved as part of a Final Development Plan:

- 1. Varied housing types, including but not limited to single-family attached dwellings, zero-lot line housing, row houses, duplexes, cluster units, and multi-family dwellings.*
- 2. Related NC uses which are designed and located so as to serve the PUD district and neighborhood.*
- 3. All other uses permitted within the underlying zoning district in which the PUD is located.*

Response: The proposed use is single-family detached dwellings.

B. Conditional Uses

Response: No conditional uses are proposed.

C. Development Standards

1. Density

The number of dwelling units permitted in a Residential PUD shall be the same as that allowed in the underlying zoning district, except as provided in Subsection (C)(2), below or 16.40.040.C above.

Response: The VLDR zone allows up to 2 dwellings per acre with a PUD. The proposed gross density for this project is 2.16 dwellings per acre. By complying with the aspirational goals of the SE Sherwood Master Plan and rounding up to the next whole number for a complete dwelling unit, 8 units are permitted for the project. The slight increase in density is warranted due to the cost for the cleanup of soils potentially containing harmful contaminants, including lead. Development at a lower density is not financially feasible, considering the costs of cleanup in addition to infrastructure. Cleanup of the site helps preserve surrounding natural resources by eliminating a known source of toxins that are harmful to humans and wildlife. The proposed development is substantially similar to what is shown for the site in the SE Sherwood Master Plan with the added benefit of over 25% of the site being preserved as open space..

2. Density Transfer

Where the proposed PUD site includes lands within the base floodplain, wetlands and buffers, or steeply sloped areas which are proposed for public dedication, and such dedication is approved as a part of the preliminary development plan, then a density transfer may be allowed adding a maximum of 20% to the overall density of the land to be developed.

Response: CWS requires vegetated corridors to be added to the existing resource and resource buffer land set aside by the adjacent development. A 20% increase in the allowed density would facilitate development of 9 lots on this site. The preliminary plat is designed with eight lots, and approximately 25%+ open space to accommodate both the additional lands merited by CWS and an open space tract for site remediation and landscaping.

3. Minimum Lot Size

The minimum lot size required for single-family, detached dwellings is 5,000 square feet, unless the subject property qualifies as infill, defined as: parent parcel of 1.5 acres or less proposed for land division, where a maximum 15% reduction in lot size may be allowed from the minimum lot size.

Response: The proposed lots are 10,000 square feet or larger, as allowed by the VLDR zoning district for PUDs.

Chapter 16.94 Off-Street Parking and Loading*

16.94.020 Off-Street Parking Standards

Minimum and Maximum Parking Standards

	<i>Minimum</i>	<i>Maximum A</i>	<i>Maximum B</i>
<i>Single, two-family & Manufactured Home on lot*</i>	<i>1 per du</i>	<i>None</i>	<i>None</i>
<i>* An enclosed building or garage associated with any residential dwelling type cannot be counted towards the parking space requirement for that unit. Further, if the street on which the house has access is less than 28 feet wide, 2 off-street parking spaces are required per single-family residential unit (includes single-family detached or attached, two-family dwelling or a manufactured home on an individual lot). If the abutting street is 28-feet or wider, one standard (9 ft x 18 ft) parking space is required.</i>			

Response: Each proposed lot will have more than the minimum of 1 off-street parking space.

ARCHITECTURAL

PATTERN

BOOK

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The purpose of this Architectural Pattern Book is to supplement the application materials and plans submitted for PUD approval for **Denali Subdivision**. The Denali Subdivision is proposed as an 8 lot residential development. The site is a sloped parcel adjacent to a wetland/resource, surrounded by other residential development with varying lot sizes. The City of Sherwood has developed the SE Sherwood Master Plan as an aspirational document to guide development of this parcel and other lands in the vicinity. The applicant proposes to develop this parcel as a planned unit development (PUD). The PUD standards require that the applicant prepare an architectural pattern book to describe the architectural design proposed with the PUD preliminary development plan. This architectural pattern book is to demonstrate how the Denali Subdivision Standards will be met. After the PUD preliminary development plan is approved, detailed dwelling units plans will be prepared consistent with the approved pattern book and submitted for building permit approval and issuance.

The following items can be used to assess building design and whether the standards are met in the Denali Subdivision,

- _____ Homes are either Craftsman or Prairie Style interpretations.
- _____ Main entrances are located to reinforce safety, accessibility and weather protection.
- _____ Exterior cladding meets the standard of high quality materials.
- _____ Roof-mounted equipment is located to minimize visual impact.
- _____ Roof design is consistent with traditional roof forms.
- _____ Home design and construction materials/techniques incorporate **Green Design**.

MAIN ENTRANCE

Main Entrance. The purpose of this standard is to locate and design building entrances that are safe, accessible from the street, and have weather protection.

1. Location of main entrance. The main entrance of the principal structure must face a public street (or, where there is more than one street lot line, may face the corner).
2. Front porch design requirement. There must be a front porch at the main entrance. If the porch projects out from the building it must have a roof. If the roof of a required porch is developed as a deck or balcony it may be flat, otherwise it must be articulated and pitched. The porch must be at least six (6) feet wide and four (4) feet deep.)

EXTERIOR FINISH MATERIALS

Exterior Finish Materials. The purpose of this standard is to encourage high quality.

Plain or painted concrete block, plain concrete, corrugated metal, full-sheet plywood, fiberboard or sheet pressboard (i.e. T-111), vinyl and aluminum siding, and synthetic stucco (i.e. DryVit and stucco board), are not allowed as exterior finish material. Natural building materials are preferred, such as clapboard, cedar shake, brick, and stone. Composite boards manufactured from wood in combination with other products, such as hardboard or fiber cement board (i.e. HardiPlank) may be used when the board product is less than six (6) inches wide. Foundation materials may be plain concrete or block when the foundation material does not extend for more than an average of three (3) feet above the finished grade level adjacent to the foundation wall.

Roof. The purpose of this standard is to encourage traditional roof forms consistent with Craftsman or Prairie Style designs.

Green Design

Build within already developed areas. As opposed to urban sprawl, infill development preserves wilderness and agriculture and raises density thereby enabling neighborhood shops & services and alternative transportation.

Locate buildings to minimize environmental impact. Cluster buildings or build attached units to preserve open space and wildlife habitats, avoid especially sensitive areas including wetlands, and keep roads & service lines short. Leave the most pristine areas untouched and build on areas that have been previously damaged.

Situate buildings to benefit from vegetation. Trees on the east and west sides of a building can reduce cooling loads. Do not block the winter sun with trees on the south. Dense hedgerows and shrubbery can block cold winter winds or help channel cool summer breezes into buildings. Landscape with drought-resistant native plants and perennial groundcovers.

Smaller is better. Optimize use of interior space with good design so that the overall building size and resource use in constructing and operating it are kept to a minimum.

Design an energy-efficient building. Use very high levels of insulation and avoid thermal bridging, high-performance windows tuned to the sun (heat reflective in east & west), and tightly sealed construction.

Comfort for free. Passive solar design can save over 80% of a typical home's heating, cooling, daylighting, and ventilation costs. Make sure nothing, including trees, is blocking your home's southern sun. Orient buildings with their long sides within 15 degrees of true south. On southern windows, allow the low winter sun in. Block the high summer sun externally. Minimize glass on east and west. Build thermal mass throughout your house.

Get free energy. Design buildings with solar water heating and photovoltaic (PV) panels or for future solar installations. Slope roofs to south for optimal solar energy.

Optimize material use. Minimize waste by designing for standard ceiling heights and building dimensions. Avoid waste from structural over-design. Simplify building geometry.

Make it easy for occupants to recycle. Make provisions for the processing of recyclables such as recycling bins near the kitchen and under-sink compost receptacles.

Rooftop water catchment systems should be considered for collecting rainwater and using it for landscape irrigation.

Avoid ozone-depleting chemicals in mechanical equipment and insulation. HCFCs should be avoided where possible. Avoid foam insulation made with HCFCs. Consider cellulose.

Use locally produced building materials. Transportation is costly in both energy use and pollution generation. Look for locally produced materials such as stone. Local hardwoods, for example, are preferable to tropical woods.

Use salvaged building products or products made from recycled material such as cellulose insulation, Homosote, Thermo-ply, floor tile made from ground glass, and recycled plastic, lumber & carpet.

Seek responsible wood supplies. Use lumber from independently certified (FSC), well-managed forests. Engineered wood can be substituted for old-growth wood. Don't buy tropical hardwoods unless the seller can document that the wood comes from well-managed forests.

Avoid materials that will offgas pollutants: Solvent-based finishes, adhesives, carpeting, particleboard, and many other building products release formaldehyde and volatile organic compounds (VOCs) into the air. Minimize use of pressure treated lumber: use detailing that will prevent soil contact.

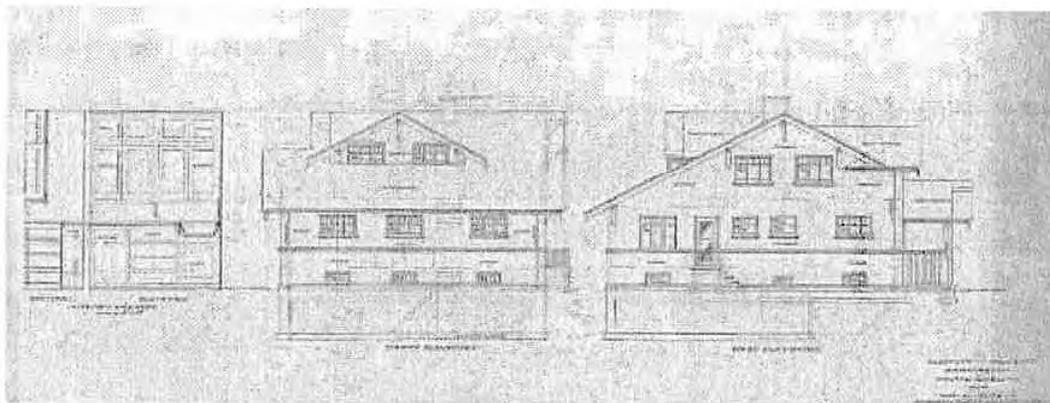
Use high-efficiency appliances and lights. Use only Energy Star rated appliances such as refrigerators and furnaces. Use fluorescent and LED lighting.

Use water-efficient equipment. Water-conserving toilets, showerheads, and faucet aerators not only reduce water use, they also reduce demand on septic systems or sewage treatment plants. Centrally locating fixtures reduces hot water cost.

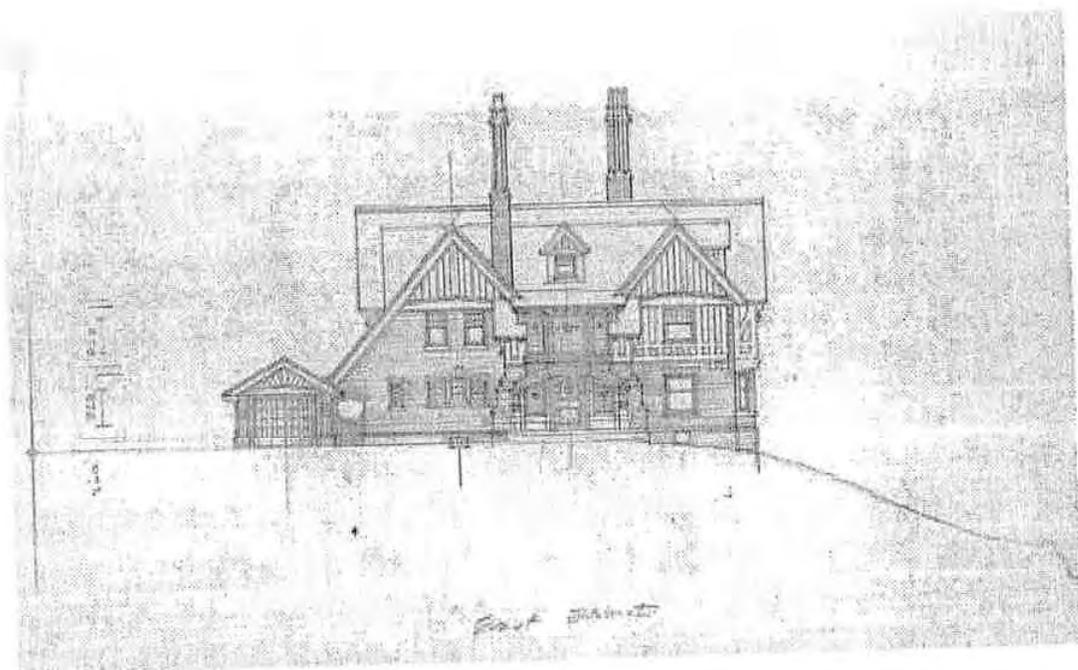
Relevance of Craftsman & Prairie Style Design in the Pacific Northwest

Andrew Willatsen worked as a draftsman at Frank Lloyd Wright's Studio in Illinois from about 1902 to 1907. In 1909 he formed the partnership of Willatsen & Byrne which lasted until 1913. Together with Byrne and as an independent architect, Willatsen designed many residential projects in the Prairie and Craftsman styles. When Andrew Willatsen and **Barry Byrne** set up an architectural practice in Seattle in 1909, they brought the design aesthetics of their mentor, Frank Lloyd Wright, to bear on high-end residences such as those they designed for the Kerry and Clarke families in The Highlands. But the Prairie School-inspired buildings they did for the middle class soon dotted growing streetcar neighborhoods from West Seattle to Mount Baker and from north Capitol Hill, Montlake and Ravenna to Queen Anne Hill.

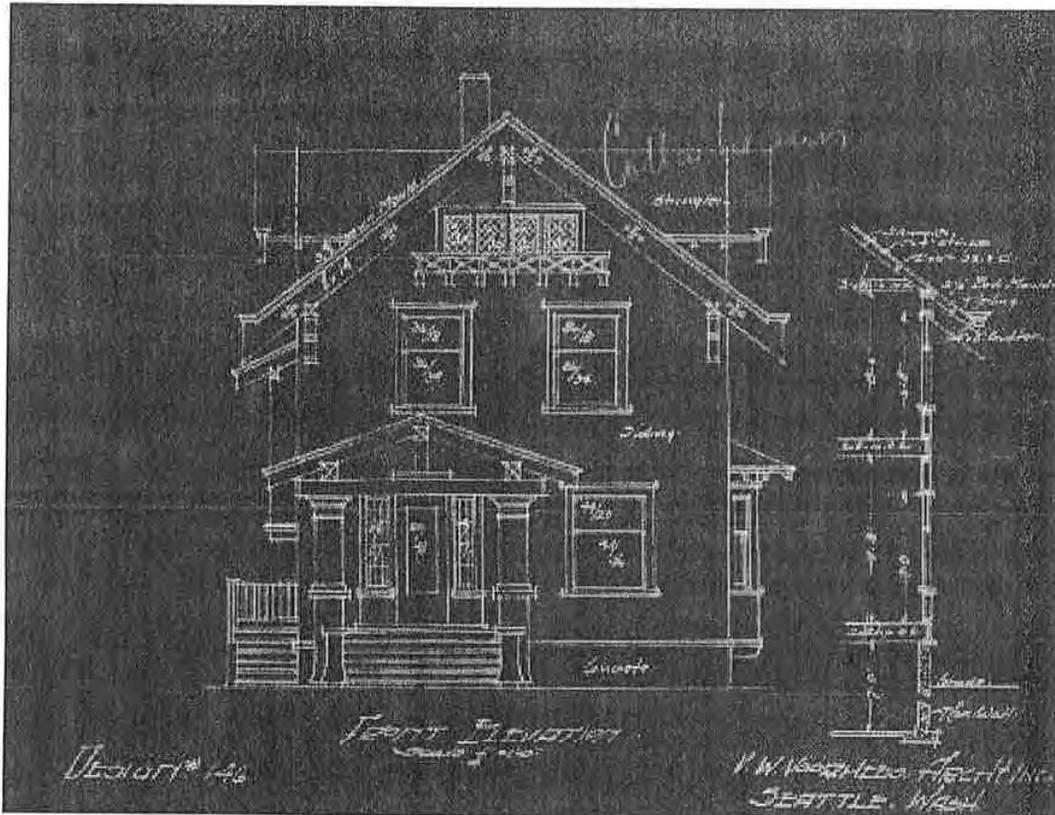
When Barry Byrne left the partnership in 1913, Willatsen continued to design buildings with that vocabulary.



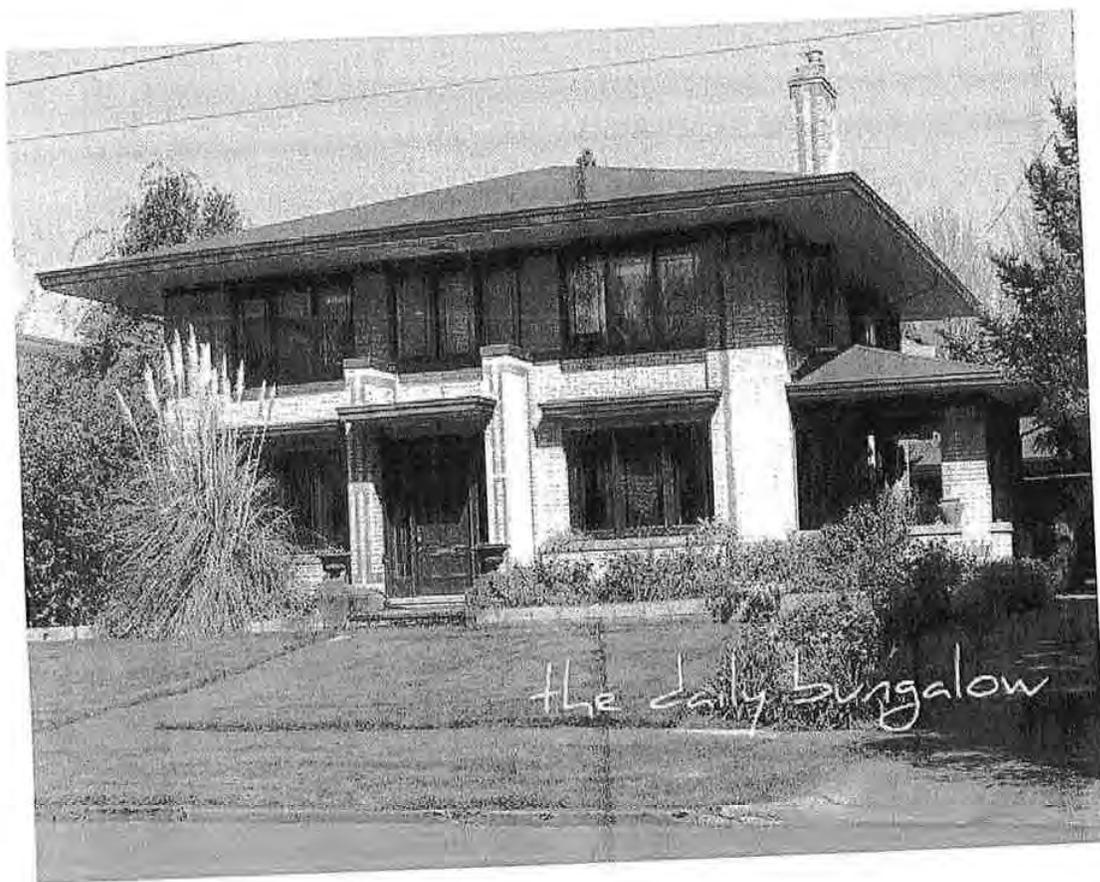
Ellsworth Storey, one of Seattle's most popular architects, graduated from the University of Illinois in 1903 and moved to Seattle. Storey was perhaps the first Seattle architect to directly integrate local materials with architectural design. This practice, later known as "regionalism" was highly influential in Seattle architecture of the middle- and late-twentieth century.



The Beezer Brothers, twins **Louis Beezer** and **Michael J. Beezer**, arrived in Seattle in 1907 and quickly established an architectural practice that became one of the most extensive regional practices headquartered in Seattle at the time. Throughout the 1910s and 1920s they had commissions along the west coast as far north as Alaska and as far south as Arizona. Competency and functionality were the hallmarks of the Beezer Brother's designs and, although this firm is probably best known for its architectural contributions to the Catholic community of Seattle and Washington state, the variety of work in their early Seattle practice was quite wide. As well as serving as project architects, the Beezer Brothers also acted as construction managers for their numerous commissions, which included civic improvement projects, religious structures, commercial and residential buildings. Their design for the Oliver D. Fisher residence is an excellent example of the influence the Arts and Crafts movement,

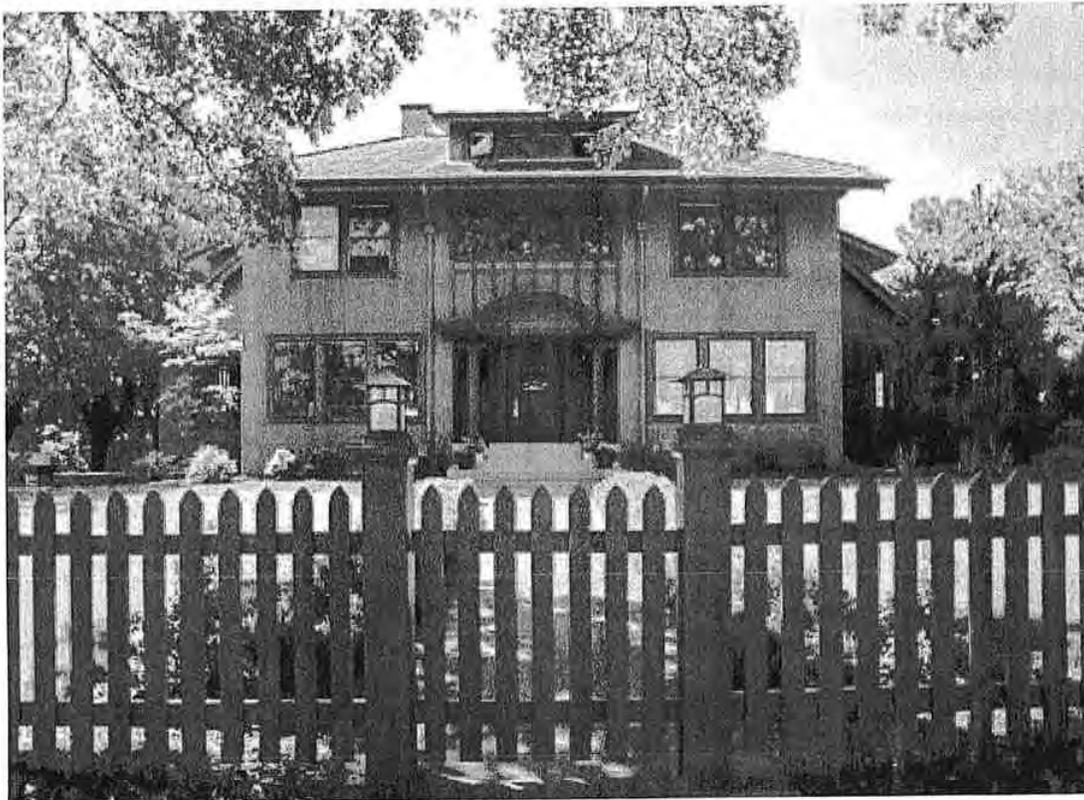


Victor W. Voorhees was one of the most successful Seattle architects to advertise drawings and specifications for direct sale. He put together *Western Home Builder*, a fully illustrated plan book for the potential homeowner or builder, the 6th edition of which contains a drawing and plan description of the model home featured in these blueprints (#146). Voorhees is also credited with the design of perhaps hundreds of residences, as well as commercial projects, in Seattle during the first three decades of the 20th century.



The Spies-Robinson House, 1922
Architect: **Orlo R. W. Hossack**
Style: A Classic Example of Prairie Style Architecture
2424 NE 17th Avenue, Portland, Oregon
National Register #97000583, added in 1997

This architecturally dramatic Prairie Style house was placed on the National Register both for the importance of its design, but also for the significant contributions to the community of its third owners, David and Edna Robinson. As a Prairie Style home, this is one of an estimated 35 such houses built in Portland in the first half of the 20th Century, and this is one of the most strikingly influenced by Frank Lloyd Wright, and the only all-brick home -- linking its design closely to its antecedents in Illinois. And early owner David Robinson was noted as an early champion of human rights in Portland, distinguishing himself as the city's first Public Defender and the founder of the city's Anti-Defamation League.



Original Owner	Harvey P. Barnhart
Architect	Frederic E. Bowman
Builder	F. E. Bowman Co.
Year of Construction	1913
Architectural Style	Craftsman with Prairie Features
Date Listed on National Register	1997

Frederic Bowman was a designer and builder who left a substantial mark on Irvington. He built both apartments and homes all with a distinctive Bowman "look" that is derived from Craftsman and Prairie Style designs. This home was one of his most ambitious speculative projects, and upon completion in 1914 it was sold to Harvey P. Barnhart for the substantial sum of \$20,000. Barnhart had recently moved from the East Coast and was associated with land speculations.

The home exhibits the fine craftsmanship, materials, and attention to detail that characterized Bowman's buildings. It has mahogany paneling in the dining room and a billiard room in the basement with decorative Arts & Crafts style tiles.



Were it not for a single obscure letter in the archives of the National Park Service it would not have been recorded that **Raymond Hockenberry** was the architect for the magnificent lodge on the rim in **Crater Lake National Park**. Hockenberry was evidently hired for the job by Alfred Parkhurst the Portland developer who built the hotel. Unfortunately, the harsh winters, precarious location, and remoteness took their toll on the project, and the hotel was rough and unfinished when it opened in 1915.

By the time he tackled the rigors of the lodge project Hockenberry had already become a well known residential architect in Portland. Arriving in Portland in 1906 as part of the great influx of new residents after the Lewis and Clark Exposition, the formally trained architect began a career in the speculative home building business. His finely designed and crafted homes attracted an upscale clientele, and can be found on both sides of the Willamette River.

In recent years more and more Hockenberry-designed homes have been discovered in Irvington, revealing a major contribution by this architect to the neighborhood and its stock of Arts & Crafts style homes. This house in particular is notable for its finely crafted Douglas Fir woodwork, now completely restored, its grand tile and hammered copper fireplace hood -- obviously inspired by Gustav Stickley designs -- and its beautifully executed clinker brick elements including the spectacular chimney. The shingled exterior combined with plainly expressed rafter tails and exposed beams supporting the porch roof help to define this home as a Craftsman Style structure.

Prairie Style Home

Prairie-style home plans came of age around the turn of the twentieth century. Often associated with one of the giants in design, Frank Lloyd Wright, prairie-style houses were designed to blend in with the flat prairie landscape. The typical prairie-style house plan has sweeping horizontal lines and wide open floor plans. Other common features of this style include overhanging eaves, rows of small windows, one-story projections and in many cases a central chimney.

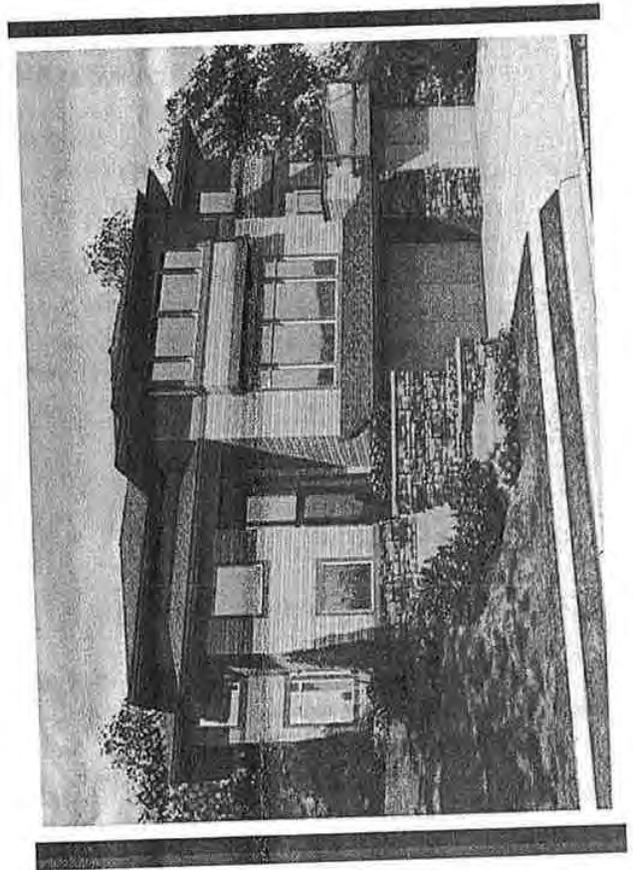
Strong horizontal lines defined the Prairie Style. Other features included one-story projections, belt-courses between the stories and oversized eaves which appear to spread out and hug the ground. The open interiors, rows of small windows and art glass, coupled with the low-pitched roof create a warm, informal and inviting space that looked right at home on the wide-open spaces of the prairie. These homes blended in with and were intimately connected to the landscape.

With its clean lines and strong presence, the Prairie style was a reaction to the ornate overblown Victorian architecture of the late 19th century. As a direct descendent of the Arts & Crafts philosophy, the Prairie School style, like its Craftsman cousins, followed a natural progression. The Arts & Crafts philosophy stressed purity of design and artistry in execution. Natural materials were used and revered for what they were. Moving from the outdoors to indoor spaces became a seamless transition. A variety of geometric shapes and forms inspired by nature were highlighted through window arrangement, columns, low walls and planters, creating a visually appealing home.

Prairie Style homes remain popular today because of their emphasis on using sustainable materials and organic design. To create this style, design a light, airy space that blends with its environment. Use skylights to bring natural light into the dwelling. Prairie style homes often contain an open common room with no hallway on the first floor. Following a modular grid floor plan and using only right angles also helps to create a sense of Prairie style. Stained or art glass windows are another key to this design and continue to be popular. Interior wood accents, wooden columns and hardwood floors complete this style. Prairie style homes use colors found in nature such as greens, tans, browns and rusts. Wood tones of medium or dark brown are utilized throughout Prairie homes. Using horizontal bands of wood on the interior walls is also a key Prairie design feature. Types of commonly used woods include oak, birch and maple but any native species would fit into the Prairie idea of using sustainable materials.

General Characteristics

- Hipped roof (sometimes gabled), pitched low
- Roof with extended lines and oversized eaves
- Strong horizontal lines
- Entrance is typically secluded; only people coming to see you would know how to get in
- Windows are set in groups (sometimes with art glass) and in geometric shapes
- Window placement is intricate part of design; their placement is thoughtfully arranged
- House appears to grow out of the ground; very low and close to the terrain
- Open interior spaces
- Central chimney massing
- One or two-story
- One-story projections
- Open floor plan
- Low-pitched roof
- Broad, overhanging eaves
- Strong horizontal lines
- Ribbons of windows, often casements emphasize horizontality of overall design
- Prominent, central chimney
- Stylized, built-in cabinetry
- Wide use of natural materials especially stone and wood







Craftsman Style Homes

In the mid-1970s, a revivalism of sorts began among American collectors and preservationists. Houses from the turn of the 20th century were rediscovered and being celebrated for their simplicity of design and traditional beauty. These artistic remnants of the Arts and Crafts movement, which thrived from 1876-1915 continue to be celebrated today. Reflecting a philosophy of simplicity, the Arts and Crafts movement advocated a *back to basics* philosophy that desired to bring about a sense of pride in workmanship as well as a return to quality in design. One of the most recognizable and lasting icons of the era was its architecture. In response to the great passion for these homes a recent revival of the CRAFTSMAN style has awakened in the Northwest.

Much like the philosophy that drove the original Arts and Crafts movement, these designs honor the philosophy of building that make Arts and Crafts-style houses so beloved today. In the United States the Arts and Crafts style incorporated locally handcrafted wood, glass, and metal work creating objects that were both simple and elegant. In architecture, reacting to both Victorian architectural opulence and increasingly common mass-produced housing, the style incorporates a visible sturdy structure of clean lines and natural materials. The designs found inspiration in specifically American antecedents such as Shaker furniture and the Mission Revival Style, and the Anglo-Japanese style.

The Craftsman house displays the honesty and simplicity of a truly American house. Its main features are a low-pitched, gabled roof (often hipped) with a wide overhang and exposed roof rafters. Its porches are either full or partial width, with tapered columns or pedestals that extend to the ground level. A combination of natural materials are used, such as wood and stone, and often a combination of more than one type.

Common Craftsman Design Features

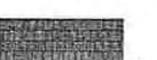
- Low-pitched roof lines, gabled or hipped roof
- Deeply overhanging eaves
- Exposed rafters or decorative brackets under eaves
- Front porch beneath extension of main roof
- Tapered, square columns supporting roof
- 4-over-1 or 6-over-1 double-hung windows
- Frank Lloyd Wright design motifs
- Hand-crafted stone or woodwork
- Mixed materials throughout structure



© Alan Brinson & Design Architects, Inc.

Fiber Cement Siding

Understanding the role of CertainTeed Fiber Cement Siding in meeting Green Building Standards

	Stain Finish Cedar 1/2 Groove Vertical Panel		4' X 8' 6' X 8' 4' X 16' 4' X 12'	Wood Grain
	Stain Finish Cedar Lap		5' 11/4" X 12' 6' 11/4" X 12' 7' 11/4" X 12' 8' 11/4" X 12' 9' 11/4" X 12' 12' X 12'	Wood Grain
	Stain Finish Cedar No Groove Vertical Panel		4' X 8' 6' X 8' 4' X 16' 4' X 12'	Wood Grain
	Stain Finish Red-Riviera 7" Exposure		16' X 43"	Wood Grain
	Stain Finish Octagone (7" Exposure)		12' X 40"	Wood Grain
	Stain Finish Perfection Shingles		8' 1/4" X 12'	Wood Grain
	Stain Finish Perfection Shingles with Shadowline		8' 1/4" X 12'	Wood Grain
	Stain Finish Random Square Staggered Edge (7" Exposure)		16' X 43"	Wood Grain
	Stain Finish Random Square Straight Edge (8" Exposure)		12' X 46"	Wood Grain
	Stain Finish Random Square Straight Edge (7" Exposure)		15' X 46"	Wood Grain
	Stain Finish Texture (Beaded Edg		7' 1/2" X 12'	Wood Grain

Green Facts:

- Contains 50% recycled content in the form of fly ash.
- Fly ash is a by-product of electric generation at coal-fired facilities. It has been used as an ingredient in concrete for more than 60 years. U.S. concrete suppliers routinely use fly ash in their concrete mixtures.
- CertainTeed is committed to resource conservation: Our manufacturing facilities recycle the water used in our plants, resulting in a savings of more than 2 billion gallons per year. The majority of wood fiber pulp used in our fiber cement products is supplied from sustainably managed forests. By using fly ash in our product, nearly 100,000 tons of this material are diverted from landfills each year. Recycling fly ash also lessens the demand for virgin materials that would require quarrying, and substitutes for materials that may be energy-intensive to create, such as Portland cement.
- The fly ash used in CertainTeed's fiber cement products allows the creation of a stable chemical matrix, resulting in optimum product performance.
- The innovative use of fly ash in our formulation not only improves the strength and durability of our products, but also makes them more flexible and easy to install. At the same time, the product has retained its superior paint adherence properties.
- As a result of this innovation, we are able to offer a lighter weight board without sacrificing quality and integrity. Boards made with fly ash are lighter than our previous formulations, which translates into less energy used to produce and transport.

Custom Colonial™ Nonpewee



Thickness 5/16"
Weight 2.3 lbs./sq. ft.
Length 12 panels

width 3.02'
exposed 6.73'
color palette

Color Palette

Beaded Colonial



Thickness 5/16"
Weight 2.3 lbs./sq. ft.
Length 12 panels

width 3.25'
exposed 7.0'
color palette

Color Palette

Custom Colonial™ Sapele



Thickness 5/16"
Weight 2.3 lbs./sq. ft.
Length 12 panels

width 3.02'
exposed 6.73'
color palette

Color Palette

Beaded Sapele



Thickness 5/16"
Weight 2.3 lbs./sq. ft.
Length 12 panels

width 3.25'
exposed 7.0'
color palette

Color Palette

Beaded Colonial



Thickness 5/16"
Weight 2.3 lbs./sq. ft.
Length 12 panels

width	3.25'	3.25'	3.25'	3.25'
exposed	6.0'	6.0'	6.0'	7.0'
color palette	1	2	3	4

Color Palette

Beaded Sapele



Thickness 5/16"
Weight 2.3 lbs./sq. ft.
Length 12 panels

width	3.25'	3.25'	3.25'	3.25'
exposed	6.0'	6.0'	6.0'	7.0'
color palette	1	2	3	4

Color Palette

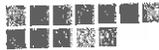


	Symplicity™		50-years	Luxury
	Grand Manor™		Lifetime	Luxury
	Continental Slate™		Lifetime	Luxury
	Carriage Round™		Lifetime	Luxury
	Presidential Shake™ TL		Lifetime	Luxury
	Landmark TL Impact Resistant		Lifetime	Luxury
	Landmark™ TL		Lifetime	Luxury
	Presidential Shake™ Impact Resistant		Lifetime	Luxury
	Presidential Shake™		Lifetime	Luxury

Roofing

Pre- and post-consumer recycled content accounts for a significant percentage of the materials used to manufacture many CertainTeed roofing products. This content includes slag, stone granules, corrugated mixed paper and sludge, and not only reduces landfill waste, but also cuts down on the release of greenhouse gases that would occur if virgin materials were processed to manufacture these products.

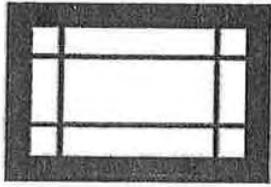
Some of these products contain up to 80% post-consumer and post-industrial recycled content, thus contributing to the Environmentally Preferred Products category within USGBC's LEED-H standard.

	Highland Slate™		Lifetime	Premium Designer
	Landmark™ Premium		Lifetime	Premium Designer
	Landmark Solars™ III		Lifetime	Premium Designer
	Landmark Solars™		Lifetime	Premium Designer
	Independence™		Lifetime	Premium Designer
	Landmark™ Special		50-years	Premium Designer
	Harrison®		40-years	Premium Designer
	Landmark™ Plus		40-years	Premium Designer

CertainTeed
 SAINT-GOBAIN

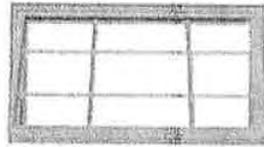
Green Facts:

- Many CertainTeed roofing products are manufactured with pre- and post-consumer recycled content including slag, stone granules, corrugated mixed paper and sludge. The overall pre- and post-consumer recycled content of our roofing products is between 1-50%. Integrating these materials into our products reduces landfill waste and carbon emissions.
- CertainTeed diverts over 250,000 tons/year of slag, stone granules, corrugated mixed paper and sludge from landfills by recycling this material into our products.
- In addition to landfill waste reduction, the use of recycled materials in our products reduces the release of CO2 from the extraction and processing of virgin raw materials that are used to manufacture the roofing products.
- CertainTeed is committed to resource conservation. Our roofing manufacturing facilities recycle close to 90% of the production waste into asphalt materials used for the construction of roads. We also integrate recycled content into many of our packaging materials including corrugated rolls and kraft paper.



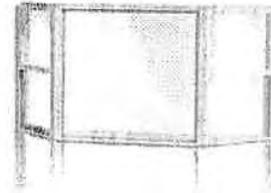
Premium Vinyl Awning Window

- Color Options: 10 exterior colors, 3 interior colors
- Woodgrain Options: cherry, light oak, dark oak interior
- Glass Options: energy efficient, protective, textured, tinted
- Divided Lite: simulated divided lites, grilles between the glass, 3 grille designs
- Maintenance Level: minimal
- Project Type: new construction and replacement
- ENERGY STAR® Qualified Options
- Some Configurations Eligible for Tax Credit; check with your dealer and tax professional to ensure eligibility
- Warranty: limited lifetime



Builders Vinyl Awning Window

- Color Options: 2 exterior colors, 2 interior colors
- Glass Options: energy efficient, protective, textured, tinted
- Divided Lite: simulated divided lites, grilles between the glass, 3 grille designs
- Maintenance Level: minimal
- Project Type: new construction and replacement
- ENERGY STAR® Qualified Options
- Some Configurations Eligible for Tax Credit; check with your dealer and tax professional to ensure eligibility
- Warranty: limited lifetime



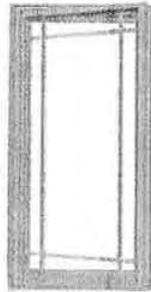
Builders Vinyl Bay Window

- Color Options: 3 exterior colors, 3 interior colors
- Glass Options: energy efficient, protective, textured, tinted
- Divided Lite: grilles between the glass, 3 grille designs
- Maintenance Level: minimal
- Project Type: new construction and replacement
- ENERGY STAR® Qualified Options
- Some Configurations Eligible for Tax Credit; check with your dealer and tax professional to ensure eligibility
- Warranty: limited lifetime



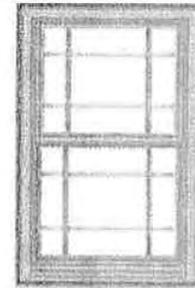
Builders Vinyl Bow Window

- Color Options: 3 exterior colors, 3 interior colors
- Glass Options: energy efficient, protective, textured, tinted
- Divided Lite: grilles between the glass, 3 grille designs
- Maintenance Level: minimal
- Project Type: new construction and replacement
- ENERGY STAR® Qualified Options
- Some Configurations Eligible for Tax Credit; check with your dealer and tax professional to ensure eligibility
- Warranty: limited lifetime



Builders Vinyl Casement Window

- Color Options: 2 exterior colors, 2 interior colors
- Glass Options: energy efficient, protective, textured, tinted
- Divided Lite: simulated divided lites, grilles between the glass, 3 grille designs
- Maintenance Level: minimal
- Project Type: new construction and replacement
- ENERGY STAR® Qualified Options
- Some Configurations Eligible for Tax Credit; check with your dealer and tax professional to ensure eligibility
- Warranty: limited lifetime



Builders Vinyl Double-Hung Window

- Color Options: 3 exterior colors, 3 interior colors
- Glass Options: energy efficient, protective, textured, tinted
- Divided Lite: simulated divided lites, grilles between the glass, 3 grille designs
- Maintenance Level: minimal
- Project Type: new construction and replacement
- ENERGY STAR® Qualified Options
- Some Configurations Eligible for Tax Credit; check with your dealer and tax professional to ensure eligibility
- Warranty: limited lifetime



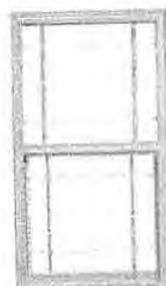
Builders Vinyl Fixed Window

- Color Options: 3 exterior colors, 2 interior colors
- Glass Options: energy efficient, protective, textured, tinted
- Divided Lites: simulated divided lites, grilles between the glass, 3 grille designs
- Maintenance Level: minimal
- Project Type: new construction and replacement
- ENERGY STAR® Qualified Options
- Some Configurations Eligible for Tax Credit, check with your dealer and tax professional to ensure eligibility
- Warranty: limited lifetime



Builders Vinyl Garden Window

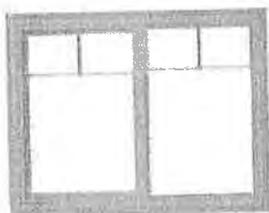
- Color Options: white exterior color, white interior color
- Glass Options: energy efficient, protective, textured, tinted
- Divided Lites: grilles between the glass, 3 grille designs
- Maintenance Level: minimal
- Project Type: new construction and replacement
- Warranty: limited lifetime



Builders Vinyl Single-Hung Window

- Color Options: 3 exterior colors, 3 interior colors
- Glass Options: energy efficient, protective, textured, tinted
- Divided Lites: simulated divided lites, grilles between the glass, 3 grille designs
- Maintenance Level: minimal
- Project Type: new construction and replacement
- ENERGY STAR® Qualified Options
- Some Configurations Eligible for Tax Credit, check with your dealer and tax professional to ensure eligibility
- Warranty: limited lifetime

JELD-WEN
WINDOWS & DOORS



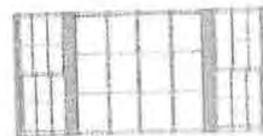
Builders Vinyl Sliding Window

- Color Options: 2 exterior colors, 3 interior colors
- Glass Options: energy efficient, protective, textured, tinted
- Divided Lites: simulated divided lites, grilles between the glass, 3 grille designs
- Project Type: new construction and replacement
- Maintenance Level: minimal
- Project Type: new construction and replacement
- ENERGY STAR® Qualified Options
- Some Configurations Eligible for Tax Credit, check with your dealer and tax professional to ensure eligibility
- Warranty: limited lifetime



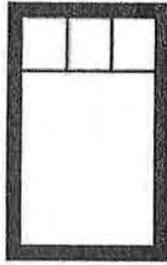
Premium Vinyl Bow Window

- Color Options: 3 exterior colors, 3 interior colors
- Glass Options: energy efficient, protective, textured, tinted, decorative
- Divided Lites: simulated divided lites, grilles between the glass, 3 grille designs
- Maintenance Level: minimal
- Project Type: new construction and replacement
- ENERGY STAR® Qualified Options
- Some Configurations Eligible for Tax Credit, check with your dealer and tax professional to ensure eligibility
- Warranty: limited lifetime
- regional



Premium Vinyl Bay Window

- Color Options: 2 exterior colors, 2 interior colors
- Glass Options: energy efficient, protective, textured, tinted, decorative
- Divided Lites: simulated divided lites, grilles between the glass, 3 grille designs
- Maintenance Level: minimal
- Project Type: new construction and replacement
- ENERGY STAR® Qualified Options
- Some Configurations Eligible for Tax Credit, check with your dealer and tax professional to ensure eligibility
- Warranty: limited lifetime



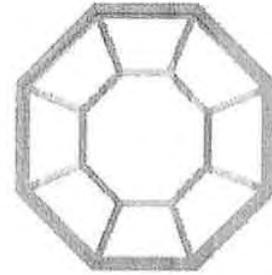
Premium Vinyl Casement Window

- Color Options: 10 exterior colors, 3 interior colors
- Woodgrain Options: cherry, light oak, dark oak interior
- Glass Options: energy efficient, protective, textured, tinted, decorative
- Divided Lites: simulated divided lites, grilles between the glass, 3 grille designs
- Maintenance Level: minimal
- Project Type: new construction and replacement
- ENERGY STAR® Qualified Options
- Some Configurations Eligible for Tax Credit; check with your dealer and tax professional to ensure eligibility
- Warranty: limited lifetime



Premium Vinyl Double-Hung Window

- Color Options: 10 exterior colors, 3 interior colors
- Woodgrain Options: cherry, light oak, dark oak interior
- Glass Options: energy efficient, protective, textured, tinted
- Divided Lites: simulated divided lites, grilles between the glass, 3 grille designs
- Maintenance Level: normal
- Project Type: new construction and replacement
- ENERGY STAR® Qualified Options
- Some Configurations Eligible for Tax Credit; check with your dealer and tax professional to ensure eligibility
- Warranty: limited lifetime



Premium Vinyl Fixed Window

- Color Options: 10 exterior colors, 3 interior colors
- Woodgrain Options: cherry, light oak, dark oak interior
- Glass Options: energy efficient, protective, textured, tinted, decorative
- Divided Lites: simulated divided lites, grilles between the glass, 3 grille designs
- Maintenance Level: minimal
- Project Type: new construction and replacement
- ENERGY STAR® Qualified Options
- Some Configurations Eligible for Tax Credit; check with your dealer and tax professional to ensure eligibility
- Warranty: limited lifetime



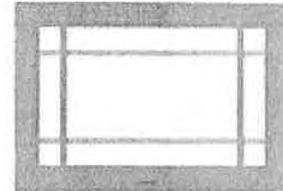
Premium Vinyl Single-Hung Window

- Color Options: 10 exterior colors, 3 interior colors
- Woodgrain Options: cherry, light oak, dark oak
- Glass Options: energy efficient, protective, textured, tinted, decorative
- Divided Lites: simulated divided lites, grilles between the glass, 3 grille designs
- Maintenance Level: minimal
- Project Type: new construction and replacement
- ENERGY STAR® Qualified Options
- Stimulus Tax Credit Qualified Options
- Warranty: limited lifetime



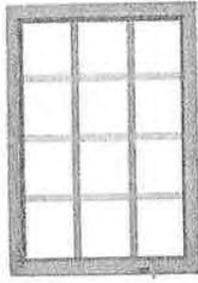
Premium Vinyl Sliding Window

- Color Options: 10 exterior colors, 3 interior colors
- Woodgrain Options: cherry, light oak, dark oak interior
- Glass Options: energy efficient, protective, textured, tinted, decorative
- Divided Lites: simulated divided lites, grilles between the glass, 3 grille designs
- Maintenance Level: minimal
- Project Type: new construction and replacement
- ENERGY STAR® Qualified Options
- Some Configurations Eligible for Tax Credit; check with your dealer and tax professional to ensure eligibility
- Warranty: limited lifetime



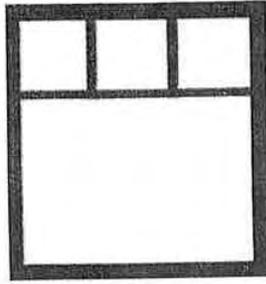
Premium Atlantic Vinyl Awning Window

- Color Options: 3 exterior colors, 2 interior colors
- Glass Options: energy efficient, protective, textured, tinted
- Divided Lites: simulated divided lites, grilles between the glass, 3 grille designs
- Maintenance Level: minimal
- Project Type: new construction and replacement
- ENERGY STAR® Qualified Options
- Some Configurations Eligible for Tax Credit; check with your dealer and tax professional to ensure eligibility
- Warranty: limited lifetime



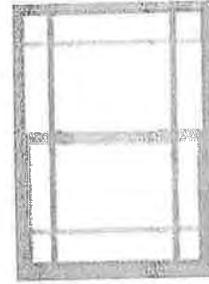
Premium Atlantic Vinyl Casement Window

- Color Options: 3 exterior colors, 2 interior colors
- Glass Options: energy efficient, protective, textured, tinted
- Divided Lites: simulated divided lites, grilles between the glass, 3 grille designs
- Maintenance Level: minimal
- Project Type: new construction and replacement
- ENERGY STAR® Qualified Options
- Some Configurations Eligible for Tax Credit; check with your dealer and tax professional to ensure eligibility
- Warranty: limited lifetime



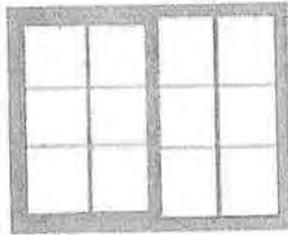
Premium Atlantic Vinyl Fixed Window

- Color Options: 3 exterior colors, 2 interior colors
- Glass Options: energy efficient, protective, textured, tinted
- Divided Lites: simulated divided lites, grilles between the glass, 3 grille designs
- Maintenance Level: minimal
- Project Type: new construction and replacement
- ENERGY STAR® Qualified Options
- Some Configurations Eligible for Tax Credit; check with your dealer and tax professional to ensure eligibility
- Warranty: limited lifetime



Premium Atlantic Vinyl Single-Hung Window

- Color Options: 3 exterior colors, 2 interior colors
- Glass Options: energy efficient, protective, textured, tinted
- Divided Lites: simulated divided lites, grilles between the glass, 3 grille designs
- Maintenance Level: minimal
- Project Type: new construction and replacement
- ENERGY STAR® Qualified Options
- Some Configurations Eligible for Tax Credit; check with your dealer and tax professional to ensure eligibility
- Warranty: limited lifetime



Premium Atlantic Vinyl Sliding Window

- Color Options: 3 exterior colors, 2 interior colors
- Glass Options: energy efficient, protective, textured, tinted
- Divided Lites: simulated divided lites, grilles between the glass, 3 grille designs
- Maintenance Level: minimal
- Project Type: new construction and replacement
- ENERGY STAR® Qualified Options
- Some Configurations Eligible for Tax Credit; check with your dealer and tax professional to ensure eligibility
- Warranty: limited lifetime

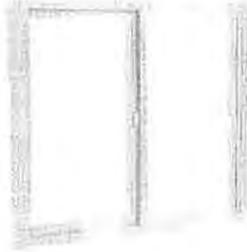
JELD WEN.
 WINDOWS & DOORS



WINDOW STYLE

The thicker internal walls of this window frame make it very sturdy and well suited for supporting heavier glass, or openings that are very large. Frames can also be made for the smallest openings, or different window types can be combined to provide a variety of ventilation, shape or view options. If you are replacing windows for your home, or creating a new one, we can help you find just the right style and function you are looking for. Remember, all of our windows are custom made to your exact specifications.

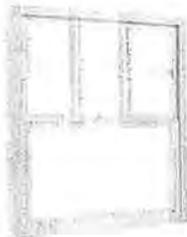
Horizontal Sliding Window



Horizontal sliders are designed for openings with greater width than height. They open without projecting into exterior or interior spaces. Sizes over 6' wide require two ventilators that slide toward the center. Ventilators are easily removable from the inside and glide on four sets of nylon rollers on stainless steel axles—twice the number we place on our standard double pane window—for extra support!

The window is securely latched with a positive action lock. Insect screens are easily removable from the inside. Minimum size that will meet bedroom egress code is 4'1" x 4'0"

Single Hung (Vertical Slider)

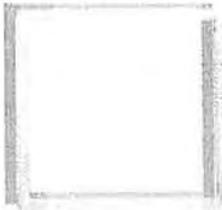


A traditional style for openings with greater height than width. The lower window portion slides upward to open. Like sliders, they open without projecting into exterior or interior spaces.

Ventilators slide up and down on two sets of string balances—twice the number we place on our standard double pane window—for added support of heavier glass.

The window is securely latched with a positive action lock. Insect screens are easily removable from the inside. Minimum size that will meet bedroom egress code is 3'0" wide by 5'3" high

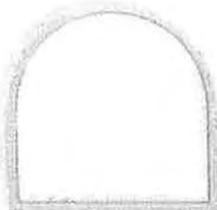
Picture Window



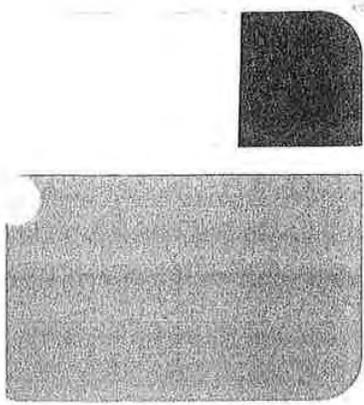
Picture windows are stationary windows, (windows that do not open). They can be created to stand alone or combined with a sliding or single hung window in one frame to form a combination window.

Combination windows include: Underslide windows (Picture over Slider), Overslide windows (Slider over Picture), and Oriel windows (Picture over- or under- Single Hung). Custom made to your home's exact specifications.

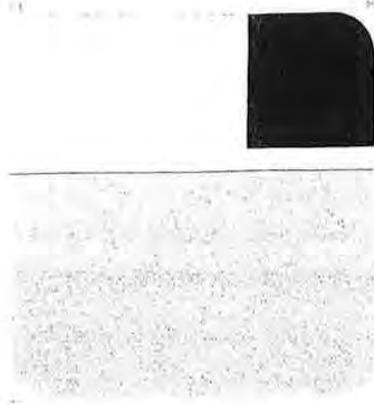
Radius And Geometric Shape Windows



A stationary window (a window that does not open) with a curved shape or angle other than 90°. Custom architectural shapes include full-, half-, and quarter-rounds; round tops; half rounds over slider or single hung; triangles; trapezoids; pentoids; hexagons; and octagons. Radius or Geometric shapes are custom made to your home's exact specifications.



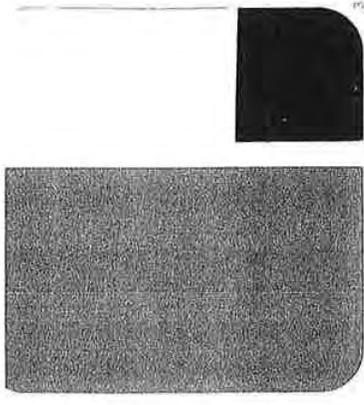
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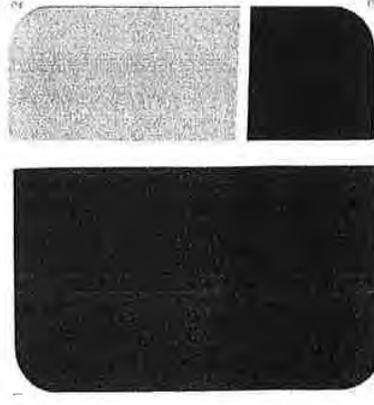
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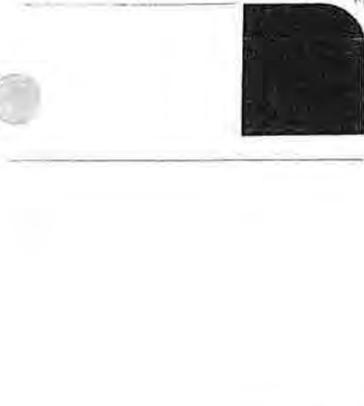
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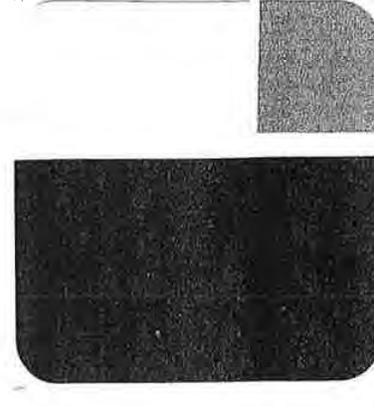
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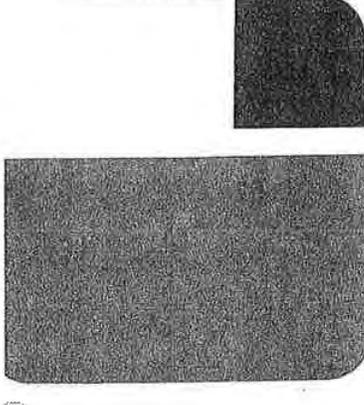
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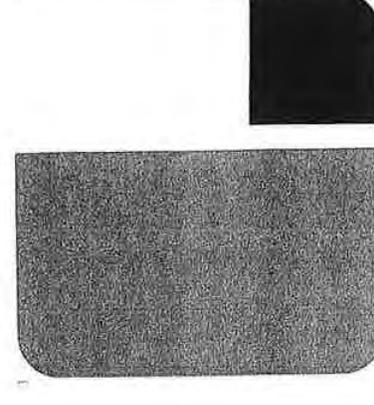
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16.92.010 Landscaping Plan

All proposed developments for which a site plan is required pursuant to Section 16.90.020 shall submit a landscaping plan which meets the standards of this Chapter. All areas not occupied by structures, paved roadways, walkways, or patios shall be landscaped or maintained according to an approved site plan. Maintenance of existing non-invasive native vegetation is encouraged within a development and required for portions of the property not being developed.

16.92.020 Landscaping Materials

A. Varieties

Required landscaped areas shall include an appropriate combination of native evergreen or deciduous trees and shrubs, evergreen ground cover, and perennial plantings. Trees to be planted in or adjacent to public rights-of-way shall meet the requirements of this Chapter.

B. Establishment of Healthy Growth and Size

Required landscaping materials shall be established and maintained in a healthy condition and of a size sufficient to meet the intent of the approved landscaping plan. Specifications shall be submitted showing that adequate preparation of the topsoil and subsoil will be undertaken.

C. Non-Vegetative Features

Landscaped areas as required by this Chapter may include architectural features interspersed with planted areas, such as sculptures, benches, masonry or stone walls, fences, rock groupings, bark dust, semi-pervious decorative paving, and graveled areas. Impervious paving shall not be counted as landscaping. Artificial plants are prohibited in any required landscaped area.

D. Existing Vegetation

All developments subject to site plan review per Section 16.90.020 and required to submit landscaping plans per Section 16.92.020 shall preserve existing trees, woodlands and vegetation on the site to the maximum extent possible, as determined by the Review Authority, in addition to complying with the provisions of Section 16.142.060, and Chapter 16.144. (Ord. No. 2010-015, § 2, 10-5-2010; Ord. 2006-021; Ord. 86-851 § 3)

Response: The proposed landscape plan is included with the graphic documents. The plantings for tracts B, C, and E are specified by CWS standards. Tract A will be landscaped with street trees and low grasses and a soft surface path. Tract D will be landscaped per the preliminary plant plan.

16.92.030 Landscaping Standards

A. Perimeter Screening and Buffering

B. Parking and Loading Areas

3. Perimeter Landscaping

4. Interior Landscaping

5. Landscaping at Points of Access

Response: The project does not include any of the identified areas requiring landscaping, however, a conceptual landscape plan has been provided for the open space tracts included with this PUD application.

16.92.040 Installation and Maintenance

A. Deferral of Improvements

B. Maintenance of Landscaped Areas

Response: The proposed landscape plantings will be installed prior to occupancy of the first home in the development.

16.108.010 Generally

A. Creation

Public streets shall be created in accordance with provisions of this Chapter.

Response: This Section of the Development Code Does Not Apply to this project.

16.108.030 Required Improvements

C. Proposed Streets

1. Except as otherwise provided, when a development includes or abuts a proposed street, in no event shall the required street improvement exceed a pavement width of forty (40) feet.

D. Extent of Improvements

Streets required pursuant to this Chapter shall be dedicated and improved consistent with Chapter 6 of the Community Development Plan, the Transportation System Plan and applicable City standards and specifications included in the City of Sherwood Construction Standards, and shall include curbs, sidewalks, catch basins, street lights, and street trees. Improvements shall also include any bikeways designated on the Transportation System Plan map.

Catch basins shall be installed and connected to storm sewers and drainage ways. Upon completion of the improvements, monuments shall be re-established and protected in monument boxes at every public street intersection and all points of curvature and points of tangency of their center lines. Street signs shall be installed at all street intersections and street lights shall be installed and served from an underground source of supply unless other electrical lines in the development are not underground.

Response: The extension of Denali is detailed on the plan set. Preliminary engineering details are included with the plan set to demonstrate the feasibility of constructing the public street in compliance with the engineering standards.

E. Street Modifications

1. Modifications to standards contained within this Chapter and Section 16.58.010 and the standard cross sections contained in Chapter 8 of the adopted Sherwood Transportation System Plan (TSP), may be granted in accordance with the procedures and criteria set out in this section.

2. Types of Modifications. Requests fall within the following two categories:

b. Design Modifications. Design modifications deal with the vertical and horizontal geometrics and safety related issues and include the following when deviating from this Chapter, Section 16.58.010 or Chapter 8 cross sections in the adopted Transportation System Plan:

- (1) Reduced sight distances.
- (2) Vertical alignment.
- (3) Horizontal alignment.
- (4) Geometric design (length, width, bulb radius, etc.).
- (5) Design speed.

3. Procedure. A modification request shall be classified as an administrative decision by the City Engineer. When a modification is requested to provide a green street element that is not included in the Construction Standards, the below process shall be followed, however no fee shall be required.

b. Design Modification. Design modifications shall be proposed in conjunction with the application for the underlying development proposal and processed as a Type III application. Design modification requests shall be processed in conjunction with the underlying development

proposal unless it is submitted subsequent to the decision for the underlying development proposal. The design modification application shall:

(1) Include a written request stating the reasons for the request and the factors which would make approval of the request reasonable.

(2) Include a letter of Concurrency from the City Engineer.

(3) Be accompanied by a map showing the applicable existing conditions and proposed construction such as contours, wetlands, significant trees, lakes, streams and rivers, utilities, property lines, existing and proposed roads and driveways, existing and projected traffic patterns, and any unusual or unique conditions not generally found in other developments.

4. Street modifications may be granted when criterion 4a and any one of criteria 4b through 4f are met:

a. A letter of concurrency is obtained from the City Engineer or designee.

b. Topography, right-of-way, existing construction or physical conditions, or other geographic conditions impose an unusual hardship on the applicant, and an equivalent alternative which can accomplish the same design purpose is available.

Response: The extension of Denali is detailed on the plan set. Preliminary engineering details are included to demonstrate that the requested modification to the street standards can accomplish the same design purpose. The request for a modification to the street standards is included with the application package.

16.108.040 Location and Design

A. Generally

B. Street Connectivity and Future Street Systems

1. *Future Street Systems.* The arrangement of public streets shall provide for the continuation and establishment of future street systems as shown on the Local Street Connectivity Map contained in the adopted Transportation System Plan (Figure 8-8).

2. *Connectivity Map Required.* New residential.....

16.108.050 Street Design

A. Reserve Strips

B. Alignment

C. Future Extension

D. Intersection Angles

E. Cul-de-sacs

F. Grades and Curves

G. Streets Adjacent to Railroads

H. Buffering of Major Streets

I. Median Islands

J. Curbs

K. Transit Facilities

L. Traffic Controls

N. Vehicular Access Management

Response: The extension of Denali is detailed on the plan set. Preliminary engineering details are included to demonstrate the proposed public street meets all of the applicable street design criteria.

2. *Roadway Access*

Response: The extension of Denali is detailed on the plan set. The proposed driveways meet the access spacing standard for a local street.

16.108.060 Sidewalks

- A. *Required Improvements*
 - 1. *Except as otherwise provided, sidewalks shall be installed on both sides of a public street and in any special pedestrian way within new development.*
- B. *Sidewalk Design Standards*
 - 2. *Local Streets*
Local streets shall have minimum five (5) foot wide sidewalks, located as required by this Code.
 - 3. *Handicapped Ramps*
Sidewalk handicapped ramps shall be provided at all intersections.

Response: The extension of Denali is detailed on the plan set. Preliminary engineering details are included to demonstrate the sidewalks meet the design criteria.

16.108.070 Hwy. 99W Capacity Allocation Program (CAP)

This Section of the Development Code Does Not Apply to this project.

16.108.080 BIKE PATHS

This Section of the Development Code Does Not Apply to this project.

Chapter 16.110 SANITARY SEWERS*

16.110.010 Required Improvements

Sanitary sewers shall be installed to serve all new developments

16.110.020 Design Standards

A. *Capacity*

Sanitary sewers shall be constructed, located, sized, and installed at standards consistent with this Code, the Sanitary Sewer Service Plan Map in the Sanitary Sewer Master Plan, and other applicable Clean Water Services and City standards, in order to adequately serve the proposed development and allow for future extensions.

Response: The extension of Denali is detailed on the plan set. Preliminary engineering details are included to demonstrate the sanitary sewer infrastructure and planned improvements meet the design criteria.

Chapter 16.112 WATER SUPPLY*

16.112.010 Required Improvements

Water lines and fire hydrants conforming to City and Fire District standards shall be installed to serve all building sites

16.112.020 Design Standards

A. *Capacity*

B. *Fire Protection*

C. *Over-Sizing*

Response: The extension of Denali is detailed on the plan set. Preliminary engineering details are included to demonstrate the public water infrastructure and planned improvements meet the design criteria.

Chapter 16.114 STORM WATER*

16.114.010 Required Improvements

Storm water facilities, including appropriate source control

16.114.020 Design Standards

- A. Capacity
- B. On-Site Source Control
- C. Conveyance System

Response: The extension of Denali is detailed on the plan set. Preliminary engineering details are included to demonstrate the public storm water infrastructure and planned improvements meet the design criteria.

Chapter 16.116 FIRE PROTECTION*

Response: The extension of Denali is detailed on the plan set. Preliminary engineering details are included to demonstrate the public fire protection infrastructure and planned improvements meet the design criteria. The Fire Marshal may require residential fire sprinkler systems in each of the new homes in addition to the public hydrant system proposed with this preliminary engineering plan set.

Chapter 16.118 PUBLIC AND PRIVATE UTILITIES*

Response: The extension of Denali is detailed on the plan set. Preliminary engineering details are included to demonstrate public utility easements and planned improvements to meet the design criteria.

Chapter 16.120 GENERAL PROVISIONS*

16.120.010 Purpose

Subdivision and land partitioning regulations are intended to promote the public health, safety and general welfare;

16.120.020 Platting Authority

A. Approval Authority

1. The approving authority for preliminary and final plats of subdivisions and partitions shall be in accordance with Section 16.72.010 of this Code.
2. Approval of subdivisions and partitions is required in accordance with this Code before a plat for any such subdivision or partition may be filed or recorded with Washington County. Appeals to a decision may be filed pursuant to Chapter 16.76.

B. Future Partitioning

When subdividing tracts into large lots which may be resubdivided, the City shall require that the lots be of a size and shape, and apply additional building site restrictions, to allow for the subsequent division of any parcel into lots of smaller size and the creation and extension of future streets.

C. Required Setbacks

All required building setback lines as established by this Code, shall be shown in the subdivision plat or included in the deed restrictions.

D. Property Sales

No property shall be disposed of, transferred, or sold until required subdivision or partition approvals are obtained, pursuant to this Code.

Response: The proposed preliminary PUD subdivision complies with the standards set forth above.

Chapter 16.122 PRELIMINARY PLATS*

16.122.010 Generally

A. Approval Required

All subdivisions and partitions are subject to preliminary plat approval through the Type II, Type III or Type IV review processes.

B. Action

The City shall review preliminary plat applications submitted in accordance with Section 16.70 and approve, approve with conditions, or deny the application. Conditions may be imposed by the Hearing Authority

C. Required Findings

No preliminary plat shall be approved unless:

1. Streets and roads conform to plats approved for adjoining properties as to widths, alignments, grades, and other standards, unless the City determines that the public interest is served by modifying streets or road patterns.
2. Streets and roads held for private use are clearly indicated on the plat and all reservations or restrictions relating to such private roads and streets are set forth thereon.
3. The plat complies with Comprehensive Plan and applicable zoning district regulations.
4. Adequate water, sanitary sewer, and other public facilities exist to support the use of land proposed in the plat.
5. Development of additional, contiguous property under the same ownership can be accomplished in accordance with this Code.
6. Adjoining land can either be developed independently or is provided access that will allow development in accordance with this Code.
7. Tree and woodland inventories have been submitted and approved as per Section 16.142.060.

Response: The proposed preliminary PUD subdivision complies with the standards set forth above. The application will be reviewed by the appropriate hearings body and conditions may be applied to the decision to ensure compliance with all of the development code requirements.

16.126.020 Easements

A. Utilities

Easements for sewers, drainage, water mains, electric lines, or other utilities shall be dedicated or provided for by deed. Easements shall be a minimum of ten (10) feet in width and centered on rear or side lot lines; except for tie-back easements, which shall be six (6) feet wide by twenty (20) feet long on side lot lines at the change of direction.

Response: The proposed preliminary PUD subdivision complies with the standards set forth above.

16.126.040 Lots

A. Size and Shape

Lot size, width, shape, and orientation shall be appropriate for the location and topography of the subdivision, and shall comply with applicable zoning district requirements, with the following exceptions:

1. Lots in areas not served by public sewer or water supply, shall conform to any special Washington County Health Department standards.

B. Access

All lots in a subdivision shall abut a public street, except as allowed for infill development under Chapter 16.68.

C. Double Frontage

Double frontage and reversed frontage lots are prohibited except where essential to provide separation of residential development from railroads, traffic arteries, adjacent nonresidential uses, or to overcome specific topographical or orientation problems. A five (5) foot wide or greater easement for planting and screening may be required.

D. Side Lot Lines

Side lot lines shall, as far as practicable, run at right angles to the street upon which the lots face, except that on curved streets side lot lines shall be radial to the curve of the street.

E. Grading

Grading of building sites shall conform to the following standards, except when topography of physical conditions warrant special exceptions:

1. Cut slopes shall not exceed one and one-half (1 1/2) feet horizontally to one (1) foot vertically.

2. Fill slopes shall not exceed two (2) feet horizontally to one (1) foot vertically.

Response: The proposed preliminary PUD subdivision complies with the standards set forth above.

8/16/2011

Bob Galati
City Engineer
City of Sherwood
Engineering Department
22560 SW Pine St
Sherwood, OR 97140

RE: Denali Subdivision

CITY OF SHERWOOD ENGINEERING DESIGN AND STANDARD DETAILS MANUAL
REQUEST FOR EXCEPTION

The following is a request for exception as per Section 145 to the City of Sherwood Engineering Design and Standard Details Manual, Vertical Alignment, Section 210.4.A.2 (street grade requirements):

Reason(s):

Due to the topography on site and the existing elevations of both SW Ironwood Drive and SW Denali Lane, we are unable to design a connection between these roads which meets the street grade requirements. To make this connection possible, the design length of the new roadway has been lengthened in order to reduce the street gradient required.

Comparison:

Existing standard dictates a maximum length of 200' for a grade of 12%. The proposed design, for which we are seeking this modification, uses a gradient of 12% for a length of 340'. We simply cannot produce a street design which meets the design standard with significant loss of usable lot area.

Public Safety:

We have also applied for a reduced speed on this roadway, from 25 MPH to 20 MPH. With this reduced speed limit, the 340' length of 12% grade that we have shown in our design should not pose any hazard to public safety.

Performance:

Performance will not be negatively impacted by this modification.

Exhibits of data, calculations, drawings, etc:

See Attached



8/16/2011

Bob Galati
City Engineer
City of Sherwood
Engineering Department
22560 SW Pine St
Sherwood, OR 97140

RE: Denali Subdivision

CITY OF SHERWOOD ENGINEERING DESIGN AND STANDARD DETAILS MANUAL
REQUEST FOR EXCEPTION

The following is a request for exception as per Section 145 to the City of Sherwood Engineering Design and Standard Details Manual, Horizontal Alignment, Section 120.5.A (Design Speed):

Reason(s):

Due to the topography on site and the existing elevations of both SW Ironwood Drive and SW Denali Lane, we are unable to design a functional connection between these roads which meets the minimum radius requirements for a street with a design speed of 25 MPH. To make this connection possible, the design length of the new roadway must be lengthened in order to reduce the gradient required. In order to increase the design length of this connection, we need to utilize smaller radii. Therefore, we are requesting a reduced design speed on this connecting roadway of 20 MPH. This modification will keep us compliant with the minimum centerline curve radius requirements of the design standards.

Comparison:

The design standards would dictate a street such as this with a design speed of 25 MPH. The proposed design, for which we are seeking this modification, utilizes a design speed of 20 MPH. This allows us to maintain a more functional street gradient in our road design.

Public Safety:

We do not believe public safety will be negatively impacted by reducing the speed limit along this roadway, which will only be serving the 8 lots proposed as a part of this subdivision design. Public safety would be enhanced by limiting traffic to a lower speed limit through a steep and curvy section of road such as this.

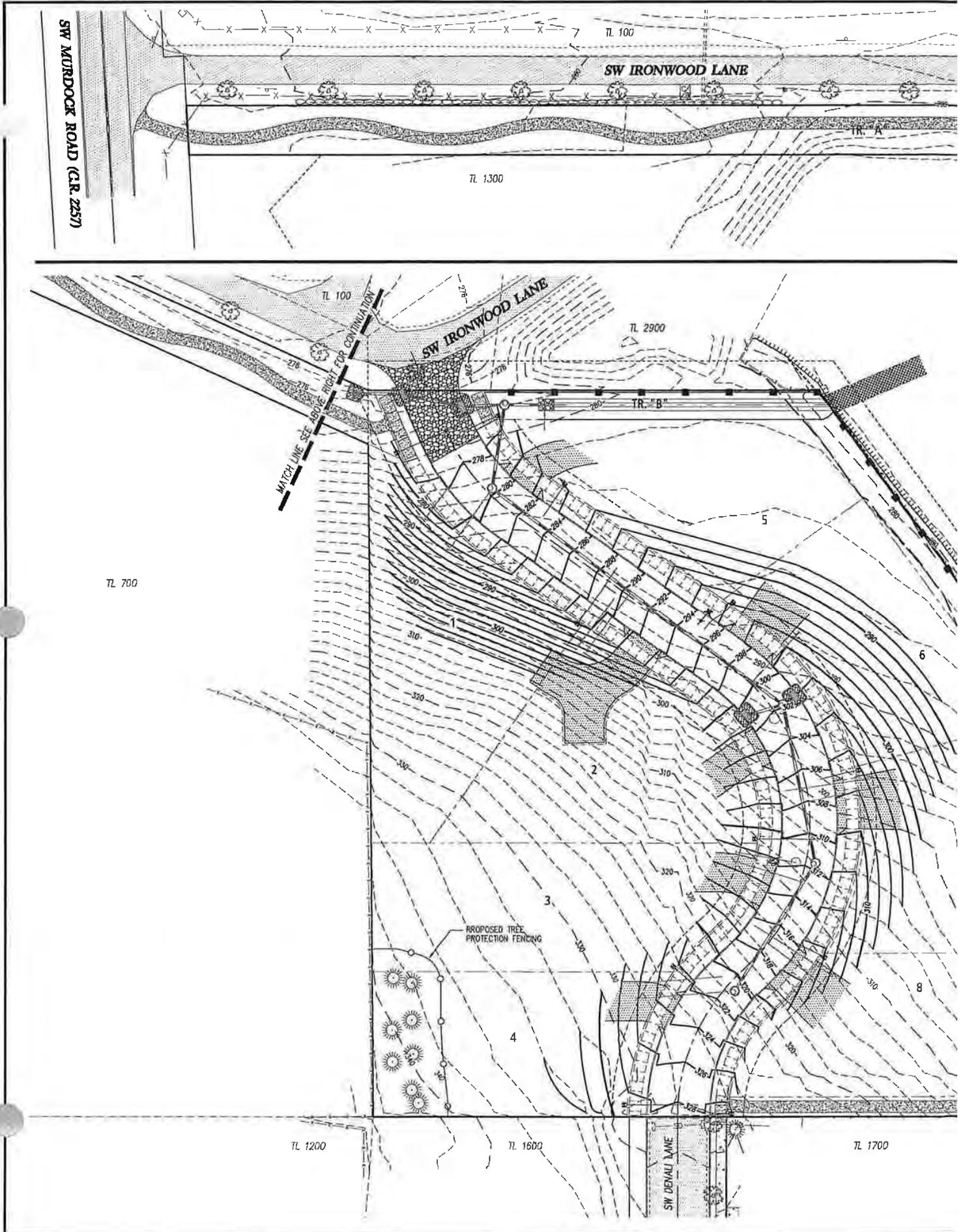
Performance:

Performance will not be negatively impacted by reducing the speed limit. This road is simply serving as a connection between two existing roads, and is not intended to be used as a collector of any kind. A lower design speed on this connection will have no adverse performance issues.

Exhibits of data, calculations, drawings, etc:

See attached





DENALI SUBDIVISION

A PLANNED UNIT DEVELOPMENT OF NW 1/4 SW 1/4 SECTION 33, T.2S R.1W - TAX LOT 1000
 CITY OF SHERWOOD, WASHINGTON COUNTY OREGON

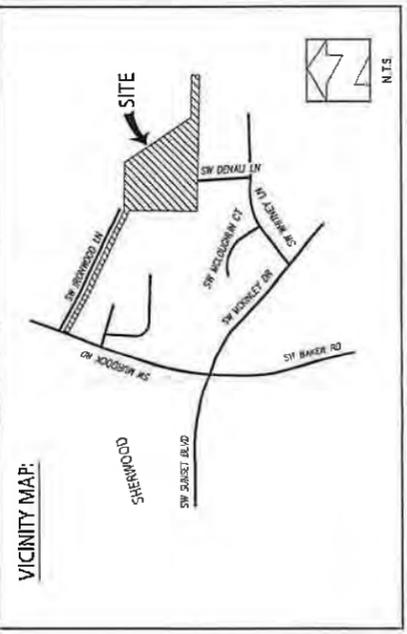
DENALI SUBDIVISION
 R2017553
 TAX LOT 1000
 TAX MAP 25133CB
 SHERWOOD, OREGON

PRELIMINARY PLAT

EMERIO
 DESIGN

1107 SW MURRAY BLVD, SUITE 147
 BEAVERTON, OREGON 97008
 TEL: (503) 515-5558
 FAX: (503) 515-5558
 WWW.EMERIODSIGN.COM

SHEET
 1



PLANNING/ENGINEER:
 EMERIO DESIGN, LLC
 6107 SW MURRAY BLVD, SUITE 147
 BEAVERTON, OREGON
 P: 503.515.5528
 F: 503.639.9592
 CONTACT: KIRSTEN VAN LOO
 OR NEIL FERNANDEZ

BENCHMARK:
 WASHINGTON COUNTY BENCHMARK No. 111,
 A BRASS DISK SET IN THE CURB ON THE
 SOUTHEAST CORNER OF THE INTERSECTION
 OF SUNSET COURT AND SHERWOOD BLVD.
 ELEV. 213.55

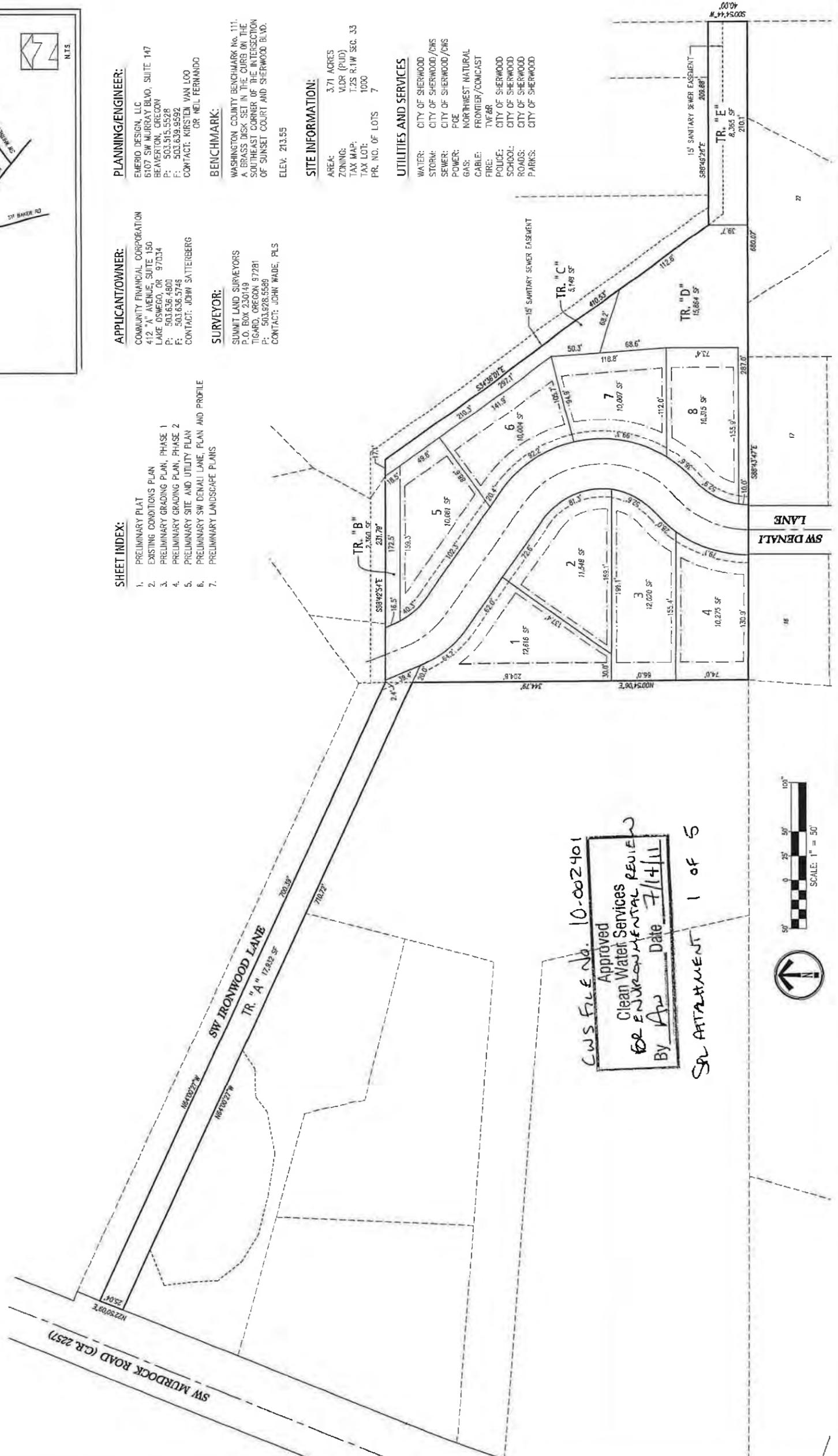
APPLICANT/OWNER:
 COMMUNITY FINANCIAL CORPORATION
 412 "A" AVENUE, SUITE 150
 LAKE OSWEGO, OR 97034
 P: 503.636.4800
 F: 503.636.5745
 CONTACT: JOHN SATTERBERG

SURVEYOR:
 SUMMIT LAND SURVEYORS
 P.O. BOX 230149
 TIGARD, OREGON 97281
 P: 503.828.5589
 CONTACT: JOHN WADE, PLS

SITE INFORMATION:
 AREA: 3.71 ACRES
 ZONING: VDR (PUD)
 TAX MAP: T.2S R.1W SEC. 33
 TAX LOT: 1000
 PR. NO. OF LOTS: 7

UTILITIES AND SERVICES
 WATER: CITY OF SHERWOOD
 STORM: CITY OF SHERWOOD/CWS
 SEWER: CITY OF SHERWOOD/CWS
 POWER: PGE
 GAS: NORTHWEST NATURAL
 CABLE: FRONTIER/COMCAST
 FIRE: TWP&R
 POLICE: CITY OF SHERWOOD
 SCHOOL: CITY OF SHERWOOD
 ROADS: CITY OF SHERWOOD
 PARKS: CITY OF SHERWOOD

- SHEET INDEX:**
1. PRELIMINARY PLAT
 2. EXISTING CONDITIONS PLAN
 3. PRELIMINARY GRADING PLAN, PHASE 1
 4. PRELIMINARY GRADING PLAN, PHASE 2
 5. PRELIMINARY SITE AND UTILITY PLAN
 6. PRELIMINARY SW DENALI LANE, PLAN AND PROFILE
 7. PRELIMINARY LANDSCAPE PLANS



CWS FILE NO. 10-002401
 Approved
 Clean Water Services
 for ENVIRONMENTAL REVIEW
 By *AW* Date 7/14/11
 SRA ATTACHMENT 1 OF 5



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EMERIO PROJECT No. 138-001

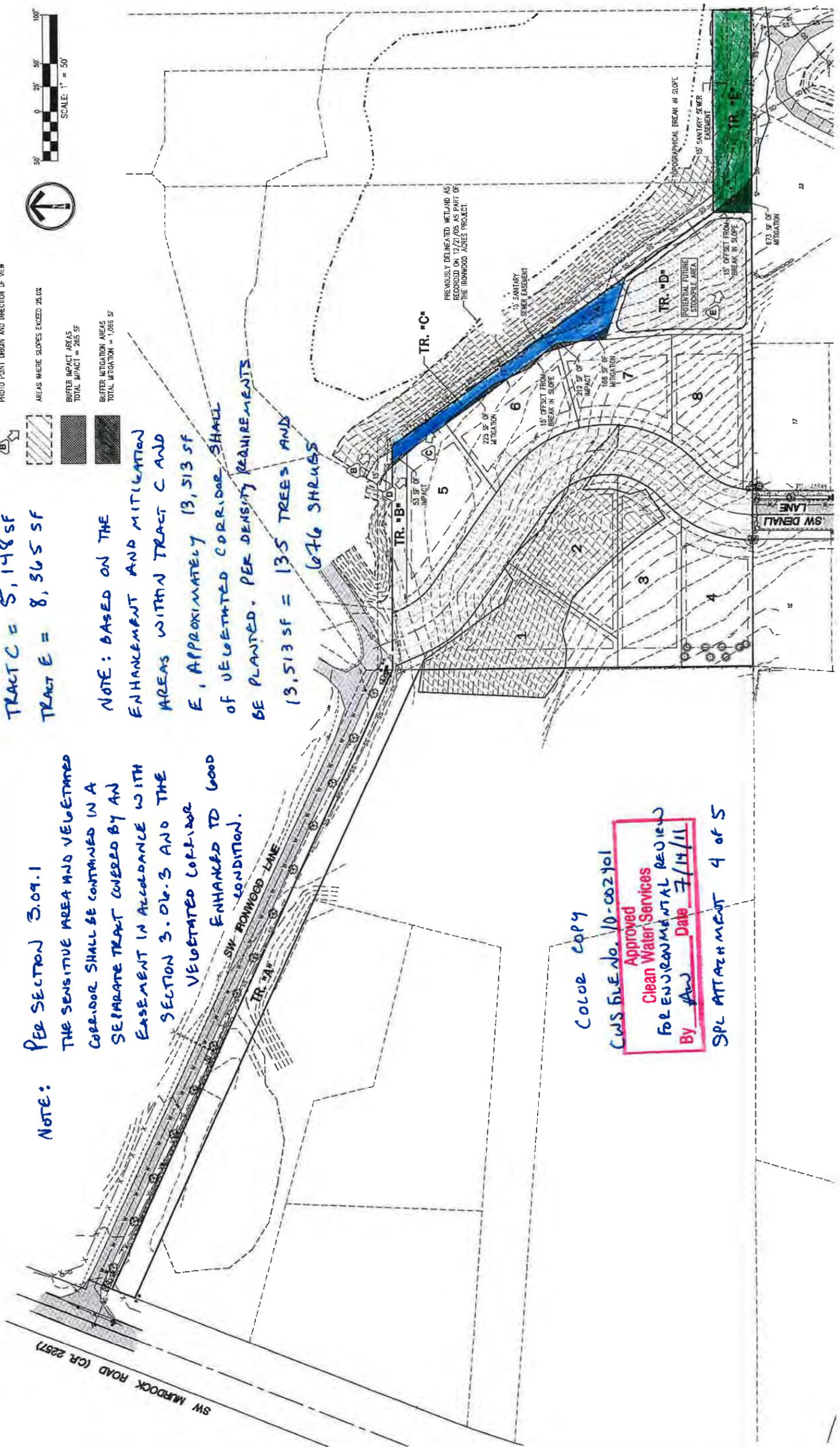
DENALI SUBDIVISION
 R2017553
 TAX LOT 1000
 TAX MAP 25133CB
 SHERWOOD, OREGON

WETLAND & BUFFER PLAN

NO.	DATE	DESCRIPTION

EMERIO
Designers
 6107 SW HURRAY BLVD. SUITE 147
 BEAVERTON, OREGON 97008
 TEL (503) 515-5538
 FAX (503) 515-5528
 www.emeriodesign.com

SHEET
1



LEGEND

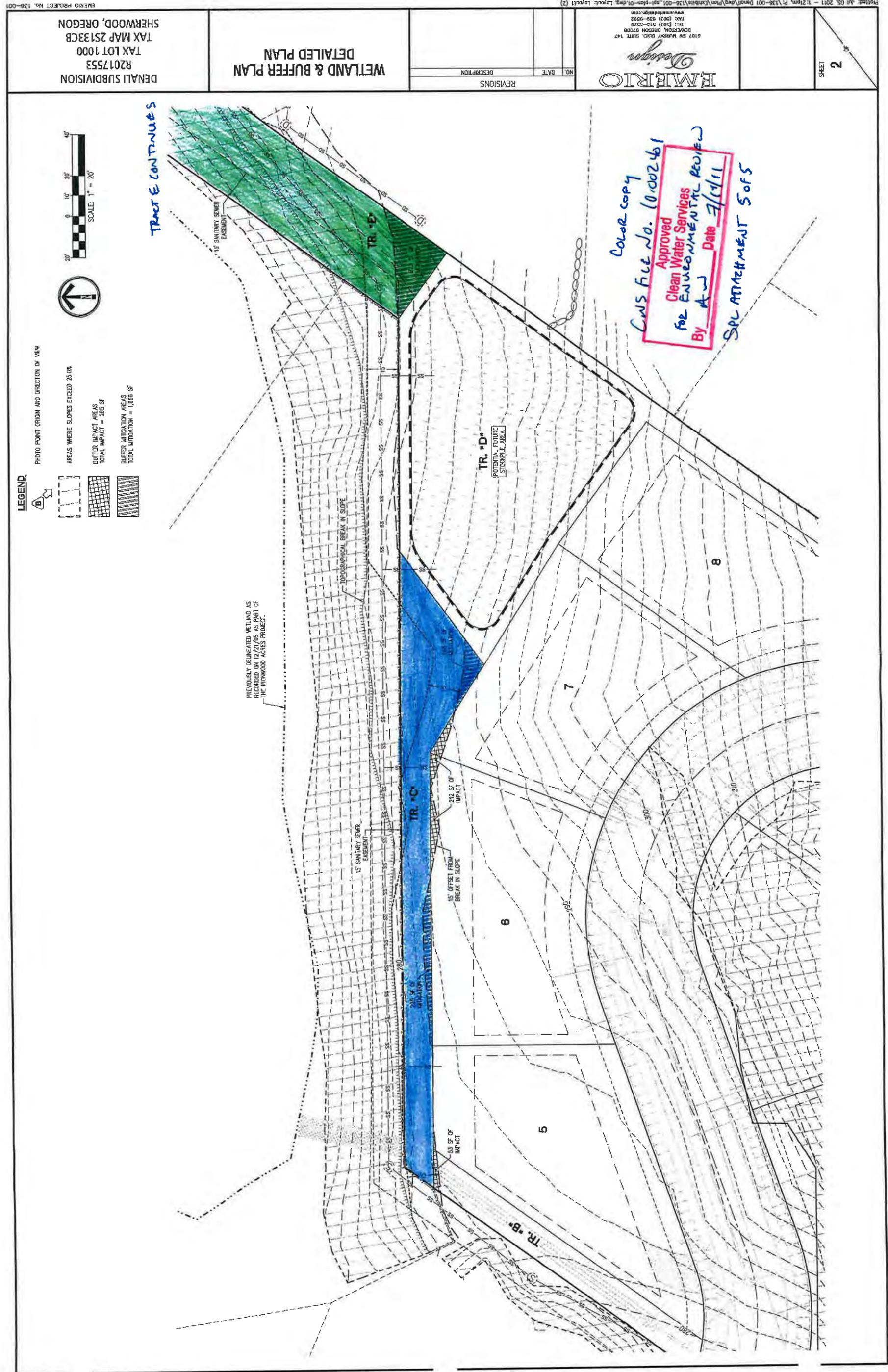
- PHOTO POINT ORIGIN AND DIRECTION OF VIEW
- AREAS WHERE SLOPES EXCEED 25.0%
- BUFFER IMPACT AREAS
TOTAL IMPACT = 265 SF
- BUFFER MITIGATION AREAS
TOTAL MITIGATION = 1,085 SF

TRACT C = 5,148 SF
 TRACT E = 8,365 SF

NOTE: BASED ON THE ENHANCEMENT AND MITIGATION AREAS WITHIN TRACT C AND E, APPROXIMATELY 13,513 SF OF VEGETATED CORRIDOR SHALL BE PLANTED. PER DENSITY REQUIREMENTS 13,513 SF = 135 TREES AND 676 SHRUBS

NOTE: PER SECTION 3.09.1 THE SENSITIVE AREA AND VEGETATED CORRIDOR SHALL BE CONTAINED IN A SEPARATE TRACT COVERED BY AN EASEMENT IN ACCORDANCE WITH SECTION 3.016.3 AND THE VEGETATED CORRIDOR ENHANCED TO GOOD CONDITION.

COLOR COPY
 CWS FILE NO. 10-002101
 Approved
 Clean Water Services
 FOR ENVIRONMENTAL REVIEW
 By AW Date 7/14/11
 SPL ATTACHMENT 4 OF 5



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 FAX: (503) 812-0222
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NO.	DATE	DESCRIPTION

**WETLAND & BUFFER PLAN
 DETAILED PLAN**

DENALI SUBDIVISION
 R2017553
 TAX LOT 1000
 TAX MAP 25133CB
 SHERWOOD, OREGON

SHEET
2 OF

*Color copy
 CWS File No. (0002461
 Approved
 Clean Water Services
 for ENVIRONMENTAL REVIEW
 By AJ Date 7/11/11
 SPL ATTACHMENT 50FS*

LEGEND

- PHOTO POINT ORIGIN AND DIRECTION OF VIEW
- AREAS WHERE SLOPES EXCEED 25.0%
- BUFFER IMPACT AREAS
 TOTAL IMPACT = 265 SF
- BUFFER MITIGATION AREAS
 TOTAL MITIGATION = 1,069 SF

PREVIOUSLY DELINEATED WETLAND AS
 RECORDED ON 12/23/05 AS PART OF
 THE IRONWOOD ACRES PROJECT.

TRACT E CONTINUES

DENALI SUBDIVISION
R2017553
TAX LOT 1000
TAX MAP 2S133CB
SHERWOOD, OREGON

EXISTING CONDITIONS PLAN



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SHEET 2 OF 9

REVISIONS

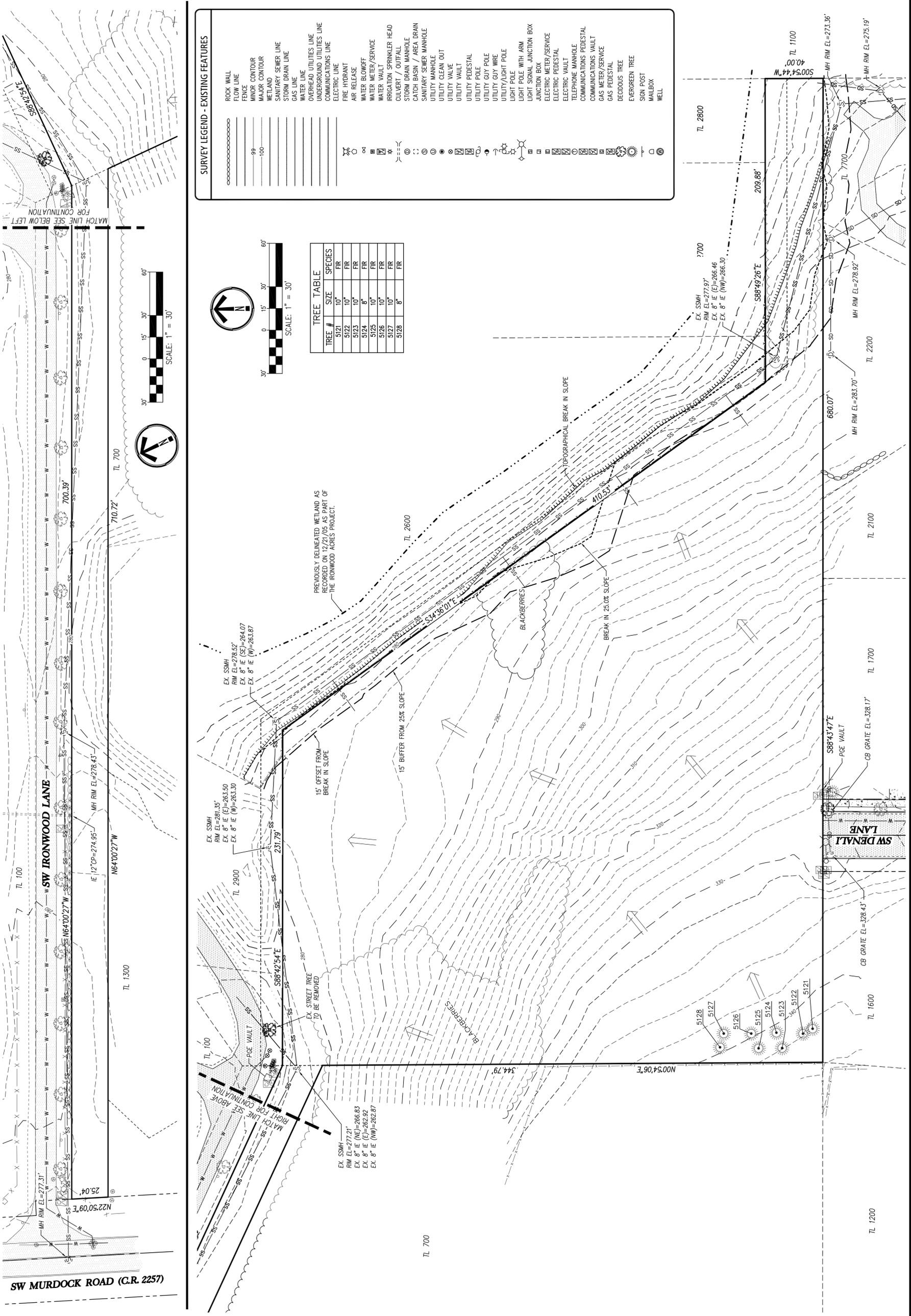
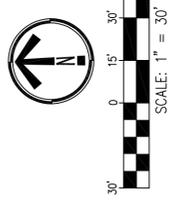
NO.	DATE	DESCRIPTION

SURVEY LEGEND - EXISTING FEATURES

	ROCK WALL
	FLOW LINE
	FENCE
	MINOR CONTOUR
	MAJOR CONTOUR
	WETLAND
	SANITARY SEWER LINE
	STORM DRAIN LINE
	GAS LINE
	WATER LINE
	OVERHEAD UTILITIES LINE
	UNDERGROUND UTILITIES LINE
	ELECTRIC LINE
	FIRE HYDRANT
	AIR RELEASE
	WATER BLOWOFF
	WATER METER/SERVICE
	WATER VAULT
	IRRIGATION SPRINKLER HEAD
	CULVERT / OUTFALL
	STORM DRAIN MANHOLE
	CATCH BASIN / AREA DRAIN
	SANITARY SEWER MANHOLE
	UTILITY MANHOLE
	UTILITY CLEAN OUT
	UTILITY VALVE
	UTILITY VAULT
	UTILITY PEDESTAL
	UTILITY POLE
	UTILITY GUY POLE
	UTILITY GUY WIRE
	UTILITY/LIGHT POLE
	LIGHT POLE
	LIGHT POLE WITH ARM
	LIGHT SIGNAL JUNCTION BOX
	JUNCTION BOX
	ELECTRIC METER/SERVICE
	ELECTRIC PEDESTAL
	ELECTRIC VAULT
	TELEPHONE MANHOLE
	COMMUNICATIONS PEDESTAL
	COMMUNICATIONS VAULT
	GAS METER/SERVICE
	GAS PEDESTAL
	DECIDUOUS TREE
	EVERGREEN TREE
	SIGN POST
	MAILBOX
	WELL

TREE TABLE

TREE #	SIZE	SPECIES
5121	10"	FIR
5122	10"	FIR
5123	10"	FIR
5124	8"	FIR
5125	10"	FIR
5126	10"	FIR
5127	10"	FIR
5128	8"	FIR



SW MURDOCK ROAD (C.R. 2257)

SW IRONWOOD LANE

TR. "A"

TL 1300

TL 1000

TL 700

MATCH LINE SEE BELOW LEFT FOR CONTINUATION

SCALE: 1" = 30'

PRELIMINARY GRADING PLAN
PHASE 1

LEGEND

- EX. MINOR CONTOUR
- EX. MAJOR CONTOUR
- PR. MINOR CONTOUR
- PR. MAJOR CONTOUR

GRADING NARRATIVE & VOLUME INVENTORY

THE PURPOSE OF THIS GRADING PLAN IS TO REMOVE CONTAMINATED SOIL FROM FUTURE LOTS AT A DEPTH OF 12" AND RELOCATE THIS SOIL TO A SEPARATE TRACT WHERE IT WILL BE CAPPED WITH CLEAN SOIL.

A AREA "A" - FUTURE LOTS, 114,611 SF, THE FIRST 3" (~1,000 CY) OF STRIPPINGS IN AREA "A" WILL BE REMOVED AND EXPORTED TO A LANDFILL DUE TO THE POSSIBLE ORGANIC NATURE OF THIS REMOVED SOIL. THE REMAINING 9" (~3,200 CY) OF STRIPPINGS WILL BE REMOVED AND EMBANKED ON TRACT "B".

B AREA "B" - OPEN SPACE TRACT, 15,180 SF (STOCKPILE AREA): STOCKPILE CONTAMINATED SOIL (~3,200 CY) AND CAP WITH CLEAN SOIL EXCAVATED FROM KEYWAYS (~1,000 CY).

STOCKPILE SECTION
H: 1" = 30' V: 1" = 30'

EXISTING GROUND -5'
STOCKPILE FINISH GRADE
KEYWAY FINISH GRADE

TL 2900, TL 2600, TL 2700, TL 2800, TL 2900, TL 3000, TL 3100

TL 1200, TL 1600, TL 1700, TL 2100, TL 2200, TL 2600, TL 2700, TL 2800, TL 2900, TL 3000, TL 3100

SW IRONWOOD LANE

SW DENALI LANE

TL 700, TL 1000, TL 1300, TL 1600, TL 1700, TL 2100, TL 2200, TL 2600, TL 2700, TL 2800, TL 2900, TL 3000, TL 3100

SCALE: 1" = 30'

EMERIO PROJECT NO. 136-001

DENALI SUBDIVISION
R2017553
TAX LOT 1000
TAX MAP 25133CB
SHERWOOD, OREGON

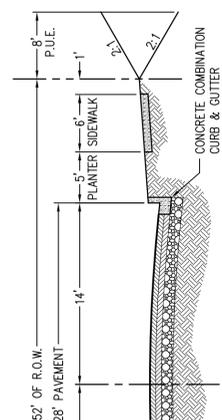
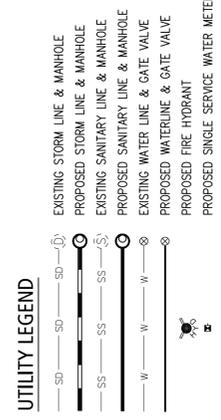
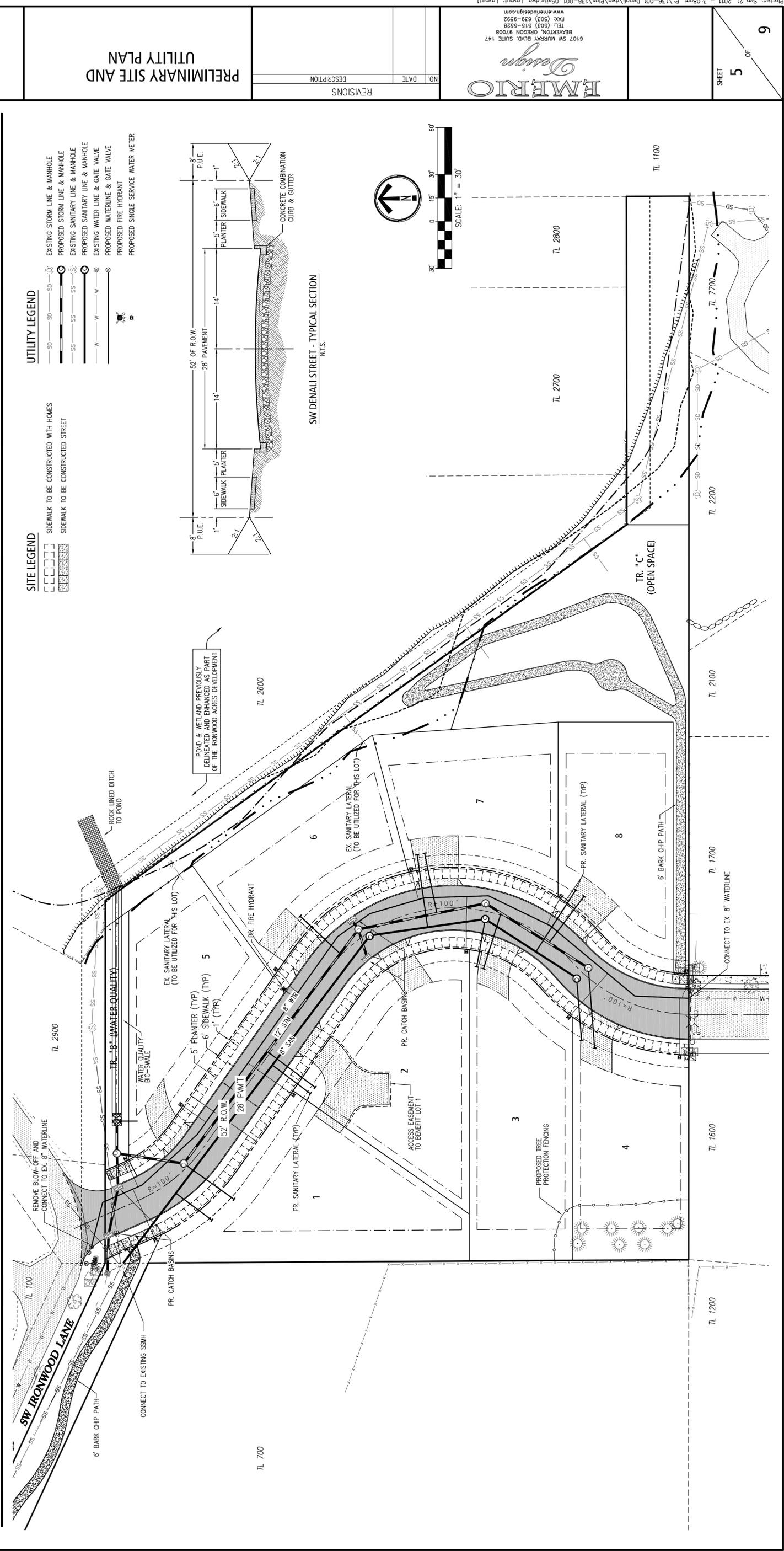
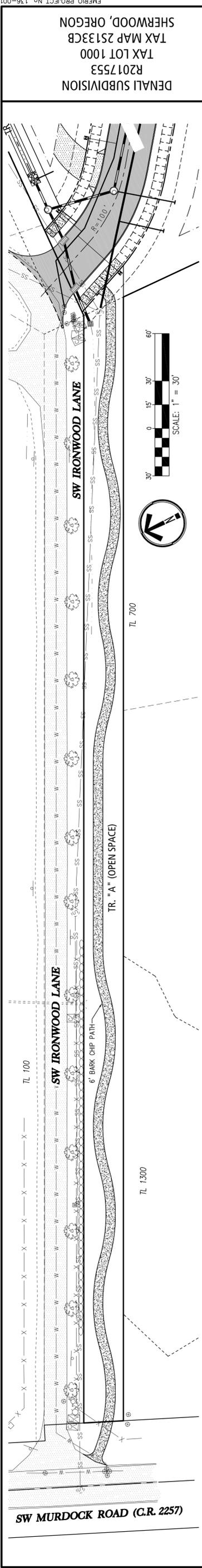
EMERIO
6107 SW MURRAY BLVD., SUITE 147
BEAVERTON, OREGON 97008
TEL: (503) 519-5528
FAX: (503) 659-9592
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3 OF 9
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Plotfile: Sep 21, 2011 3:08pm, P:\136-001 Denau\Plan\136-001_05site.dwg, Layout: Layout1

PRELIMINARY SITE AND UTILITY PLAN

REVISIONS

NO.	DATE	DESCRIPTION

DENALI SUBDIVISION
R2017553
TAX LOT 1000
TAX MAP 25133CB
SHERWOOD, OREGON

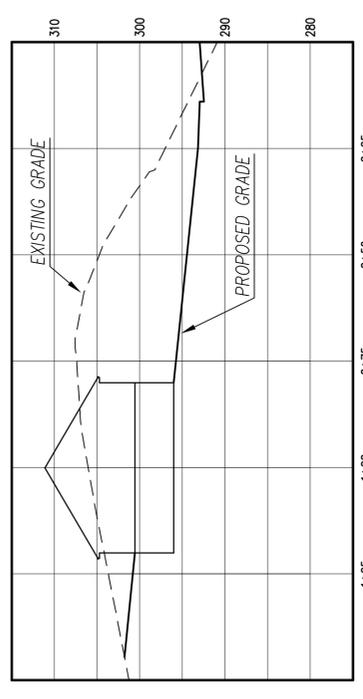
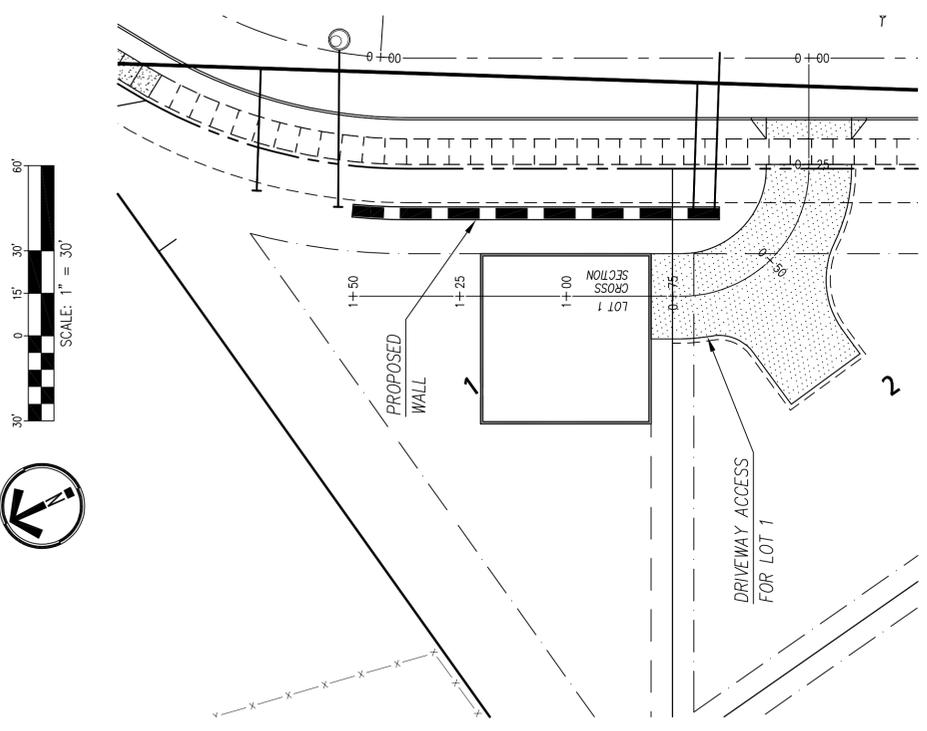
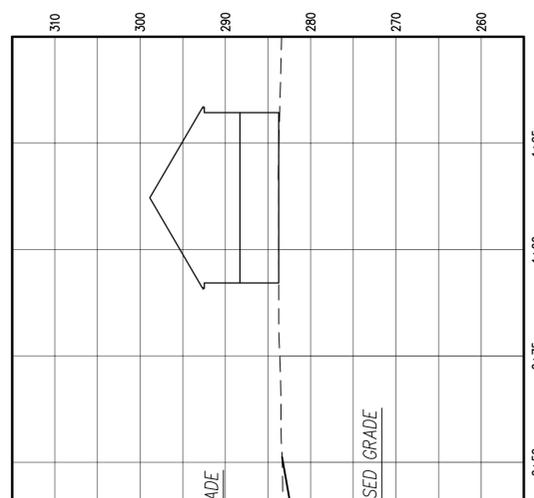
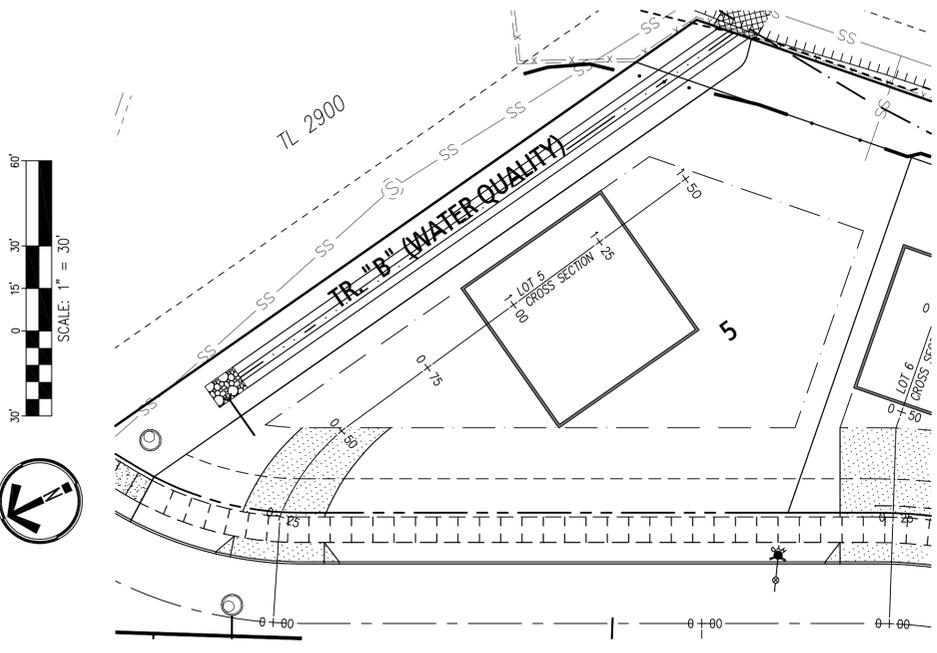
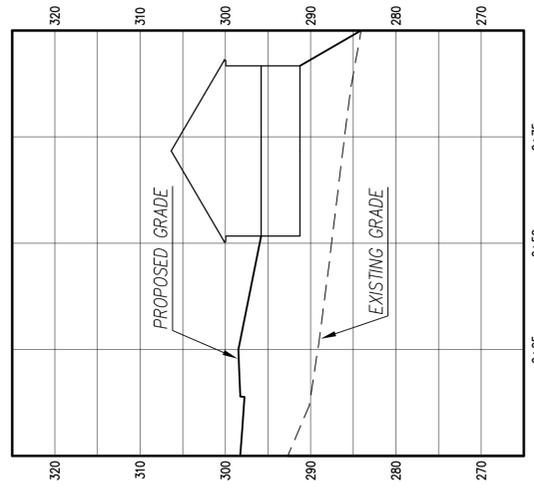
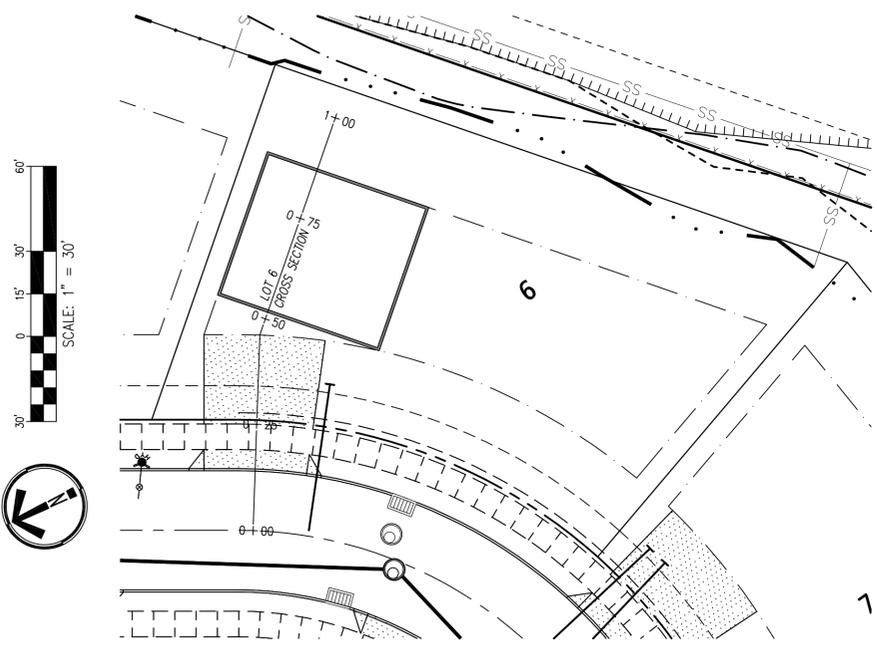
DENALI SUBDIVISION
R2017553
TAX LOT 1000
SHERWOOD, OREGON

**PRELIMINARY
LOT CROSS-SECTIONS**

NO.	DATE	DESCRIPTION

EMERIO
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6
OF
9



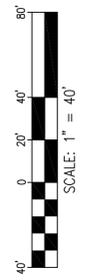
DENALI SUBDIVISION
R2017553
TAX LOT 1000
TAX MAP 25133CB
SHERWOOD, OREGON

PRELIMINARY SW DENALI LANE
PLAN & PROFILE

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BEAVERTON, OREGON 97008
TEL: (503) 519-5528
FAX: (503) 659-9522
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SHEET 7 OF 9

NO.	DATE	DESCRIPTION

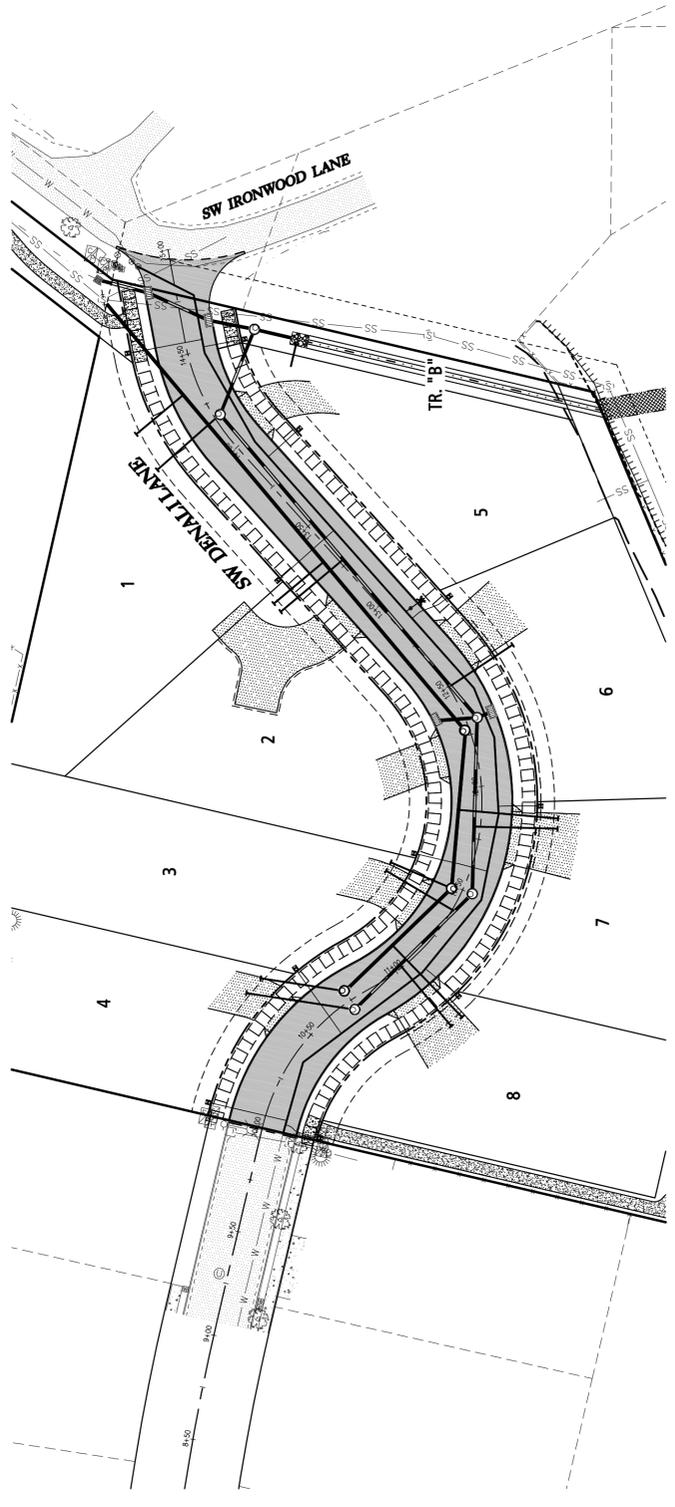


SITE LEGEND

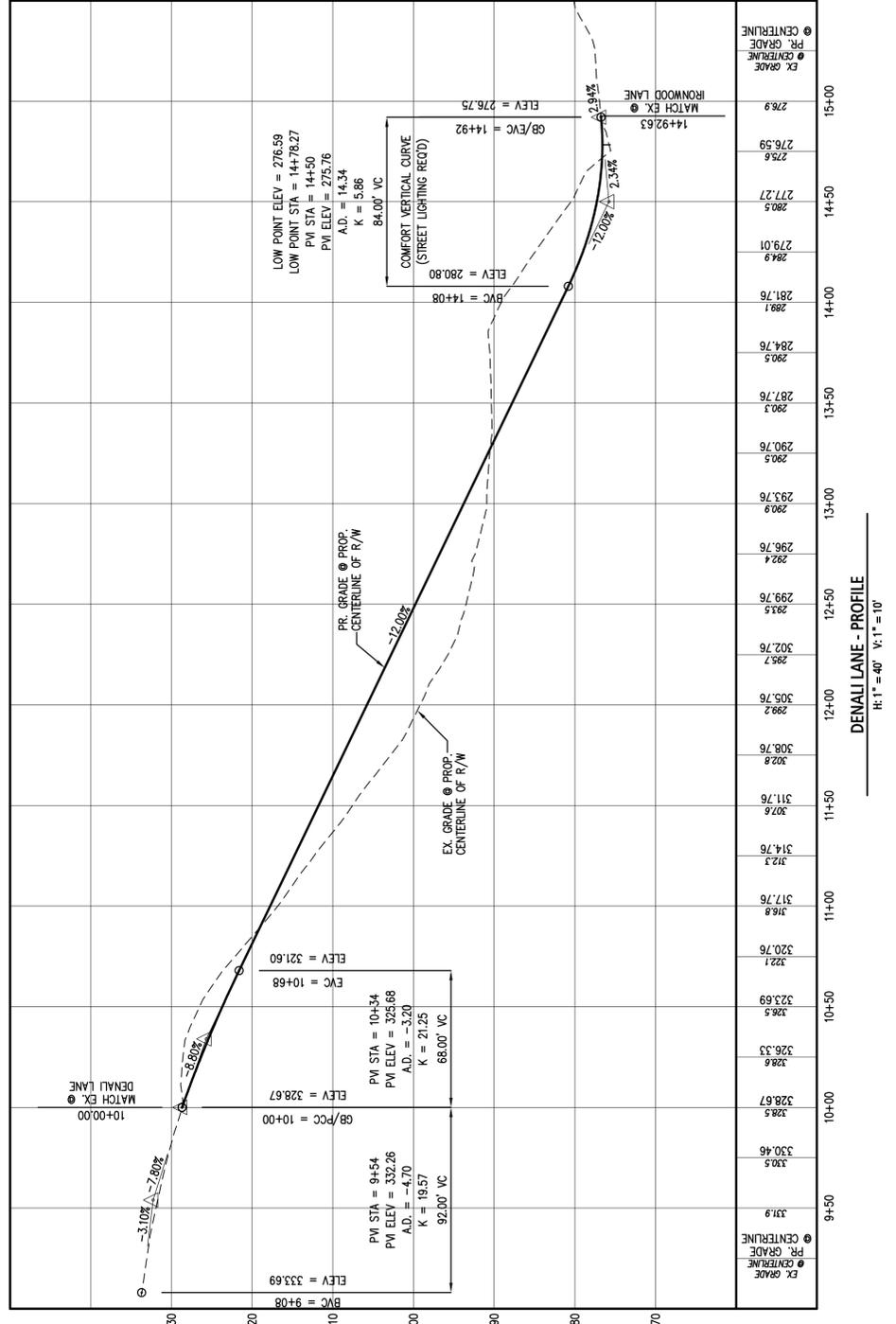
- SIDEWALK TO BE CONSTRUCTED WITH HOMES
- SIDEWALK TO BE CONSTRUCTED STREET

UTILITY LEGEND

- EXISTING STORM LINE & MANHOLE
- PROPOSED STORM LINE & MANHOLE
- EXISTING SANITARY LINE & MANHOLE
- PROPOSED SANITARY LINE & MANHOLE
- EXISTING WATER LINE & GATE VALVE
- PROPOSED WATERLINE & GATE VALVE
- PROPOSED FIRE HYDRANT
- PROPOSED SINGLE SERVICE WATER METER



DENALI LANE - PLAN
SCALE: 1" = 40'



DENALI LANE - PROFILE
H: 1" = 40' V: 1" = 10'

DENALI SUBDIVISION
R2017553
TAX LOT 1000
TAX MAP 25133CB
SHERWOOD, OREGON

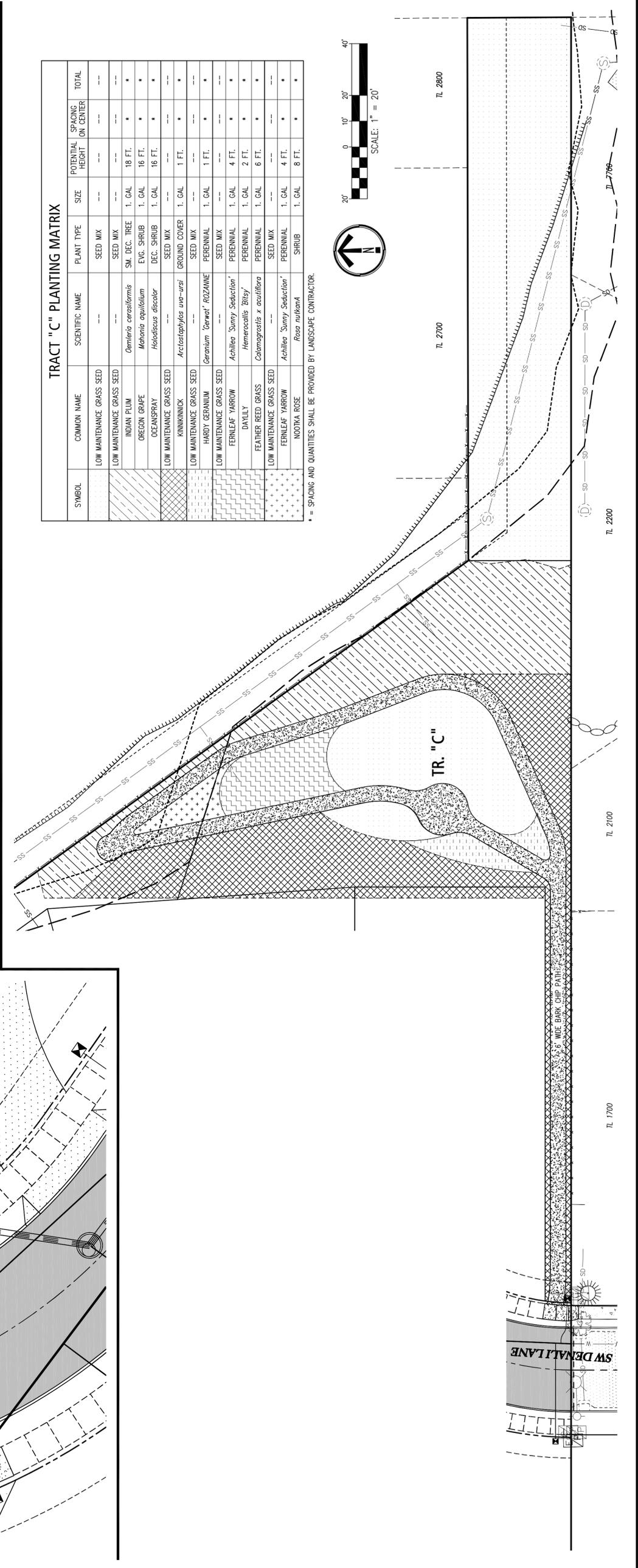
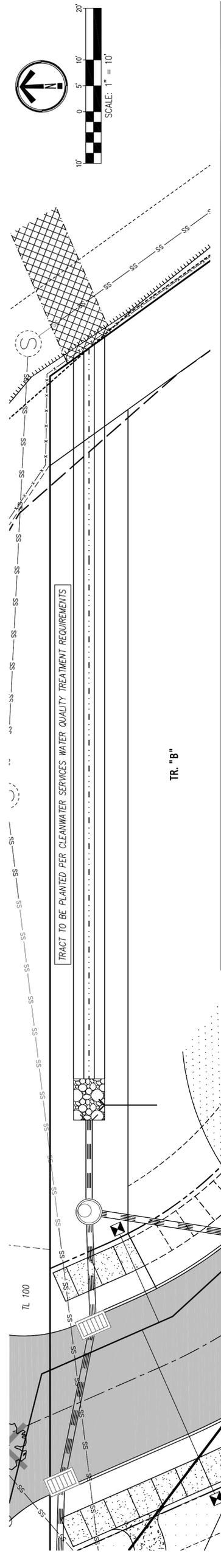
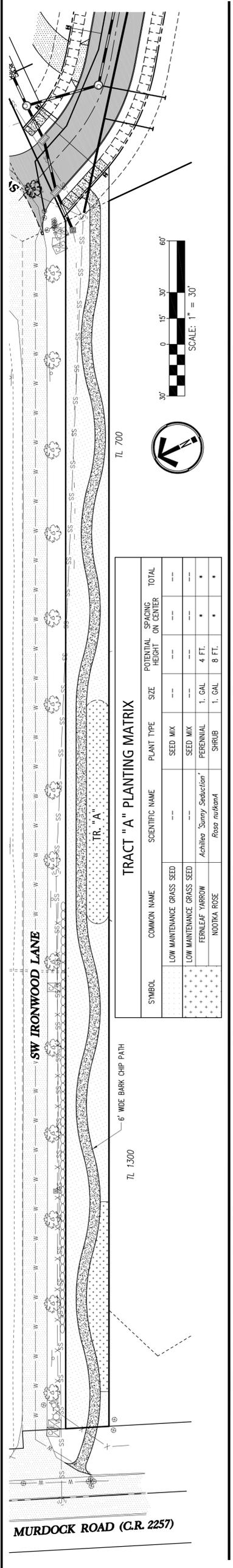
PRELIMINARY LANDSCAPE PLANS

NO.	DATE	DESCRIPTION

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Design
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BEAVERTON, OREGON 97008
TEL: (503) 519-5528
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SHEET 8 OF 9

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EMERIO PROJECT NO. 136-001
DENALI SUBDIVISION
R2017553
TAX LOT 1000
SHERWOOD, OREGON

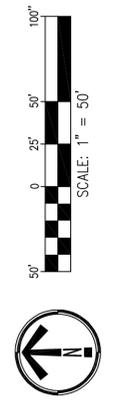
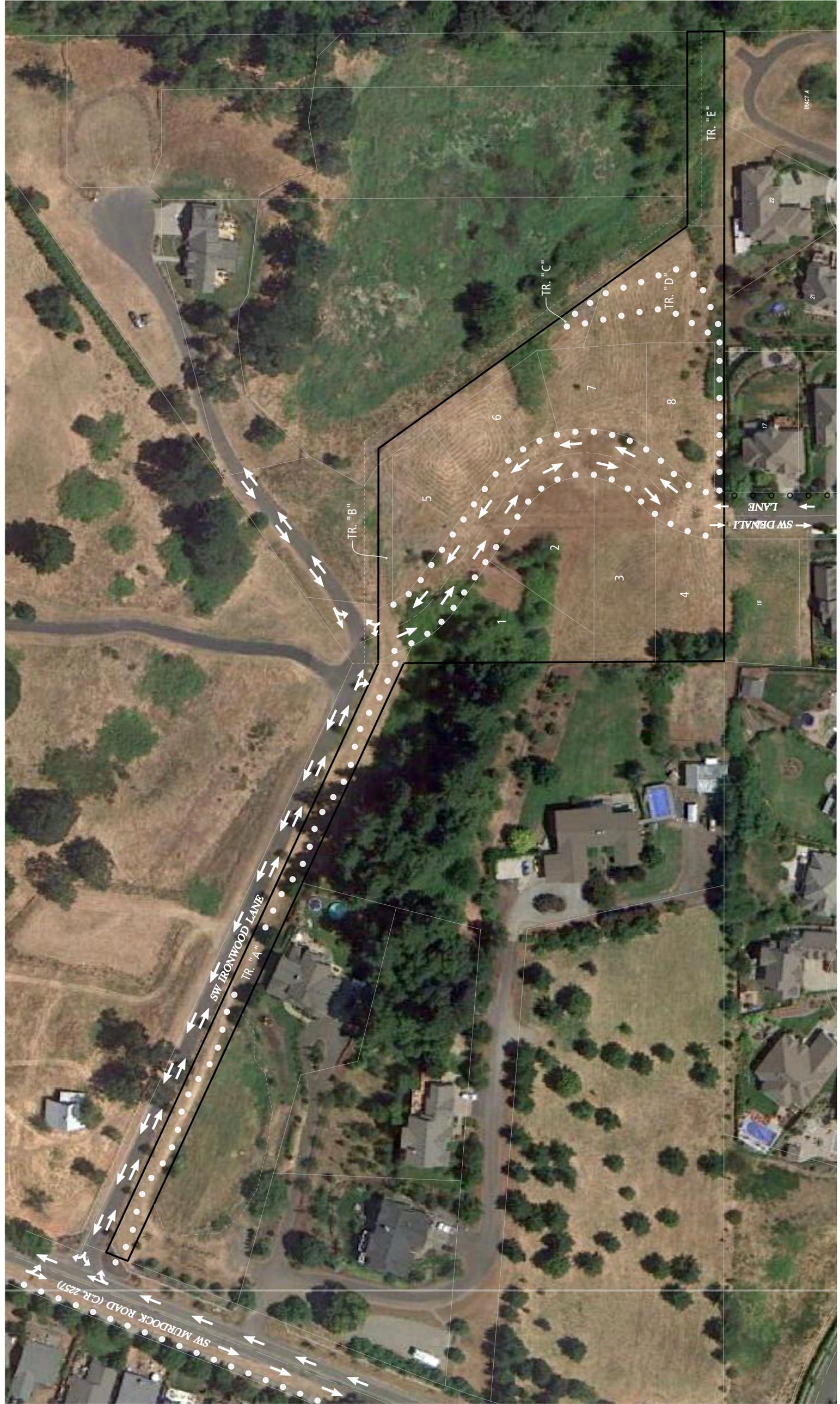
AERIAL PHOTO AND
CIRCULATION PLAN

NO.	DATE	DESCRIPTION

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6107 SW MURRAY BLVD., SUITE 147
BEAVERTON, OREGON 97008
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SHEET 9 OF 9

Plotted: Sep 21, 2011 - 3:13pm, P:\136-001 Denali\dwg\Pion\136-001_09aeri.dwg, Layout: Layout1



LEGEND

- ○ ○ ○ ○ PROPOSED PEDESTRIAN CIRCULATION
- — — — — VEHICULAR CIRCULATION
- ○ ○ ○ ○ EXISTING PEDESTRIAN CIRCULATION

 <p>City of Sherwood Oregon</p> <p><i>Home of the Tualatin River National Wildlife Refuge</i></p>	<p>22560 SW Pine Street Sherwood, Oregon 97140 Ph: 503-625-5522 Fax: 503-625-5524 WebSite: www.sherwoodoregon.gov</p>
---	---

Memorandum

Date: November 2, 2011

Project: Denali Subdivision

To: Michelle Miller, Associate Planner

From: Bob Galati, City Engineer

Topic: Planning Submittal – Review Comments

Submittal Items

1. From information provided, a site assessment has been performed and a Service Provider Letter (SPL) has been issued. Clean Water Services (CWS) is requiring that a geotechnical report is required in addition to the 24 conditions specified in the SPL. A geotechnical report has been submitted as part of the application. The buffer impact and mitigation areas delineated in the SPL exhibits and the related requirements notes in the SPL have not been incorporated into the planning submittal plan sheets. These items will need to be incorporated into the plan sets prior to any approval being granted.

Condition: *A note shall be added to the construction plan set that states that the project shall comply with the recommendations outlined in the geotechnical report prepared by GeoPacific Engineering, Inc., dated August 26, 2011.*

Condition: *Buffer and mitigation areas identified and related mitigation measures and notes delineated in the SPL shall be incorporated into the grading and ESC plan sheets of the planning and construction plans submittals.*

2. The landscaping plans shall incorporate the requirements of the SPL. Requirements 21 through 24 of the SPL specifically relate to the information that is required to be included in the plan set.

Condition: *The landscaping plans shall incorporate and show all required information and details delineated in the SPL. In particular, Items 21 through 24 of the SPL shall be incorporated into the construction landscaping plan sheets, the general and specific notes, and the project specifications.*

3. Requirement 19 of the SPL implies that Tract "C" have a "STORM SEWER, SURFACE WATER, DRAINAGE AND DETENTION EASEMENT OVER IT'S ENTIRETY" denoted on the plans.

Condition: *Tract "C" shall show and denote that a "STORM SEWER, SURFACE WATER, DRAINAGE AND DETENTION EASEMENT OVER ITS ENTIRETY" be granted to the City or CWS in compliance with Item 19 of the SPL.*

Exhibit B

4. One major item is the location of the existing sanitary sewer mainline at the southeast corner of the site, and the location of the related sanitary sewer easement. The sanitary sewer was not constructed within the easement, or the easement recorded was not adjusted to match the as-built sewer line alignment. This item will be a very important issue to resolve as part of the planning approval process.

Condition: A 15-foot wide sanitary sewer easement shall be established over the portion of the existing sanitary sewer alignment which falls outside the existing sanitary sewer easement, located within "Tract E".

5. The basic development plan layout does not meet the requirements of Section 115.2.1 of the Engineering Design and Standard Details Manual (Manual).
 - a. The plans do not show topographic items a distance of 200 feet outside the site boundary. The existing topographic information ends at the site boundary.
 - b. The applicant should read and conform to the requirements of the Manual when developing the project drawings.

Condition: Construction plans submitted to the City shall comply with the requirements delineated in the City's Engineering Design and Standard Details Manual.

6. The plans have two street design components that do not meet City design standards. A design variation request has been submitted to the City Engineer for each non-compliant design element. Both design variation requests have been submitted by a stamping registered civil engineer. All supporting calculations must be submitted as part of the variance request.
 - a. Variation Request #1 – Variation request to allow a street grade of 12% for the entire length of the street alignment (approx. 340'). City standard (Section 210.4 of the Design Manual) is a maximum street grade of 10% for unlimited length, and up to 12% maximum for a distance of not more than 200'.

Analysis: Approval of the variation will be based on two main considerations; 1) that the physical constraints of the site prevent the design from meeting the design requirements of the City; and 2) that the proposed street grade falls within the limitations established by TVF&R for requiring building sprinkler systems on streets with grades between 10% and 15%. Both constraints have been proved and satisfied.

Condition: The City Engineer approves Variation Request #1 to allow a maximum street centerline grade of 12% for the length of the alignment. This approval is conditioned on similar approval from TVF&R to allow this street grade.

- b. Variation Request #2 – Variation request to allow a reduction of the local speed limit from 25 mph to 20 mph due to horizontal curve restrictions.

Response: The City's standard speed limit for residential streets is 25 mph. With this speed, the Design Manual delineates a minimum centerline radius requirement of 185' with a cross slope of 2.5%. The physical limitations of the site prevent the ability to provide a road design which meets both the vertical and horizontal design requirements based on street grade and horizontal curve requirements. To develop a usable road design, the horizontal centerline radius needed to be reduced to 100', which is based on a maximum speed limit of 20 mph.

Condition: The City Engineer approves Variation Request #2 to allow a reduction in the post speed limit within the proposed street section from 25 mph to 20 mph. Speed limit signage of 20 mph shall be posted at either end of the street section where this speed limit is in effect.

7. The submitted ESC plan is inadequate for the proposed grading plan. The two fill sections identified on the plans show a measured distance of 45 and 54 feet respectively. CWS ESC requirements indicate the need for more than ESC fencing at the site boundary.

Condition: The ESC Plans submitted for the project at a minimum shall include the following ESC measures:

- a. **Sediment fencing at the project boundaries, filter fabric catchbasin inserts, and rocked construction entrances.**
 - b. **Straw wattle ESC measures shall be provided across fill slopes faces, spaced at 25 foot intervals maximum down the face of fill slopes.**
 - c. **The street section grading shall include temporary drainage ditches with check dams until the finished street surface and related open space sidewalk improvements are installed.**
8. With the inclusion of the Ironwood Lane road section expansion requirements, storm drainage along the affected Ironwood Lane curblineline will also need to be addressed.

Condition: Provide a storm drainage system along Ironwood Lane to handle storm water runoff from the expanded road section. Expand proposed WQF to handle treatment of additional runoff as necessary to meet CWS treatment requirements.

9. The alignment of the wood chip path relative to the grades do not appear to make a walkable path. Some sections of the path appear to have grades approaching 22%.

Condition: Provide a path alignment which proposes grades not exceeding 15%.

10. The applicant provided a geotechnical report prepared GeoPacific Engineering, Inc., dated August 26, 2011.

Condition: The applicant shall conform to the recommendations outlined in the site specific geotechnical report prepared by GeoPacific Engineering, Inc., dated August 26, 2011, excepting that the minimum asphalt concrete pavement thickness shall be 4" per Section 210.2.2 of the City's Design Manual.

11. The applicants submitted an environmental assessment report prepared by BB&A Environmental, January 13, 2011. The report is unsigned and does not document the authorship. The report does contain a statement regarding a discussion with DEQ about capping soils disturbed during overall site development and prior to residential individual site development, however the report provides no statements of recommended actions on which to hold the applicant accountable.

Condition: The applicant will provide the following items as part of the development approval process:

- a. **Based on the fact that the site contains contaminated soils, and that excavation and using these contaminated spoils for fill material and development of Tract C is expected, the applicant must provide appropriate recommendations from a registered professional civil/environmental engineer or geotechnical engineer regarding how these spoils are to be handled to prevent contaminated material from leaving the site. These recommendations are to be complied with in the development of the construction drawings.**
- b. **This particular item may require full review and approval from DEQ as part of the City approval process.**

c. Stormwater runoff from fill sites must remain free from contamination during and post construction. A written protocol plan shall be developed and included as part of the construction plan set submitted to the City, and shall be complied with by the contractor.

12. Section 16.40.020, C.7, indicates that the applicant is considering that environmental cleanup of the site is adequate enough to call the site developed and not include construction of the public infrastructure. Our standard Compliance Agreement requirements include construction of the public infrastructure, not just the planning of it. Cleanup and remediation of the site should be viewed as a part of the construction process.

Condition: Development approval shall include construction of all public improvements in the delineated timeline as required by the City's Compliance Agreement.

13. SW Ironwood Lane is not developed to City standards. Neither side of Ironwood Lane meets City Standards. The applicant will need to expand the existing Ironwood Lane street section to provide a street section that meets City standards along the south side of SW Ironwood Lane. As-built plans for Ironwood Lane indicate the existence of 50-feet of right-of-way. The expansion of the public infrastructure should fit within this existing right-of-way. Tract A identified in the submittal should be shown as dedicated right-of-way. If the right-of-way was not dedicated to the City under the original street development, the applicant shall dedicate the necessary area to the City for right-of-way.

Condition: The proposed project shall include the expansion of the existing Ironwood Lane road section to meet current City road section standards for a residential street. This expansion shall include: additional asphalt pavement section, concrete curb and gutter, planter strip, and concrete sidewalk. A storm drainage system may be required to provide adequate collection and conveyance of storm water runoff from Ironwood Lane to the water quality treatment facility. The area bounded by these improvements shall be within a dedicated right-of-way. If the area is not already dedicated right-of-way, the applicant shall dedicate the necessary right-of-way to conform to City requirements.

TO: City of Sherwood Planning Commission

FROM: Bob Galati, P.E.
City Engineer, Engineering Department

SUBJECT: Denali PUD (PUD 11-01)

ISSUE: Letter of Concurrence for Request Design Modifications

BACKGROUND:

The applicant provided a request for modification from standard design requirements on two interrelated items; a) allowable street grade and b) design speed.

The applicant provided the City Engineer with rational for this request in the form of;

- a) A street centerline alignment profile showing exiting grades and proposed grades
- b) Rational for reduction of speed related to reduced centerline curve radius below City standards.

The reason for this request is that the existing topography and available land does not permit compliance with street design standards. The steepness of the land and the short distance between the two connecting roads requires a reduction in the centerline radius and an increase on the overall street grade.

The current standards specified in the Manual are;

- a) Maximum unrestrained street grade is 10%, with up to 12% grade for not more than 200 feet.
- b) The speed limit within the City for streets classified residential, is 25 mph. The associated centerline curve radius is 150 feet, with a standard 2.5% cross slope.

The change in the maximum street grade up to 15% over the entire street alignment is permissible as this slope is the maximum allowed by TVF&R if the homes are sprinklered. The associated reduction in the centerline alignment radius to 100 feet, requires a reduction of the posted speed limit to 20 mph.

FINDINGS:

- 1) The proposed design modifications have been proven to be required in order to meet planning requirements for lot size, development density, and building setbacks. Without approval of these design modifications, it is unlikely that the development can meet planning criteria.
- 2) That application of these design modifications are predicated on approval of the street grade and turning radius by TVF&R.

RECOMMENDATION:

That I concur with the rational and need to support the request for design modifications as stated above.

CleanWater Services

MEMORANDUM

Date: November 14, 2011
To: Michelle Miller, Associate Planner, City of Sherwood
From: Jackie Sue Humphreys, Clean Water Services (the District)
Subject: Denali Planned Unit Development, PUD 11-01, 2S133CB01000

Please include the following comments when writing your conditions of approval:

PRIOR TO ANY WORK ON THE SITE AND PLAT RECORDING

A Clean Water Services (the District) Storm Water Connection Permit Authorization must be obtained prior to plat approval and recordation. Application for the District's Permit Authorization must be in accordance with the requirements of the Design and Construction Standards, Resolution and Order No. 07-20, (or current R&O in effect at time of Engineering plan submittal), and is to include:

- a. Detailed plans prepared in accordance with Chapter 2, Section 2.04.2.b-1.
- b. Detailed grading and erosion control plan. An Erosion Control Permit will be required. Area of Disturbance must be clearly identified on submitted construction plans. If site area and any offsite improvements required for this development exceed one-acre of disturbance, project will require a 1200-CN Erosion Control Permit.
- c. Detailed plans showing each lot within the development having direct access by gravity to public storm and sanitary sewer.
- d. Provisions for water quality in accordance with the requirements of the above named design standards. Water Quality is required for all new development and redevelopment areas per R&O 07-20, Section 4.05.5, Table 4-1. Access shall be provided for maintenance of facility per R&O 07-20, Section 4.02.4.
- e. If use of an existing, offsite or regional Water Quality Facility is proposed, it must be clearly identified on plans, showing its location, condition, capacity to treat this site and, any additional improvements and/or upgrades that may be needed to utilize that facility.

Exhibit C

- f. If private lot LIDA systems proposed, must comply with the current CWS Design and Construction Standards. A private maintenance agreement, for the proposed private lot LIDA systems, needs to be provided to the City for review and acceptance.
- g. Show all existing and proposed easements on plans. Any required storm sewer, sanitary sewer, and water quality related easements must be granted to the City.
- h. Site contains a "Sensitive Area." Applicant shall comply with the conditions as set forth in the Service Provider Letter No. 10-002401, dated July 14, 2011.
- i. Developer may be required to preserve a corridor separating the sensitive area from the impact of development. The corridor must be set aside in a separate tract, not part of any buildable lot and, shall be subject to a "Storm Sewer, Surface Water, Drainage and Detention Easement over its entirety", or its equivalent.
- j. Clean Water Services shall require an easement over the Vegetated Corridor conveying storm and surface water management to Clean Water Services that would prevent the owner of the Vegetated Corridor from activities and uses inconsistent with the purpose of the corridor and any easements therein.
- k. Detailed plans showing the sensitive area and corridor delineated, along with restoration and enhancement of the corridor.
- l. Provide DSL and Corps of Engineers permits for any work in the wetlands or creek prior to any on site work, including grading and erosion control. Include permit number on cover sheet of plans or provide concurrence with the delineation.
- m. Any proposed offsite construction activities will require an update or amendment to the current Service Provider Letter for this project.

CONCLUSION

This Land Use Review does not constitute the District's approval of storm or sanitary sewer compliance to the NPDES permit held by the District. The District, prior to issuance of any connection permits, must approve final construction plans and drainage calculations.



November 17, 2011

Michelle Miller
Associate Planner
City of Sherwood

Emerio Design
Neil Fernando/Kristen Vanloo

**Re: Denali Planned Unit Development PUD 11-01
Tax Lot 2S1W33 CB Tax Lot 1000**

Thank you for the opportunity to review the proposed site plan surrounding the above named development project. Tualatin Valley Fire & Rescue endorses this proposal predicated on the following criteria and conditions of approval:

- 1) **FIRE APPARATUS ACCESS ROAD EXCEPTION FOR AUTOMATIC SPRINKLER PROTECTION:** When buildings are completely protected with an approved automatic fire sprinkler system, the requirements for fire apparatus access may be modified as approved by the fire code official. (OFC 503.1.1) ***Note: If residential fire sprinklers are elected as an alternate means of protection and the system will be supported by a municipal water supply, please contact the local water purveyor for information surrounding water meter sizing.***
- 2) **FIRE APPARATUS ACCESS ROAD WIDTH AND VERTICAL CLEARANCE:** Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (12 feet for up to two dwelling units and accessory buildings), and an unobstructed vertical clearance of not less than 13 feet 6 inches. Where fire apparatus roadways are less than 26 feet wide, "NO PARKING" signs shall be installed on both sides of the roadway and in turnarounds as needed. Where fire apparatus roadways are more than 28 feet wide but less than 32 feet wide, "NO PARKING" signs shall be installed on one side of the roadway and in turnarounds as needed. Where fire apparatus roadways are 32 feet wide or more, parking is not restricted. (OFC 503.2.) ***The fire district does not endorse the design concept wherein twenty feet of unobstructed roadway width is not provided.***
- 3) **NO PARKING SIGNS:** Where fire apparatus roadways are not of sufficient width to accommodate parked vehicles and 20 feet of unobstructed driving surface, "No Parking" signs shall be installed on one or both sides of the roadway and in turnarounds as needed. Roads 26 feet wide or less shall be posted on both sides as a fire lane. Roads more than 26 feet wide to 32 feet wide shall be posted on one side as a fire lane. Signs shall read "NO PARKING - FIRE LANE" and shall be installed with a clear space above grade level of 7 feet. Signs shall be 12 inches wide by 18 inches high and shall have red letters on a white reflective background. (OFC D103.6)
- 4) **SURFACE AND LOAD CAPACITIES:** Fire apparatus access roads shall be of an all-weather surface that is easily distinguishable from the surrounding area and is capable of supporting not less than 12,500 pounds point load (wheel load) and 60,000 pounds live load (gross vehicle weight). You may need to provide documentation from a registered engineer that the design will be capable of supporting such loading. (OFC D102.1)
- 5) **TURNING RADIUS:** The inside turning radius and outside turning radius shall be not less than 28 feet and 48 feet respectively, measured from the same center point. (OFC 503.2.4 & 103.3)
- 6) **GRADE:** Fire apparatus access roadway **grades shall not exceed 10 percent.** Intersections and turnarounds shall be level (maximum 5%) with the exception of crowning for water run-off. When fire

Fact Sheet

Former Ken Foster Farm

In September of 2005, the Oregon Department of Environmental Quality (DEQ), in cooperation with the United States Environmental Protection Agency (EPA), completed a Preliminary Assessment (PA) of the former Ken Foster Farm site in Sherwood.

Since publication of the PA, independent site investigations were completed by two property owners. The purpose of this fact sheet is to summarize findings of more recent work and the pending EPA site investigation.

Background

The former Ken Foster farm site is a 40 acre tract of former pasture land in southeast Sherwood. In recent years, the former pasture was subdivided into eleven smaller tracts and redeveloped as very-low-density residential properties.

DEQ uncovered records from the former Frontier Leather Company (FLC; ECSI #116) indicating that they land applied tannery wastes to the pasture during the 1960's. Frontier Leather Company operated a leather tannery about ½ mile north of the pasture from about 1947 to 1999. The tannery site is the subject of on-going environmental investigation and cleanup under DEQ oversight.

Land applied tannery wastes included animal hides, tissue, fat and hide splits. Based on investigations of the FLC facility, tannery wastes contained elevated chromium and other metals and trace levels of volatile organic compounds (VOCs), semi-volatile organic compounds (SVOCs) and pesticides. DEQ, therefore, recommended in the PA that further investigation be performed to assess potential contamination at the Ken Foster Farm site.

Based on the information in the PA, one of the property owners on the former Ken Foster Farm site independently initiated soil sampling in the Fall of 2005 to determine if elevated concentrations of chromium or other metals were present on his property. Laboratory results confirmed that elevated concentrations of chromium and other metals were present in site soils. A preliminary risk assessment completed by the property owner's contractor indicated potential health risks posed by the contaminated soil at the site.

A second property owner completed sampling of their property in March 2006. The soil sampling results from this parcel showed lead and

chromium at levels similar to the first parcel investigation

Sampling performed to date indicates metals lead and chromium in site soils attributable to historical land application of tannery wastes at the site. As discussed below, DEQ and EPA are moving forward with a property-wide investigation to better-define the potential threat to human health and the environment.

Next Steps

DEQ has reviewed and commented on a work plan for an independent investigation of two additional parcels at the site. This work is scheduled to be completed in early summer.

In April of 2006, EPA Region 10 initiated plans to perform a site assessment at the former Ken Foster Farm site. EPA and DEQ are now in the process of developing a work plan for additional site testing and coordinating these plans with site owners and residents. EPA expects to be in the field collecting soil and well water samples in late June or early July. The findings from these sampling efforts will be used to determine the need and priority for any soil cleanup actions or other measures to protect human health and the environment.

For more information

For more information about the site, contact Steve Fortuna at the DEQ Northwest Region Office at 503-229-5166 or Joanne LaBaw at EPA Region 10 at (206) 553-2594.



State of Oregon
Department of
Environmental
Quality

www.deq.state.or.us

Northwest Region Site Assessment

2020 SW 4th Avenue

Portland, OR 97201

Phone: (503) 229-5166

(800) 452-4011

Fax: (503) 229-6945

Contact: Steve Fortuna
fortuna.steve@deq.state.or.us

us



U.S. EPA – Region 10

1200 Sixth Avenue

Seattle, WA 98101

Phone: (206) 553-2594

Fax: (206) 553-2106

Contact: Joanne LaBaw

labaw.joanne@epa.gov

PLANNING COMMITTEE
22560 SW PINE STREET
SHERWOOD, OR 97140

11-29-11

RE: DENALI PLANNED UNIT DEVELOPMENT

TO WHOM IT MAY CONCERN:

I WOULD LIKE TO EXPRESS MY CONCERNS ABOUT THE ROAD BEING OPENED UP FROM THE DENALI SUBDIVISION ONTO IRONWOOD LANE. WE LIVE AT THE END OF IRONWOOD LANE. IF I AM COMING DOWN IRONWOOD LANE TOWARDS MURDOCK AND I MEET ANOTHER VEHICLE, I HAVE TO PULL ONTO THE GRASS TO LET THEM PASS. THERE IS NOT ENOUGH ROOM FOR TWO VEHICLES. IT IS ESPECIALLY DIFFICULT IF I AM MAKING A LEFT HAND TURN OFF MURDOCK ONTO IRONWOOD LANE. THE CURVE ON MURDOCK THAT LEADS UP TO IRONWOOD LANE IS DANGEROUS BECAUSE VEHICLES ARE NOT ABLE TO SEE CARS STOPPED TO ENTER IRONWOOD LANE UNTIL THEY GET TO THE TOP OF THE CURVE. ALSO, WHEN PULLING OUT IRONWOOD LANE, IT IS VERY HARD TO SEE THE VEHICLES COME AROUND THE CURVE UNTIL THEY ARE AT THE TOP OF THE CURVE. THE VEHICLES ARE COMING AT A PRETTY FAST SPEED, NOT EXPECTING THE VEHICLES PULLING OUT OF IRONWOOD LANE. IF YOU PULL ONTO IRONWOOD LANE AND ANOTHER VEHICLE IS SITTING THERE WAITING TO GET ONTO MURDOCK, YOU MAY HIT THEM BECAUSE THEY ARE IN THE MIDDLE OF IRONWOOD LANE SINCE THERE IS ONLY ROOM FOR ONE VEHICLE. THEREFORE, IT MAKES IT DANGEROUS TO BE STOPPED ON MURDOCK WATCHING FOR CARS THAT MAY REAR END YOUR VEHICLE WHILE WATCHING THE CARS COMING TOWARD YOU AND HOPING YOU DON'T HIT SOMEONE SITTING AT THE STOP SIGN ON IRONWOOD LANE.

Exhibit F

ANOTHER CONCERN THAT I HAVE IS THAT MY HUSBAND IS SEVERELY DISABLED WITH
A LOT OF MEDICAL NEEDS. IRONWOOD LANE NEEDS TO BE ACCESSIBLE TO
EMERGENCY VEHICLES WHICH WE NEED TO CALL FROM TIME TO TIME.

THANK YOU

MRS. BEVERLY BAUGUS
14092 SW. IRONWOOD LANE
503-625-2671

MAILING ADDRESS: P.O. BOX 1443, SHERWOOD, 97140

Michelle Miller

From: PUGH Mark <PUGH.Mark@deq.state.or.us>
Sent: Tuesday, December 06, 2011 8:05 AM
To: Michelle Miller
Cc: GILLES Bruce A
Subject: RE: Denali Planned Unit Development
Attachments: Excerpt from Staff Report DEQ Edits.docx

Michelle:

Thanks for your coordination with DEQ. As we discussed briefly, DEQ recently adopted more stringent cleanup standard for chromium VI, aka, hexavalent chromium. The standard was lowered by DEQ based on new toxicity information used by the U.S. Environmental Protection Agency for this compound and their modification to risk based concentrations for federal cleanup sites.

DEQ completed a screening level risk assessment for the Ken Foster property in July 2007 that concluded that hexavalent chromium (or other contaminants for that matter) was not of concern. DEQ previously communicated the findings of DEQ's risk screening to the property owners. DEQ, however, had not concluded that the risk assessment was complete and contemplated further assessment for the site as noted in Section 6 of the proposed Consent Judgment between DEQ and the potential responsible parties named in the settlement. The consent judgment contemplated DEQ working with the property owners and the City on developing soil cleanup/management strategies with the property owners to ensure protection of human health and the environment. Since the settlement has yet to be finalized due to legal challenges by a third party, DEQ has not conducted further assessment and cannot confirm whether the proposed development concepts are sufficiently protective of human health and the environment.

DEQ's proposed edits to the City's staff report reflecting these circumstances are attached. DEQ is working on a notice to the property owners and other interested parties concerning the changed standard and the status of the settlement.

I contacted Randy Boese (applicant's consultant) this morning to notify him of the change. He was unaware that the standard had changed.

Exhibit G

Excerpt from Staff Report

Site History: The site was part of the "Ken Foster Farm" site identified by DEQ, an approximately 40-acre former agricultural pasture land that was owned by Mr. Ken Foster in the 1960s to 70s. ~~originally about 40 acres and was used for farming.~~ It was subdivided approximately twenty years ago and a portion of which is this 3.71 acre parcel. The site has remained vacant with no buildings. It is known that portions of the larger Ken Foster Farm site had been used for discarding tannery waste animal from the former Frontier Leather facility, located approximately 0.5 miles north of the Ken Foster Farm site. hides and carcasses that were remnants from the local tannery operation in the city. The waste ostensibly was applied as a soil amendment, and lime reportedly was applied to control odor. ~~As part of the Department of Environmental Quality investigation of the Tannery site on SW Oregon St, it was discovered that the soil on the Ken Foster Farm site was contaminated.~~ An excerpt from the Department of Environmental Quality Technical Memorandum dated July 13, 2005 describes that from 1962 to 1971, tannery wastes from the Frontier Leather Company were applied by Mr. Foster to several areas of pasture land. Liquid sludge from tannery's primary wastewater settling tanks was also distributed on the site. The property to the northeast, Ironwood Subdivision, was in development when the issue became known, which required significant soil removal and oversight from the Department of Environmental Quality (DEQ).

DEQ entered the Ken Foster Farm site into the Environmental Cleanup Site Information Database in 2000 (ECSI #2516), and completed a Preliminary Assessment (PA) in 2004, funded by cooperative grant funds from the Environmental Protection Agency (EPA) Region 10.

In late 2005, EPA initiated contact with KFF property owners and notified them of EPA's high priority ranking based on the Preliminary Assessment and their decision to proceed with a federal Site Inspection (SI) for consideration in the federal Superfund process.

In July of 2006, EPA performed sampling work at KFF in July 2006 as part of an the SI and Integrated Assessment (IA) on the site and resampled. Resampling of some areas was completed in October of 2006. and EPA issued the final (revised) IA Report in March of 2007 and issued a decision that further assessment under the federal Superfund Program was not recommended, and referred the KFF site back to DEQ. . The results of the soil sampling completed for this site listed concentrations of antimony, chromium, lead and mercury above expected background concentrations. In addition, sediment samples from the wetland areas on the site were found to contain elevated concentrations of chromium, copper, mercury and zinc on a nearby parcel. Elevated levels of hexavalent chromium were detected in sediment samples collected in spring 2011.

DEQ completed a Screening Level Human Health Risk Assessment in July 2007 using the EPA data generated by EPA. DEQ concluded that the overall potential human health risk from metals-contaminated soils over the entire 40.44-acre footprint of the Former Ken Foster Farm site was relatively low did not pose an unacceptable human health risk. In November 2011, DEQ adopted new risk-based concentrations for hexavalent chromium in response to EPA's newly published toxicity information. However, since that time DEQ's risk-based concentration for residential exposure to hexavalent chromium in soil in a residential setting has decreased from 32 mg/kg to 5.5 mg/kg. Hexavalent chromium has been detected above this lower level in soil from the Frontier Leather site, and in more recent testing completed in the wetland area. Thus,

hexavalent chromium is now a contaminant of concern for human health that will need to be evaluated for any potential residential development in the Ken Foster Farms site.

Other contaminants of interest at the site, such as antimony, chromium, lead and mercury do are not widespread. They found that the human health risk based upon the soil results from the EPA Impervious Area results and data from property-owner site investigations on two of the properties within the former Farm acreage was relatively low, according to the report. Since valid soil sample tests of the subject site indicate that hexavalent chromium was not present in soils, and that the prevalent form of chromium in soils is trivalent chromium. The other Metals concentrations do not present an unacceptable human health risk on an individual contaminant basis. The DEQ concluded that the chance of significant exposure to residents living around these areas is low under current conditions. (DEQ Technical Memorandum)

Form

The applicant's representatives met with the DEQ on January 6, 2011 where Mark Pugh of DEQ indicated that the cleanup on this site would be based on the site specific ecological risk based concentration (RBC)s for exposure to chromium in soil calculated for the Frontier Leather site. DEQ indicated that a site specific RBC was developed to protect terrestrial birds due to the potential for bioaccumulation and because avian receptors are considered to be the most sensitive to the effects of chromium.

The soil samples that were collected by the applicant's representative on the subject site indicate that in five of the six samples taken, concentrations of chromium exceeded the "hot spot" criteria of 1,300 mg/kg, requiring removal. (Applicant's Materials Exhibit A, page 5 of BB & A Environmental report). The applicant proposed a method of how they will address the soil contamination in their in their application materials. They plan on capping the soil and adding clean soil on top of the capped soil. This will be subject to the approval of the DEQ and prior to development of the site.

Dennis and Paula Yuzon
23120 SW Murdock Rd
Sherwood, OR 97140

Michelle Miller, Assoc. Planner
Planning Dept. City of Sherwood
22560 SW Pine St.
Sherwood, OR 97140

December 6, 2011

Re: Denali PUD, SUB 11-01

Dear Ms. Miller:

Our major concern with this development is the width of Ironwood Lane. The street is now only 14 feet wide and services 2 homes (including ours) and was planned for 5. Currently vehicles passing must slow down and pull off to the side. This PUD will increase the traffic on Ironwood Lane with the 8 new lots and by providing access from the adjoining large Sherwood View Estates. Ironwood Lane is not adequate for all of this traffic.

We request that you require the applicant to widen Ironwood Lane to accommodate the increased traffic.

Thank you,

Dennis and Paula Yuzon

Exhibit H

Michelle Miller

From: Kurt Kristensen <kurtk@poetspeak.com>
Sent: Wednesday, December 07, 2011 6:19 PM
To: Michelle Miller
Subject: RE: Comments on Denali Subdivision
Attachments: image001.gif

Thank you, Michelle. I try to do my support work for outside school duties at 5:30 AM or after 6 PM:)

Here are my concerns per you email:

1. I think it would be prudent for the Planning Commission to excuse Mrs. Walker from all decisions regarding this PUD; a legal review would find clear conflict. If you go back to the hearings documents from the SE Sherwood Master plan it will be clear. The family own property fronting the PUD and its value will be directly influenced by any decisions on the Denaly PUD application.

2. Thank you for including DEQ; my contact with DEQ indicated that the left hand didn't know what the right hand was doing. The Planning Department and the City of Sherwood would be wise to NOT sign of on this PUD for family habitation until the contamination has been removed; it is not sufficient, in the opinion of most people that testified during the DEQ review and the SE Sherwood Masterplan to store it in fenced areas on site. The contamination responds to wind and rain and will migrate into habited lots. I have suggested several times that a prudent solution would be for the City of Sherwood to help developers create a tax assessment PUD to pay for costs of removing contamination over 20-30 years.

3. The notification issue is too narrowly applied in this case; the Planning Department knows from past hearings that the entire area residents of SE Sherwood should be notified due to multiple concerns; DEQ contamination, park and recreation connections and road interfaces.

4. Please enlarge all posted maps and drawings from PUD application and have them posted in clearly visible spots on walls in hearing room; it would be appropriate to have 11x17 sets for each planning commission member for discussion.

5. I am deeply concerned from my preliminary review that the Planning Department is considering the small lots in defiance of the SE Sherwood master plan; it does not appear that the PUD sets aside any usable greenspace for parks, trails, walkways or play grounds. Sherwood View Estates has zero public space and the prior hearings indicated that the public wanted walking trails on SE Sherwood's area and for it to connect the city with Sherwood View Estates. You should include hearings documents.

6. I am deeply concerned that the Planning commission, along with the fire departments and police is reintroducting the call for making Denali a through fare road; the hearings from SE Sherwood master plan was clear: Denali needs to remain a cul-de-sac with a steel gated closure with emergency access for fire and police. But no regular traffic through Denali.

7. The issue of egress into and from Murdock Rd was clearly identified as a concern that should be addressed by the City of Sherwood before any permitting. The hearings discussed an additional roundabout and a signal,

as well as a side road to the intersection past Ironwood Ln. This issue and costs need to be aprt of the Denali PUD.

8. The hearings discussed how to create a walking and biking crossway as well; I am concerned that Ironwood Ln as currently constructed cannot accommodate traffic and hiking into Denali and Sherwood View Estates.

I want the record to show that I favor this PUD with the caveats outline above.

:)Kurt



December 12, 2011

Michelle Miller
City of Sherwood Planning Department
22560 SW Pine Street
Sherwood, OR 97140

RE: Denali PUD (PUD 11-01, SUB 11-01)

Dear Michelle & Members of the Planning Commission:

My name is Patrick Huske I reside at 23352 SW Murdock Rd, Sherwood Oregon. My wife, Tammy, and I also own property located North of Ironwood Lane at 23000 SW Murdock Rd. My company, Ironwood Homes, Inc. also owns approximately six acres at the end of Ironwood Lane known as Ironwood Acres. (comprised of 3 building lots, 4 tracts & a large wetland) All above mentioned properties either are adjacent to the proposed Denali PUD by property lines or are within seventy five feet.

We support the Denali PUD development with changes.

After reviewing the staff report that was available Dec 7th I noticed a few unclear details and discrepancies within the report. I'm sure these will be corrected as the process moves forward. Tonight I will focus on section **VII Recommendation**, pages 28-35. My comments may be redundant with material covered tonight. My outline below are comments for clarification of existing conditions, proposed conditions, and dealing with the difficult challenges this particular site has particularly regarding the contamination. All of my comments are in the spirit of positive change so that the applicant, the city, and neighbors can benefit to the fullest.

Condition D.1.c- page 31 of 35 Public Improvement Plans:

"The area bounded by these improvements must be within a dedicated right-of-way".....

A 50 foot right-of-way already exists (See exhibit A attached), for Ironwood Lane.

The findings and recommendations earlier in the report under Preliminary Development Plan section C.2-sixth paragraph on page 8 of 35 are incorrect. The staff miss-identified the existing condition to have only (3) 25' flag poles for access. Historically there where three flag poles for access to each property (2) at 25' and (1) at 50'. During the development of Ironwood Acres the neighbors to the north granted a dedication of 25 foot. This 25' combined with Ironwood Acres 25' flag pole confirmed Ironwood Lane would be 50' as recorded in document No 2005-009606 (as noted on exhibit A) This dedication was to benefit future development like Denali PUD.

PO BOX 1608
503-625-4391 Office 503-625-5180 Fax pat@ironwood-homes.com

1

Exhibit J

- Based on above information Tract A will not need to be dedicated but for only 2 feet to meet current 28' street standards.

Condition B.4 (page 30) (5 lots rather than 8)

“Redesign the preliminary plat to identify five lots with a minimum lot size of 10,000 sq”

I believe this property needs to be developed to a higher density of eight lots, in light of current condition within the city.

1. The fact there is only 40 +/- remaining building lots in Sherwood.
2. The fact that Brookman area Annexation was rejected by the voters thereby reducing available lots in the near future.
3. Fact that without future buildable lots revenue for the city may continue to strain the budget in coming years.
4. This property will not be developed for decades because of the Soil contamination

The most important loss is not for the developer but for the public. The public would benefit with connectivity of road and trail systems, increased open space, not to mention the two most important issues; the lost opportunity for clean-up of hazardous waste and loss of added tax revenue.

Even if you agree with me, I've heard there is no process to work around the current codes for higher density other than a rezone? Perhaps now that Tract A will not be dedicated for a road, it will allow new calculations to enable for one or two more lots and certainly provide more open space.

As a side note, it may be time for the planning department to review unexpected land use issues that will inevitably be in front of this commission and the planning department in the near future. Perhaps the Planning Commission and Planning Department can start thinking of ways that can grant approval for properties with extenuating circumstances, like soil contamination. In the long run both the property owner and the public will benefit if this site is allowed to have 8 lots.

Condition D.1.a (page 31 of 35) Regarding Street standards:

.....”expansion of the existing Ironwood Lane road section to meet current city road section standards for a residential street”.....

Just so the conditions are clear. There are several street standards in the development code. Is the Engineering Department requiring the 28' standard residential street standard? (See attached exhibit B.)

Please consider the following as you review this requirement:

1. The 28' Street standard requires 52', Ironwood is a 50' dedication, a portion of Tract A can be dedicated to allow for the extra width of this requirement.
2. Will this development be large enough to require the improvement of Ironwood Lane?
4. If the laws that govern proportionality to development like in the “Dolan case” relieves the applicant from completing improvements along Ironwood Lane, the city should at least require a minimum pavement width of 21' (add 7' more pavement) along the entire length of Ironwood Lane to satisfy increased traffic and safety concerns for existing and future users of Ironwood Lane. (a side note, Ironwood lane currently has a pavement section 14' wide, not 25' wide as previously reported in staff report.)

Condition D.11 (page 32 of 35)

Condition 11 requires applicant to “comply with the DEQ requirements pertaining to the cleanup of the contaminated soils onsite”.

I agree with this statement, however, I would encourage the commission to request an additional requirement, that states ODEQ is the final approval agency for contaminated soil cleanup and require an NFA letter (No Further Action). Perhaps this will allow all parties to recognize the final decision maker thereby eliminating third party oversight of the ODEQ that can create conflicts that will cost all parties time and money.

Condition D.2 and or add new condition for D.11 Public Improvement Plan (page 32 of 35)

I request the Planning Commission and the Planning Department to Change the outfall location for the stormwater facility beyond the service provider letter requirements by Clean water Services.

The proposed plan outlines that storm water from the development is allowed to be discharged into the contaminated wetland near the North East corner of the proposed development. I acknowledge I have provided an easement to Clean water Services to dump stormwater into the wetlands. This agreement was allowed prior to knowing the wetland was part of a historical dump site for hazardous waste material as outlined earlier in the staff report.

- I cannot allow the current location to be considered because of the unknown downstream effects on the region.
- There also has been extensive testing in the wetland. The tests confirmed that at or near the entry point of the proposed Denali storm water outfall is where the highest concentrations of contamination is. (See attached exhibit D)
- Without proper planning the approved plan as drawn can place the future remedial action measures for the wetland in jeopardy or have unintended financial consequences for the clean up entity or future developer of the Denali PUD.
- As an alternative, perhaps piping the outfall to the JC Reeves water quality facility to the Southeast corner of development would work.
- Perhaps extend the stormwater piping to the south end of the wetland where disturbances will be minimal and can help accomplish the stormwater goals?
- These suggestions need to be discussed in detail with ODEQ to determine appropriate final plan.
- I would also ask that ODEQ be the agency for final approval.

Condition D.1.e & f, pathway for tract D (page 31 of 35)

The pathway within the open space needs an alternate path? The applicant's maps do not have the correct Tract numeration. I'm sure this will be corrected as the process moves forward, so I will speak more generally regarding both condition e and f which explain the conditions for the pathway leading from Denali Street near the top of the development down to the open space currently marked as Tract C. I may not know the complete details why the path and open space was designed in this manner. As an observation, however I doubt the public will use this space as intended due to the steepness of grades for both the pathway for ingress/egress of the open space as well as the path around tract C.

As an alternative, I've outlined the following to be considered to meet conditions.

1. Reroute the path along the wetland boundary in Tract E starting at the JC Reeves water quality facility, traveling along wetland boundary and along the north side of lot 5?
2. Relocate the proposed pathway that is next to lot 8 down to the north property line of lot 5?
3. Reduce soil pile height for Tract C by placing some in Tract E and along wetland boundary under a new proposed pathway.
4. To help cap the hazardous waste and for future maintenance issues for the city I would propose an impervious surface (asphalt) over the entire length.
5. This will also create a path for future access for the public's benefit and to maintain sewer lines and manholes that currently run within this space.
6. Both streetlights and pathway lights shall be down-lights to minimize impacts to wildlife and neighborhood.

General Comments:

In my experience as a developer, I would propose a better grade of landscape grass to be planted for all open space Tracts A, C, D & E. The proposed grass is of poor quality, this will create a very unsightly open space in future years especially if not watered and maintained bi-monthly. I would also suggest a sprinkler system for all space along all pathways and planter strips. Finally, require the city to maintain Ironwood Lane as with other streets in the incorporated city boundaries and connect to a proper water source for landscape amenities.

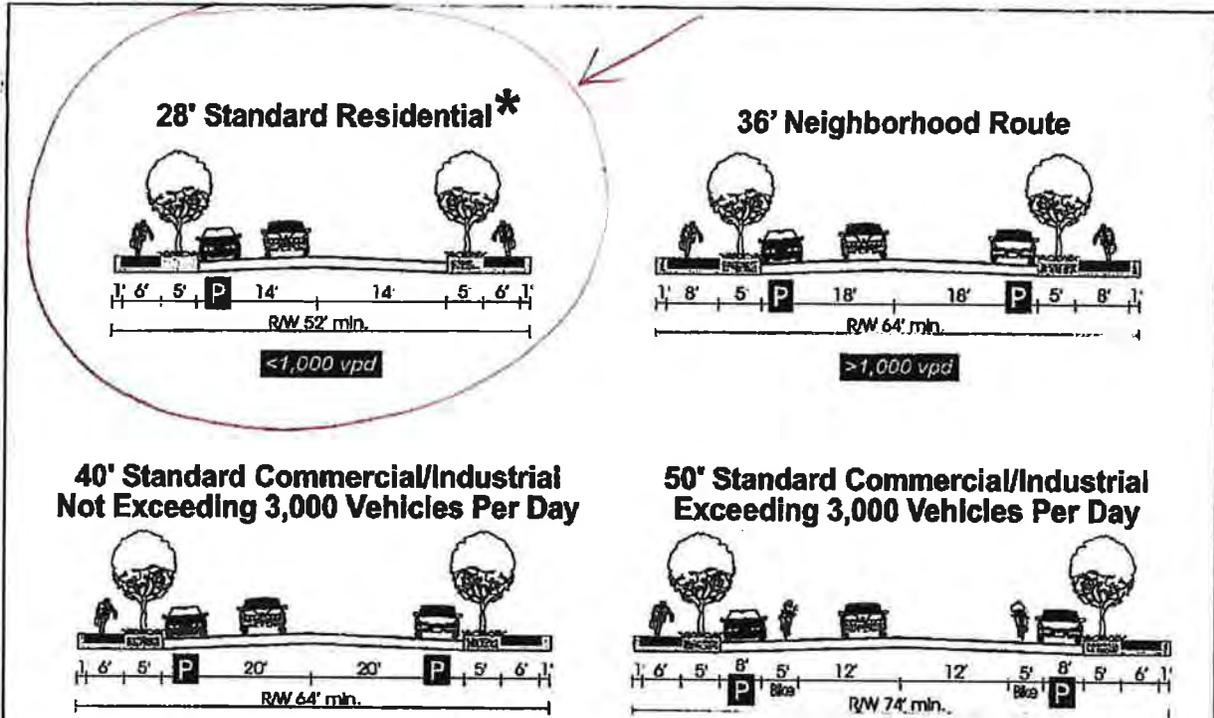
Conclusion:

In conclusion, my comments are in the spirit of positive change, we support the proposed development with above mentioned changes and look forward to the future new neighborhood.

Regards,


Patrick Huske
Property owner
Pres, Ironwood Homes, Inc.

Exhibit B



Local Street Design Characteristics
 (typically minimums unless stated otherwise)

Characteristic	Neighborhoods	Locals	Comm/Ind
Vehicle Lane Widths (Bus Route - 11 ft.)	10 ft.	10 ft.	20 ft.*
On-Street Parking	8 ft.		
Sidewalks (minimums)	8 ft.	6 ft.	6 ft.
Landscape Strips	Required	Required	Required
Neighborhood Traffic Management (NTM)	Acceptable	Should Not be Necessary	Acceptable
Transit	Special Circumstances	Not Appropriate	Acceptable

* Combined travel/parking lane.

Legend

P - On-street Parking Lane

***** - Parking can be provided on both sides if it can be demonstrated that curb cuts make up at least 40% of street frontage.

	STANDARD DRAWING TITLE		DRAWING NUMBER	
	STANDARD LOCAL & NEIGHBORHOOD STREET SECTIONS		RD-1	
	Any alteration of this drawing may not be associated in any way with the City of Sherwood Standard Drawings.	SCALE		DATE
		N.T.S.		JUL '09

	a. Single-Family Detached:	5 feet
	Corner Lot (street side):	20 feet
	b. Single-Family Attached (one side):	5 feet
	Corner Lot (street side):	20 feet
3.	Rear yard:	20 feet
4.	Height	2 stories or thirty (30) feet

FINDING: The applicant has shown that the building footprint can easily be placed within the required setbacks due to the large lot sizes. This will be confirmed at the time of the plot plan review for each specific house. Therefore the applicant meets this criterion.

16.12.070 Special Density allowances

Housing Densities up to two (2) units per acre, and minimum lot sizes of 10,000 square feet, may be allowed in the VLDR zone when:

- A. The housing development is approved as a PUD as per Chapter 16.40; and**
- B. The following areas are dedicated to the public or preserved as common open space: floodplains, as per § 16.134.020 (Special Resource Zones); natural resources areas, per the Natural Resources and Recreation Plan Map, attached as Appendix C. or as specified in Chapter 5 of the Community development Plan; and wetlands defined and regulated as per current Federal regulations and Division VIII of this Code; and**
- C. The Review Authority determines that the higher density development would better preserve natural resources as compared to a one (1) unit per acre design.**

FINDING: The applicant does not meet this criterion; however this has been discussed earlier in this report.

B. Division IV - Public Improvements

16.108.030 Required improvements

16.108.030.1 states that except as otherwise provided, all developments containing or abutting an existing or proposed street, that is either unimproved or substandard in right-of-way width or improvement, shall dedicate the necessary right-of-way prior to the issuance of building permits and/or complete acceptable improvements prior to issuance of occupancy permits.

SW Ironwood Lane is not fully developed to City standards because, while it includes pavement, neither side of Ironwood Lane includes curb, gutters and sidewalks to meet City Standards. In ~~addition~~ addition, the pavement width is approximately ~~25-14~~ feet, whereas the Code requires at least 28 feet of pavement for a full residential street. The applicant will need to expand the existing Ironwood Lane street section ~~to provide a street section~~ that meets City standards ~~along the south side of SW Ironwood Lane~~. The expansion of the public infrastructure dedicated with this development should fit within this existing right-of-way with the exception of the one-foot dedication of Tract A. ~~Tract A identified in the submittal should be shown as dedicated right-of-way. If the~~

~~right-of-way was not dedicated to the City under the original street development, the applicant shall dedicate the necessary area to the City for right-of-way.~~

The development abuts SW Denali to the south and the applicant proposes to extend the existing SW Denali Lane through the development to connect with SW Ironwood Lane. The applicant proposes a street modification due to the steep slopes on the site that will be discussed further within this report.

FINDING: It appears that the required improvement standards could be met, however the applicant must receive Engineering approval of the public improvement plans in order to ensure the streets will be improved as planned. If the applicant complies with the conditions below, this standard will be met.

RECOMMENDED CONDITION: Prior to the approval of the public improvement plans:

1. The applicant shall submit plans that include the expansion of the existing Ironwood Lane road section to meet current City road section standards for a residential street. This expansion shall include: additional asphalt pavement section width to 22 feet, concrete curb and gutter, a five foot planter strip, and a six feet wide concrete sidewalk along the southern portion of SW Ironwood Lane.
2. A storm drainage system will be required to provide adequate collection and conveyance of storm water runoff from SW Ironwood Lane to the water quality treatment facility.
3. ~~The area bounded by these improvements must be within a dedicated right-of-way. If the area is not already dedicated right-of-way, the~~ The applicant shall dedicate on the plat the necessary one foot of right-of-way to conform to City requirements along the existing SW Ironwood Lane.

~~**4. RECOMMENDED CONDITION:** Prior to approval of the public improvement plans, the applicant shall submit plans that include the extension and dedication of SW Denali Lane to meet current City road section standards for a residential street. This expansion shall include: additional asphalt pavement section, concrete curb and gutter, planter strip, and concrete sidewalk.~~

16.108.030.2 (Existing Streets) states that except as otherwise provided, when a development abuts an existing street, the improvements requirement shall apply to that portion of the street right-of-way located between the centerline of the right-of-way and the property line of the lot proposed for development. In no event shall a required street improvement for an existing street exceed a pavement width of thirty (30) feet.

~~The development abuts SW Denali to the south and the applicant proposes to extend the existing SW Denali Lane through the development to connect with SW Ironwood Lane. The applicant proposes a street modification due to the steep slopes on the site that will be discussed further within this report.~~

The development abuts SW Ironwood Lane which has not been developed to City standards as discussed above. The applicant will be required to improve the portion of right of way to allow for twenty-two feet of pavement, curb planter strip and sidewalks along the flag portion of the parcel a portion of which is Tract A.

~~**FINDING:** The applicant has proposed to construct the required improvements for SW Denali Lane, however review and approval by the Engineering Department is required before this standard can be fully met; therefore, the applicant must comply with the conditions specified below.~~ The applicant has

not met the standard with respect to the improvements to SW Ironwood Lane, on the plan set as Tract A, however this was conditioned previously in this report.

~~**RECOMMENDED CONDITION:** Prior to approval of the public improvement plans, the applicant shall submit plans that include the extension and dedication of SW Denali Lane to meet current City road section standards for a residential street. This expansion shall include: additional asphalt pavement section, concrete curb and gutter, planter strip, and concrete sidewalk.~~

4. Extent of Improvements

Streets required pursuant to this Chapter shall be dedicated and improved consistent with Chapter 6 of the Community Development Plan, the Transportation System Plan and applicable City standards and specifications included in the City of Sherwood Construction Standards, and shall include curbs, sidewalks, catch basins, street lights, and street trees. Improvements shall also include any bikeways designated on the Transportation System Plan map.

**Catch basins shall be installed and connected to storm sewers and drainage ways. Upon completion of the improvements, monuments shall be re-established and protected in monument boxes at every public street intersection and all points of curvature and points of tangency of their center lines. Street signs shall be installed at all street intersections and street lights shall be installed and served from an underground source of supply unless other electrical lines in the development are not underground.
(Ord. 2005-009 § 5; 91-922)**

The subject parcel abuts SW Ironwood Lane, a partial street that is a paved hard surface, but not to full City street design standards. ~~The center~~A portion of SW Ironwood Lane was installed with the development Ironwood Acres. As this road will be utilized by the Denali Lane development as a primary access to SW Murdock Road, street improvements are required. The street is partially complete with one lane of asphalt but there is no means currently to treat the storm runoff from the roadway. The applicant has called out this portion as Tract A to be used as a pedestrian connection to SW Murdock Road. However, based on street design standards the applicant will be required to dedicate 17,932 a foot of right of way that extends the length from SW Murdock Road to the development or a one foot wide dedication approximately 710.72' feet of long as public right of way.

This dedication is roughly proportional to the exaction as this will be the primary vehicular access to the development and will provide a critical pedestrian accessway. Also, it will serve an important mechanism of treating the impervious roadway surface. Thus, the applicant is required to ~~complete~~ dedicate the portion of the Ironwood Lane roadway located on their site for a total of 710 square feet. Because this roadway is partially completed to City standards, the applicant will be required to treat the stormwater and provide a sidewalk, planter strip and curve for the roadway on this portion and bring the pavement width to 22 feet. The northern street segment of SW Ironwood Lane will be completed with the development of that property.

RECOMMENDED CONDITION: Prior to approval of the public improvement plans, provide a storm drainage system along SW Ironwood Lane to handle storm runoff from the expanded road section.

RECOMMENDED CONDITION: Prior to approval of the public improvement plans, expand the proposed water quality facility to handle the treatment of the additional runoff as necessary to meet the Clean Water Services treatment requirements.

RECOMMENDED CONDITION: Prior to approval of the public improvement plans, dedicate at least ~~47,932~~710 feet of the right-of way, known on the plan set as Tract A to conform to the City's design for a local street.

5. Street Modifications

A. Modifications to standards contained within this Chapter and Section 16.58.010 and the standard cross sections contained in Chapter 8 of the adopted Sherwood Transportation System Plan (TSP), may be granted in accordance with the procedures and criteria set out in this section.

B. Types of Modifications. Requests fall within the following two categories:

1. Administrative Modifications. Administrative modification requests concern the construction of facilities, rather than their general design, and are limited to the following when deviating from standards in this Chapter, Section 16.58.010 City of Sherwood Construction Standards or Chapter 8 contained in the adopted Transportation System Plan:

d. Exceeding the maximum street grade.

The plans have two street design components that do not meet City design standards. A design variation request has been submitted to the City Engineer for each non-compliant design element. Both design variation requests have been submitted by a registered civil engineer. All supporting calculations must be submitted as part of the modification. The applicant requests a modification to allow a street grade of 12% for the entire length of the street alignment (approx. 340'). City standard (Section 210.4 of the Design Manual) is a maximum street grade of 10% for unlimited length, and up to 12% maximum for a distance of not more than 200'.

Approval of the modification will be based on two main considerations; 1) that the physical constraints of the site prevent the design from meeting the design requirements of the City; and 2) that the proposed street grade falls within the limitations established by TVF&R for requiring building sprinkler systems on streets with grades between 10% and 15%. Both constraints have been proved and satisfied.

FINDING: Based on the above discussion, the applicant meets the criterion for a street modification however; the applicant cannot fully comply without the following condition.

RECOMMENDED CONDITION: Prior to approval of the public improvement plans, receive approval from TVF&R to allow this modified street grade.

RECOMMENDED CONDITION: Prior to building permit approval, provide building plans that show the buildings having an adequate fire sprinkler system per Tualatin Valley Fire and Rescue standards.

2. Design Modifications. Design modifications deal with the vertical and horizontal geometrics and safety related issues and include the following when deviating from this Chapter, Section 16.58.010 or Chapter 8 cross sections in the adopted Transportation System Plan:

e. Design speed.

December 13, 2011

Planning Commission
City of Sherwood
22560 SW Pine St
Sherwood, OR 97140

To: Planning Commission – City of Sherwood

RE: Denali Subdivision (PUD 11-01 and SUB 11-01)

Prior to the purchase of our residence in September 2001 we met with Senior City Planner, Kevin Cronin, to discuss the zoning on our property and the property behind us. We were advised of the VLDR classification and were told any development on the property to our East, behind our home, would be limited to 3 – 4 homes due to the property size. It had not been included in the Sherwood View Estates PUD and, because it was less than 5 Acres, could not be a PUD by itself. We made the purchase of our home with this understanding, paying a premium for the land due the view lot status (See exhibit A).

Although for the record we are unsure if the consideration of this property as unusually constrained or limited in development potential (16.40.020) and should allow for a PUD, we are basically not opposed to the development of tax lot 1000 as proposed but have 2 issues we ask the Planning Commission and City Council to consider.

1. As mentioned above the value of our property is largely due to the view of the Valley and Mt. Hood. We wish to work with the property owner and, with help from the City of Sherwood, come to a mutual agreement with regard to a view easement. (Please refer to exhibit B)
 - a. The CC & R's of our property have such a restriction to protect the view of the homeowner behind us and we would like similar consideration.
 - b. Using the language from our current view easement as a guide, we are requesting the building of structures and height of vegetation be limited as below:
No structure or vegetation shall be permitted within the restricted area, as identified in exhibit B with slanted lines, which would exceed the height of 15 feet above the natural ground elevation of Point "A" identified on exhibit B.

2. The second issue of concern is one of access to our property for future development. This concerns tract A on the Denali Subdivision Proposal. Given the steep elevation of our lot on the north side we will need to someday have access to Ironwood Lane for any development of the lower acre of our property. Assuming we will retain current zoning that could be 2 homes.
 - a. If tract A becomes green space we are concerned it will limit our access across it.
 - b. We are asking for any designation for tract A allow access for our development as may be needed in the future. (Exhibit C)

Thank you for your time and consideration.

Roger Walker

Exhibit A	View Photograph
Exhibit B	View Easement
Exhibit C	Tract A Easement

Lisa Walker

Roger and Lisa Walker
23500 SW Murdock Rd.
Sherwood, OR 97140

Exhibit L

Exhibit A

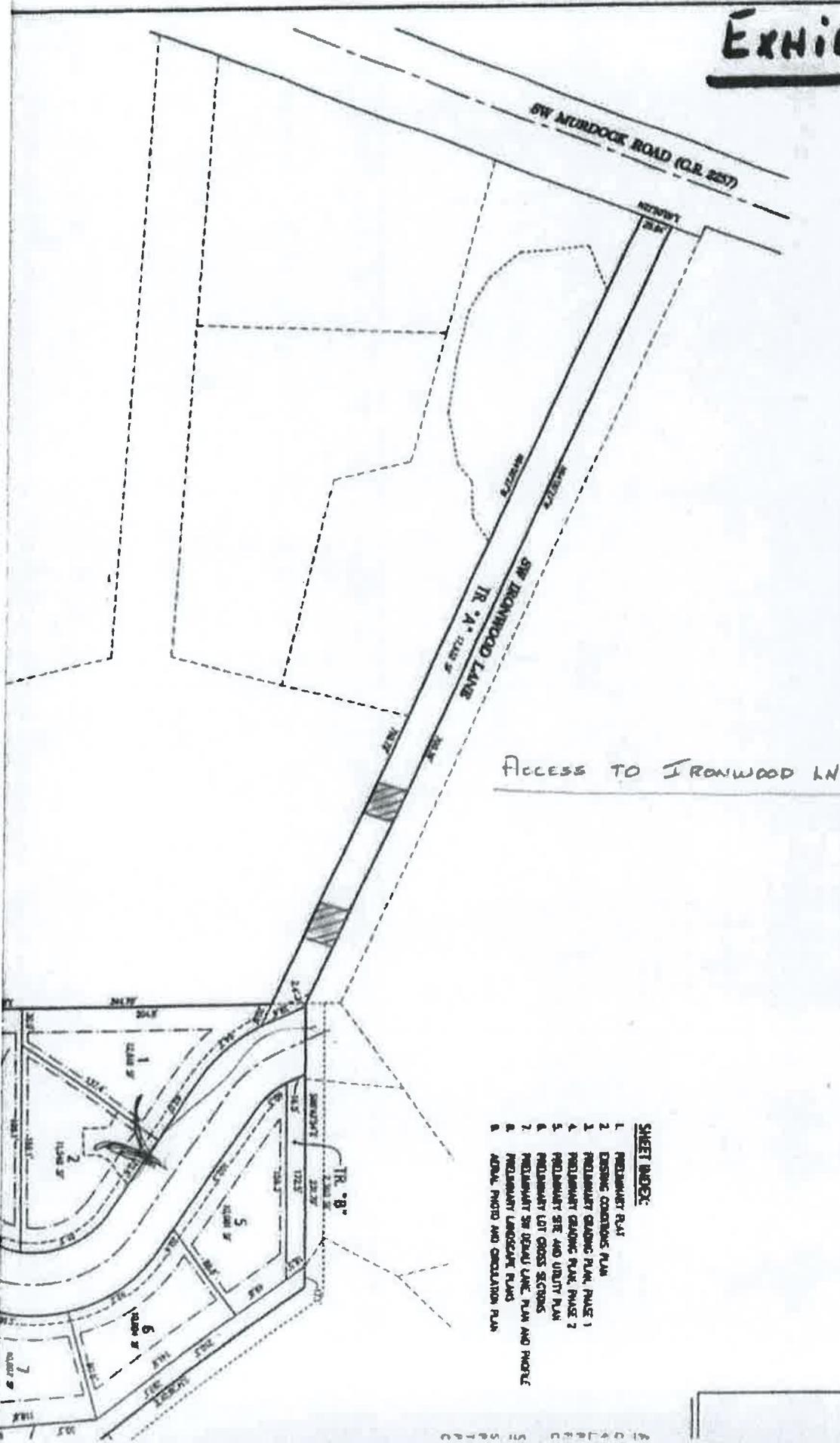


Walker

EXHIBIT C

DENALI SUBDIVISION

A PLANNED UNIT DEVELOPMENT OF NW 1/4 SW 1/4 SECTION 33, T.2S R.1W - TAX LOT 1000
 CITY OF SHERWOOD, WASHINGTON COUNTY OREGON



- SHEET INDEX:**
- 1. PRELIMINARY P&I
 - 2. DESIGN CONDITIONS PLAN
 - 3. PRELIMINARY GRADING PLAN, PHASE 1
 - 4. PRELIMINARY GRADING PLAN, PHASE 2
 - 5. PRELIMINARY SITE AND UTILITY PLAN
 - 6. PRELIMINARY LOT CROSS SECTIONS
 - 7. PRELIMINARY SITE DRAINAGE, PLAN AND PROFILE
 - 8. PRELIMINARY LANDSCAPE PLAN
 - 9. ADJAC. PHOTO AND CIRCULATION PLAN

Denali PUD Tracts and Lots

Total Site 3.71 acres – 161,608 sf

2 units/acre = 7.42 units using gross site acreage

Tract A	17932	minus 1 foot ROW dedication (701 sf)	17231
Tract B			2360
Tract C			5148
Tract D			15864
Tract E			8365
Lot 1			12616
Lot 2			11548
Lot 3			12020
Lot 4			10275
Lot 5			10081
Lot 6			10004
Lot 7			10007
Lot 8			10315
Public Road Dedication	.59 acre	(25,774 sf)	
Net Site	3.11 acres		135,834

2 units/acre = 6.22 units using net site acreage

Applicant's Exhibit M

December 27, 2011

Planning Commission
City of Sherwood
22560 SW Pine St
Sherwood, OR 97140

To: Planning Commission – City of Sherwood

RE: Denali Subdivision (PUD 11-01 and SUB 11-01)

As follow up to our testimony given at the Public Hearing on December 13 we would like to reiterate our concerns and issues.

A: Property Value contingent on our view:

- We made the purchase of our home and paid a premium for its view lot status after meeting with the City of Sherwood and understanding that at most 3 homes could be built in the lots on the other side of our fence since a PUD was not an option if less than 5 acres.
 - If the Planning Commission agrees to the increased density requested by the applicant we would like to see at most 7 homes as per the code.
- We understand the need to develop this area but disagree that the concept plan had the intent to make this area all the same density. We think the VLDR density should remain to retain the investment status of the homes in this area and continue with the variety of density to maintain the uniqueness of this SE Sherwood area.
- Because the value of our property is largely due to the view of the Valley and Mt. Hood. We wish to work with the property owner and, with help from the City of Sherwood, come to a mutual agreement with regard to a view easement to limit the height of both structures and vegetation.
 - This may be best accomplished with the max of a one story home or placement of home on the currently placed lots 3 for certain and possibly lot 2.

B: Property Access

- Due to the steep elevation of our lot on the north side we will need to someday have access to Ironwood Lane for any development of the lower acre of our property. We are asking for any designation for tract A allow access for our development as may be needed in the future

Lastly we need to mention the DEQ issue on the Ken Foster Farms project. We believe it needs to be mentioned again that there is NO HUMAN HEALTH HAZARD here and even the level of hazard to a small portion of birds has been downgraded in recent months. More must be learned from the DEQ so the Commission and Council have a better understanding of this issue.

Please refer to our letter and exhibits dated 12/13/11 for more detail on the bulleted topics above.

Thank you for your time and consideration.

Roger Walker and Lisa Walker
23500 SW Murdock Rd.
Sherwood, OR 97140

EXHIBIT N



Home of the Tualatin River National Wildlife Refuge

MEMORANDUM

City of Sherwood
22560 SW Pipe St
Sherwood, OR 97140
Tel: 503-825-5522
Fax: 503-825-3524
www.sherwoodoregon.gov

Mayor
Karin Mays

Council President
Dave Grant

Councilors
Linda Henderson
Robby Folsom
Bill Butterfield
Matt Linger
Krisanna Clark

City Manager Pro Tem
Tom Peasemeier

DATE: January 3, 2012
TO: Planning Commission
FROM: Michelle Miller, AICP, Associate Planner
Denali Planned Unit Development Follow Up from
SUBJECT: Public Hearing on December 13, 2011

At the December 13, 2011 hearing regarding Denali Planned Unit Development (PUD 11-01), the Planning Commission requested further information concerning the method for calculating density for planned unit developments. This memo clarifies and references the code criteria planning staff identified in the analysis of the density calculation for this particular site.

Generally, Sherwood planning staff calculates density based on the definition section of the Sherwood Zoning and Development Code. The SZDC § 16.10 defines **density** as:

"(t)he intensity of residential land uses per acre, stated as the number of dwelling units per **net buildable acre**. Net acre means an area measuring 43,560 square feet **after** excluding present and future rights-of-way, environmentally constrained areas, public parks and other public uses."

The definition of **environmentally constrained areas** is also found in § 16.10: "Any portion of land located within the floodway, 100 year floodplain, wetlands and/or vegetated corridor as defined by Clean Water Services."

This proposal includes five distinct tracts which include areas that will either be dedicated to the public for right of way, public use purposes, or in order to preserve areas that are environmentally constrained. The following table identifies the five tracts located on site and the corresponding rationale for subtracting those numbers to arrive at the density calculation. However, it is possible that with additional refinement, the amount of area that falls within areas excluded from the net developable area may be substantially less concerning Tract 'A'. Only 1-foot along the entire length of "Tract A" or 710 square feet is required to be dedicated to the public for right of way so the remaining portion of that tract could be included within the net



2009 Top Ten Selection



2007 18th Best Place to Live



Exhibit O

buildable acreage of the site because it could be considered buildable under the standard definition of density. The applicant initially proposed the entirety of Tract A to be used for the public as open space, but it is not needed to achieve the 15 % required open space for PUDs. In the alternative, Tract A could be used in the calculation of net density.

Name of Tract	Size of Tract	Purpose of Tract
Tract A	17,932 sq. ft. in total Or 720 sq. ft of dedication and 17,221 included in the net buildable area calculation	Public use, and row for SW Ironwood
Tract B	2360 sq. ft.	Water quality bio-swale-environmentally constrained-CWS
Tract C	5148 sq. ft.	Steep slope and vegetated buffer-environmentally constrained-CWS
Tract D	15,864 sq. ft.	Open Space-public space
Tract E	8365 sq. ft.	Sanitary sewer easement-public use and not buildable

Section 16.40.050 specifies that the density in a residential PUD shall be the same as in the underlying zoning district, except when a density transfer is allowed pursuant to the standards in § 16.40.050.C.2. The site is zoned VLDR which generally allows for a single unit to the acre unless the site is developed as a PUD; certain areas are dedicated to the public or preserved as common open space; and the review authority determines that the higher density development would better preserve natural resources as compared to a one unit per acre design.

Further, the density transfer allowed in § 16.40.050.C.1 allows adding a maximum of 20% to the overall density if lands "within floodplain, wetlands and buffers or steeply sloped areas" are proposed for public dedication. Finally, the VLDR zoning purpose statement indicates that these areas "provide for low density, larger lot single-family housing and other related uses in natural resource and environmentally sensitive areas warranting preservation." The zoning designation explicitly identifies the intent to preserve the environmentally sensitive areas and so seeks to preserve the area with the granting of a special density allowance within a PUD. Therefore, the code specifies that the special density allowance of 1.4 to 2 units per acre may be allowed.

The language clearly allows the doubling of the density through the special density allowance so long as areas of open space and natural resources are preserved. Because the definition for "density" indicates that density is based on the number of units that a net buildable acre could carry, staff relies on that definition to calculate density for residential projects within the City.

Considering the above premise, staff has evaluated the potential density of this project. The total site area is 3.71 acres or 161,607.6 square feet. There are approximately 1.99 net buildable acres remaining because of environmentally constrained lands, right of way, as well as the open space area if all of Tract A is included as public space. Calculating net density under the special density allowance of two units per acre provides for up to four units (1.99 net acres x 2 units). Staff reached this calculation by subtracting all of the tracts and the right of way from the gross area as the definition requires. This would achieve four lots. As the proposal will dedicate wetland buffers and steeply sloped land, the 20% density transfer is available and provides for one additional lot to this PUD bringing it to the recommended five lots.

In order to make the site financially feasible, the applicant proposes to subdivide the site into eight lots. Contrary to the standard definition of density, the applicant proposes to use a gross density calculation rather than the net density described above because the site is unusually constrained. Additionally, the applicant contends that calculating gross density rather than net provides for better preservation of the natural resources in the area and allows for recoupment of the costs of cleanup of the contaminated soils. Calculating under the gross density calculation provides for 7.42 units and the applicant requests that the decision maker round up to get 8 units.

The applicant proposes eight units because each lot meets the minimum lot size and the applicant satisfies the required 15 % of open space. According to the applicant, development at any lower density would not make the site financially viable and the site would remain undeveloped. There is no precedence of rounding up to determine maximum density. Staff does not believe that it is within the discretion of the City to authorize a higher density than the underlying zone would allow regardless of whether there was room to interpret whether density should be calculated based on gross versus net density.

Staff maintains that, the "Special Density Allowance" and the "Density Transfer Allowance" were added provisions to address the constraints specific to this particular site and within this zoning designation. These provisions also lend credence to the argument that the standard definition of density should be applied in the VLDR zoning.

In response to the argument that density was calculated differently for the Ironwood Subdivision, staff points out that the definition of "Environmentally Constrained Areas" was added to the definitions section after that approval was subsequently granted.



PC Resolution 2006-001

A RESOLUTION ACCEPTING THE "SE SHERWOOD MASTER PLAN REPORT" AND APPROVING A PROCESS TO IMPLEMENT THE PLAN

WHEREAS, the City of Sherwood has a Very Low Density Residential (VLDR) Zone in the Sherwood Plan and Zone Map that requires a minimum 1 acre per lot; and

WHEREAS, the City has approved recent subdivisions and partitions in the proposed study area without full public facility improvements because the City cannot require urban levels of service in proportion to the impacts of the projects; and

WHEREAS, the City expects future private development in the immediate future and a master plan for the neighborhood would provide a guide for better services for current and future property owners, neighbors, and the City; and

WHEREAS, the City Council adopted Resolution 2005-059 that authorized the SE Sherwood Master Plan process and participation in the Oregon Transportation and Growth Management Quick Response program to fund the study and master plan; and

WHEREAS, the City has held numerous public involvement opportunities including three meetings with the property owners and three public workshops; and

WHEREAS, the Planning Commission has held a work session on February 28, 2006 to consider the findings and recommendations of the report and held open public meetings with a comment period on March 28 and April 4, 2006; and

WHEREAS, the Planning Commission has discussed the recommendations from staff and the consultant and deliberated on May 9, 2006 to endorse the benefits of a coordinated master plan for efficient land use, multi-modal transportation, recreation trails, and shared open space; and

NOW, THEREFORE, THE CITY OF SHERWOOD PLANNING COMMISSION RESOLVES AS FOLLOWS:

Section 1. The SE Sherwood Master Plan Report (Exhibit A) dated February 20, 2006 is hereby accepted and the concept plans contained in the report meet the project objectives.

Section 2. The Planning Commission will consider a specific development proposal from an applicant that is consistent with the principals and goals listed in Exhibit A, and those which provided the framework for the creation of the master plan alternatives. In particular, any proposal should attempt to meet the following performance targets:

Total number of proposed lots: 72
(Total does not include 11 existing 1-acre lots)

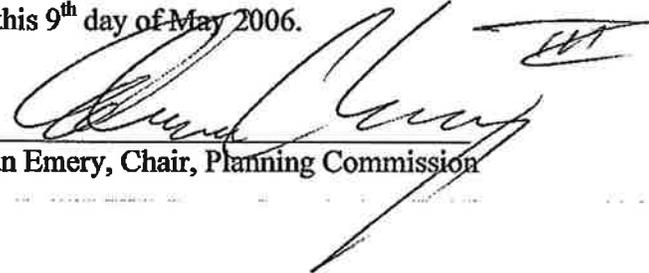
Acres of open space: 12.5

Gross Density: 2.2
(Gross density is equal to number of new lots divided by total acres of developable land. Total acres of developed land does not include "existing" lots. Roads, alley, and open space have not been subtracted from total developable land. Total developable land equals 36.6 acres)

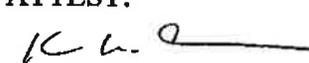
The Planning Commission also endorses a hilltop view point park included in open space, and the use of swale green space.

Section 3. This Resolution shall become effective upon its approval and adoption.

Duly passed by the Planning Commission this 9th day of May 2006.


Adrian Emery, Chair, Planning Commission

ATTEST:


Kevin A. Cronin, AICP, Planning Supervisor

Southeast Sherwood Master Plan

February 20, 2006



Prepared for the:
City of Sherwood
Oregon Transportation and Growth Management Program
A joint program of the Department of Transportation and
the Department of Land Conservation and Development

otak
In association with
DKS Associates



Funding

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The TGM program supports community efforts to expand transportation choices for people. By linking land use and transportation planning, TGM works in partnership with local governments to create vibrant, livable places in which people can walk, bike, take transit or drive where they want to go.



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City of Sherwood Planning Commission

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Patrick Allen - Vice Chair
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Matt Nolan
Russell Griffin
Todd Skelton

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Oregon Department of
Land Conservation and
Development



Oregon Department of
Transportation

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Purpose

The purpose of the master plan is for the City of Sherwood to be proactive in coordinating future development of the site. Making good use of the City's urban land supply is consistent with smart growth principles to use land resources efficiently and take advantage of existing urban services. It is also consistent with Sherwood's Comprehensive Plan policies regarding the integration of land use, transportation, open space, natural resource conservation, and preservation of historic resources.

Prior to initiating the study, the City held two informal neighborhood meetings to discuss issues and potential solutions, pre-application meetings for two subdivisions, and heard interest in development proposals from other owners. Based on the potential for piecemeal development, the City concluded that there was a need for a master plan to guide the transition of the area.

The Sherwood City Council agreed with the need for a master plan study and adopted Resolution 2005-059 on September 6, 2005 (see appendix 1). Primary goals include developing solutions to the problems of piecemeal development, exploring options to provide better urban levels of service, emergency response, transportation, tree preservation, open space for fish and wildlife habitat, and recreation opportunities such as walking trails.

The City applied for and received a grant from the Oregon Transportation and Growth Management Program to conduct the master plan process. As stated in the grant's statement of work, which was endorsed by the City Council, the goals of the study were to plan:

A. *A pedestrian friendly transportation system that will link the site with nearby residential developments, parks, schools, commercial sites, and other destinations;*

B. *An increase in residential densities;*

C. *A land use plan that provides for a mix of housing types that is compatible with adjacent uses;*

D. *Conceptual plans for public facilities (roads, paths, water, sewer and storm drainage) needed to support the land use plan;*

E. *Implementing strategies including map and text amendments for the City to adopt (to be prepared by the City); and*

F. *A high level of neighborhood and citizen involvement.*

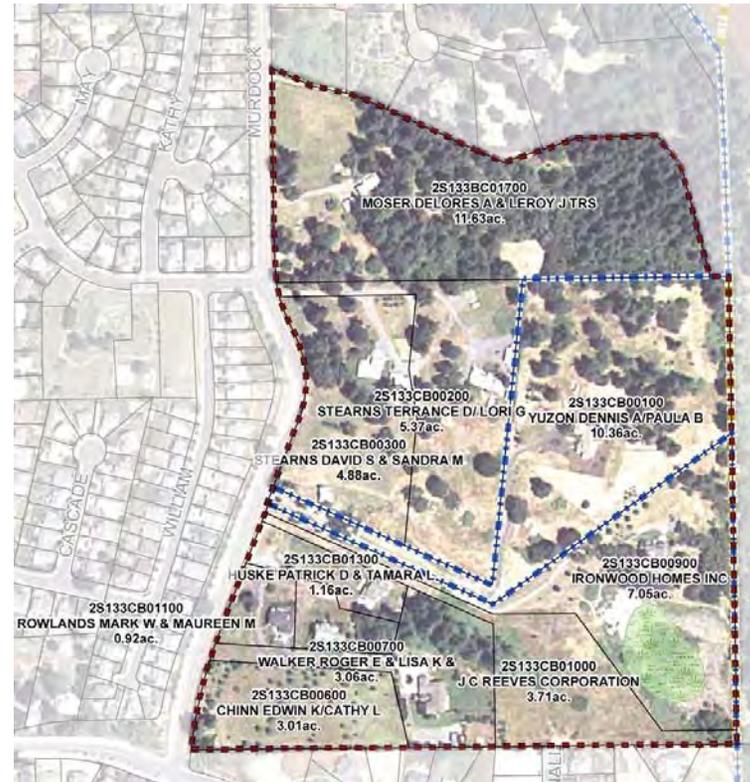


Figure 2 - Study Area and Property Ownership, September 2005

Process

The master plan was prepared with the input of property owners, developer representatives, neighbors, and City representatives. A series of three open houses were held between October, 2005 and January, 2006. Please see appendix 2, 3, and 4 for the materials and meeting summaries from the open houses. The City developed a project webpage, which was used along with electronic meeting notices and postcards, to provide ongoing information about the project. The process, in summary, included the following steps.

September 21, 2005 – Pre-application conference with property owners and developers.

September 21 – October 13, 2005 – Three site visits by the project team, with mapping of existing conditions.

October 6 and 12, 2005 – Interviews with property owners.

October 26, 2005 – Open House No 1. In this workshop, thirty-two participants viewed background materials regarding existing conditions, opportunities and constraints, transportation issues, frequently asked questions, and smart growth principles. An exit questionnaire was used to obtain feedback. The meeting was held at the Sherwood Police Facility.

November 30, 2005 – Open House No 2. In this workshop, following the open house portion, three working alternative plans were presented. Thirty-nine participants attended the meeting. The meeting was held at the Sherwood YMCA.

January 18, 2006 – Open House No. 3. This workshop was originally planned to present a “preferred” alternative. Based on feedback from the November open house, the meeting was redesigned to continue the development and evaluation of the alternatives. The meeting was held at the new Sherwood Civic Center in Old Town.

The following information was reviewed by the community at the third open house:

- The three previous alternatives from November (Alternatives A, B, and C);
- A new hybrid alternative (Alternative B/C) that responded to issues raised in November;
- Perspective images of the alternatives using the master plans overlaid on Google Earth imagery;
- An illustration of a proposed public park on the property; and
- Information about smart development practices, green streets, and low impact development practices.

In addition to the above, a “Design Your Own Alternative” station was included, where citizens worked with one of Otak’s designers to discuss and create additional ideas. The results from that station are included in appendix 4-d of this report. AKS Engineering, who represents several property owners, brought their own alternative master plans to the workshop. They set up a station and discussed their ideas with participants. Forty-one people attended the third Open House. Seventeen people filled out exit questionnaires and/or submitted letters and e-mail comments.

II. Opportunities and Constraints

The site has multiple environmental constraints which can also be viewed as potential opportunities. These opportunities and constraints are illustrated in figure 3, as well as described in detail in the opportunities and constraints memorandum included in appendix 2-e.

A 2.25-acre wetland is located in the southeast corner of the site. According to neighbors, this wetland has standing water except in the driest summer months. The wetland is an opportunity for the future neighborhood to have passive open space, wildlife habitat, and a natural stormwater area. Neighbors expressed concern about impacts to the wetland area including pesticide runoff, groundwater recharge, and the importance of the wetland as wildlife habitat.

The northern portion of the site has a 12-acre mixed woodland. It includes a variety of secondary growth mature trees, including Madrone, Douglas Fir, and others. Metro's natural resource (Goal 5) inventory describes this area as Class A (highest-value) wildlife habitat. According to a long-term resident, the area provides habitat for many species of mammals and birds. Wildlife moving through the Tonquin lowlands also travel through this portion of the site.

Small tree groves and isolated large trees extend from the northwest to the southeast portion of the site. These trees are a defining feature of the landscape in the interior portion of the site.

The wooded areas and trees are an opportunity to provide visual and open space amenities for the neighborhood. They also provide a challenge for site design. This site is marked by channels, depressions, and bedrock knolls that are part of the broader Tonquin Scablands Geological Area sculpted by ancient glacial flooding. There are two high points, one in the center of the property (elevation 315 feet) and one on the south (elevation 360 feet), with sloping terrain between them. These hilltops have great views, including a view of Mount Hood to the east. The unique terrain of this site provides an opportunity for very appealing home sites, but also provides a challenge to a connected circulation network and cohesive neighborhood design.

Preserving the natural environment of the site (including wildlife habitat, wetlands, steep slopes, endangered species, Tonquin Scablands, and mature vegetation) was mentioned in the majority of the comments received from the first open house. At least one of the above issues was raised by every respondent.

Adjacent land uses are summarized as follows:

North: Fair Oaks Subdivision, large lots (1-acre or larger) single family detached homes;

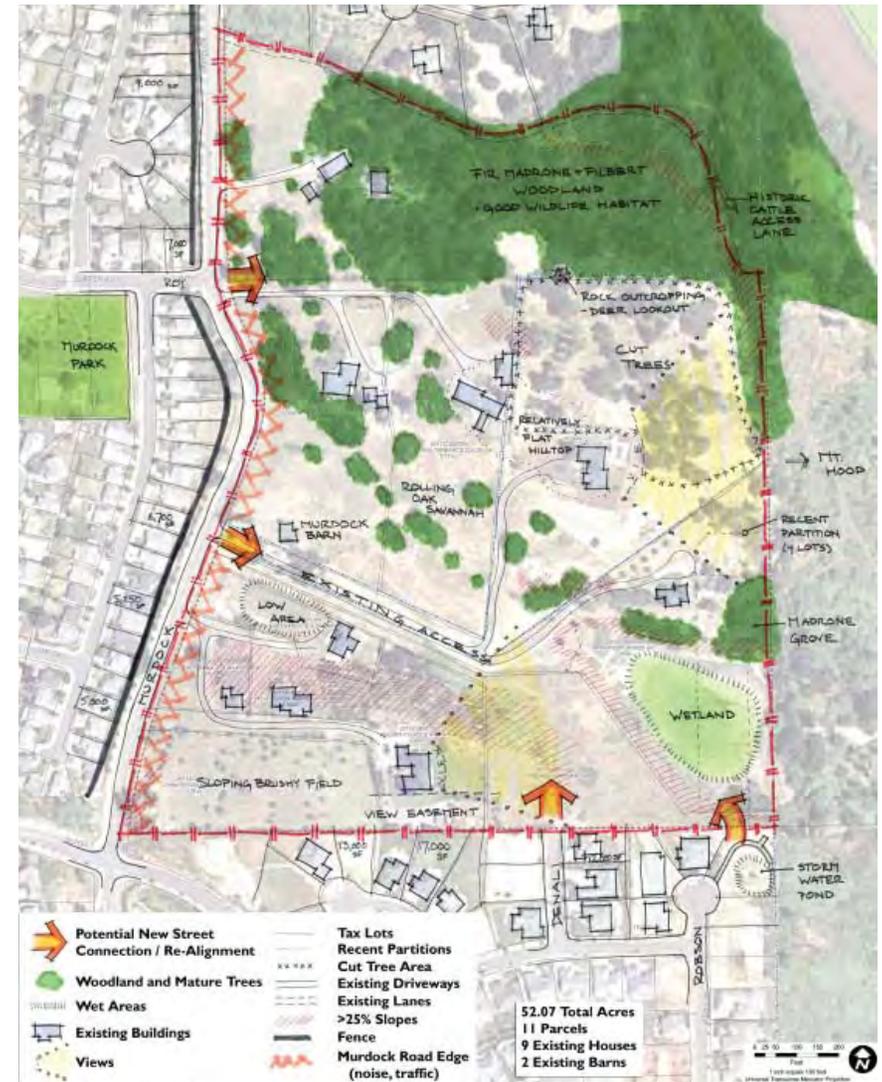
South: Sherwood View Estates, medium lots (approximately 12,000 square feet) single family detached homes;

West: Across Murdock Road, small lots (approximately 6,000 square feet) single family detached homes; and

East: Open space and Resource Land.

Of the comments received from the first open house, the second major concern was the desire of some of the residents within and most adjacent to the project area to maintain the existing Very Low Density Residential (VLDR) zoning of the site. However, some respondents were willing to consider additional density if the existing rural character of the neighborhood was maintained, and proposed lots that were smaller than one acre were placed in the center of the project, buffered from the existing lots.

Figure 3 - Opportunities and Constraints Map



Transportation conditions and issues are described in the Baseline Conditions Transportation Memorandum, prepared by DKS Associates (see appendix 2-d). Transportation conditions, opportunities and constraints include the following:

- Southwest Murdock Road is classified as an arterial and has a posted speed limit of 35 miles per hour. The average daily traffic (ADT) on the road is approximately 6,000 vehicles. A sidewalk only exists on the east side of the street for approximately half the distance between Division Street and Oregon Street. Bike lanes are not provided.
- Southeast Roy Street is classified as a neighborhood street and has a posted speed limit of 25 miles per hour. The two-lane street has sidewalks along both sides and a trail which leads to Murdock Park on the south side of the street. Bike lanes are not provided.
- West Sunset Boulevard is classified as an arterial and has a posted speed limit of 35 miles per hour. The two-lane roadway has sidewalks along both sides and serves approximately 6,000 vehicles per day. Bike lanes are not provided.

- The following table lists performance level of each of the three study intersections. The three intersections in the study area are all operating at level-of-service (LOS) C or better, which meets the City of Sherwood LOS standard of LOS D.

Existing PM Peak Hour Intersection Performance

Intersection	Traffic Control	Level of Service	Average Delay	Volume to Capacity
SW Murdock Road/Oregon Street	Roundabout	A	7.3	0.68
SW Murdock Road/SE Willamette Street	2-Way Stop	A/C	--	--
SW Murdock Road/W Sunset Boulevard	All-Way Stop	B	10.4	0.44

- The Sherwood Transportation System Plan requires local street connections to Denali Lane and Roy Street when the area develops.

III. Alternatives

The Southeast Sherwood Master Plan was prepared through a process of preparing and refining alternatives. Otak prepared four alternatives over the course of Open Houses 2 and 3, as follows:

Open House 2 – Alternatives A, B, and C were presented and discussed with attendees. Comments on the plans were submitted during and following the Open House. Comments received from this open house are summarized in appendix 3-b. These alternatives are described on the following pages.

Open House 3 – Following Open House 2, the City directed Otak to prepare a hybrid plan using: (1) the best features from Alternatives A, B, and C; (2) input received at Open House 2; and, (3) an evaluation of how the plan could be refined to follow ownership boundaries as much as possible. Alternative B/C emerged from this direction. Alternative B/C is described in this report in Section IV, Recommended Plan.

In addition to the four alternatives prepared by Otak, five other plans were created during the process. They include:

Citizen Alternatives – During Open House 3, a “Create Your Own Alternative” station was provided. This station allowed attendees to analyze the site, discuss options, and draw their own alternative. This was a lively and creative session that resulted in the four plans included in appendix 4-d.

AKS Alternative – AKS Engineering, representing several of the property owners who desire to potentially develop their property, prepared an alternative. This plan was brought to Open House 3, where AKS set up their own station and discussed the plan with attendees. The AKS alternative is included in appendix 4-e.

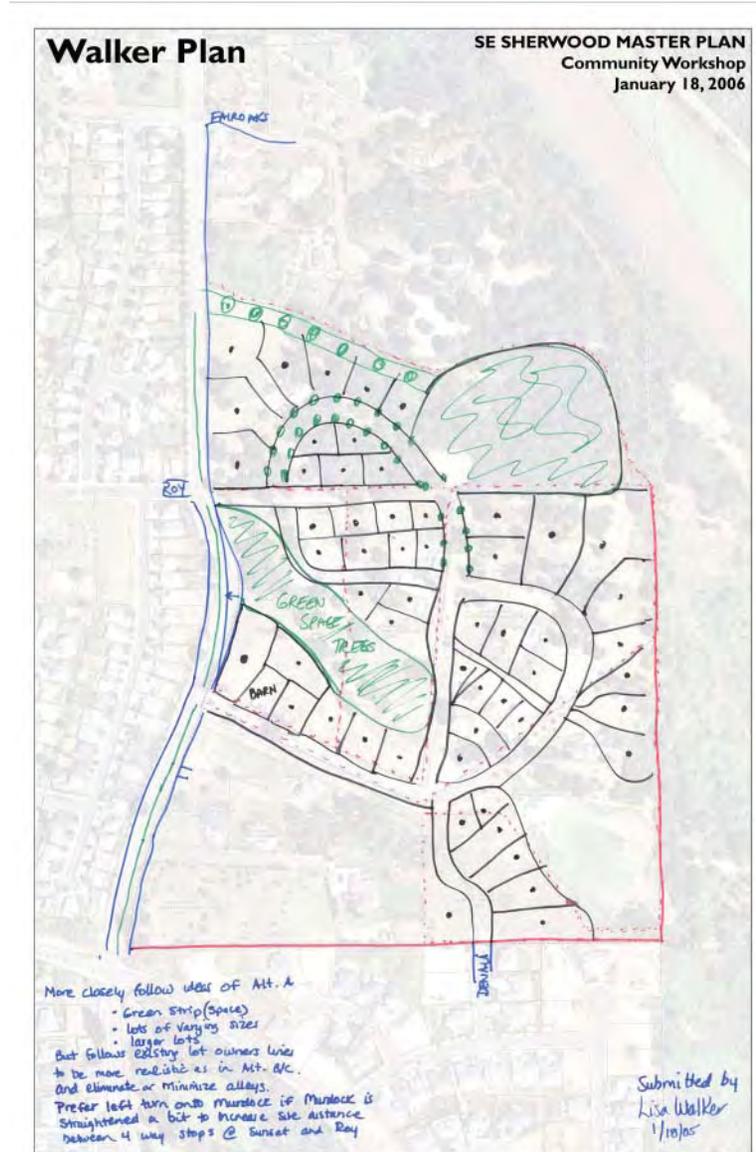


Figure 4 - “Create Your Own Alternative” - Example

Alternative A

Alternative A was presented at both the second and third open houses. The image shown to the right is the revised drawing, as shown at the third open house. Highlights of Alternative A include:

- 54 new lots (+ 11 existing = 65 Total)
- 14 acres of open space
- 6.5 acres of local streets and alleys
- Two main areas of open space: a five acre area located at the northern woodland and an eight acre corridor that connects and preserves treed areas to the wetland.
- Retention of the Historic Murdock Barn as an open space tract.
- A looping street pattern that follows the topography.
- Connections to existing streets are made at Denali Lane, Roy Street, and Ironwood Lane (south-bound left turn prohibited).
- A pathway network connects all of the open spaces. A mid-block pedestrian crossing is provided on Murdock Road.
- Lots ranging from 5,000 square feet to 1-acre.
- A gross density of 1.5 units/acre and a net density (net of existing lots) of 3.4 units/acre.
- The layout of new lots does not conform to existing ownership boundaries – cooperation between property owners would be needed to process land use approvals.
- This alternative could be developed under current zoning with a planned unit development (PUD) overlay.



Figure 5 - Alternative A Plan View

Alternative B

Highlights of Alternative B include:

- 83 new lots (+ 11 existing = 94 Total)
- 13 acres of open space
- 7.1 acres of local streets and alleys
- Three main areas of open space: a five acre area located at the northern woodland, a one acre neighborhood park, and a six acre corridor that connects treed areas to the wetland.
- Retention of the Historic Murdock Barn as an open space tract.
- A looping street pattern that follows the topography and provides an edge to the park.
- Connections to existing streets are made at Denali Lane, Roy Street, and Ironwood Lane. A fourth connection to Murdock Road is made at the north property line.
- A pathway network connects all of the open spaces. A mid-block pedestrian crossing is provided on Murdock Road.
- Lots ranging from 5,000 square feet to 1-acre, with many lots in the 7,000 – 10,000 square foot range.
- A gross density of 2.3 units/acre and a net density (net of existing lots) of 5 units/acre.
- The layout of new lots does not conform to existing ownership boundaries – cooperation between property owners would be needed to process land use approvals.
- This alternative would require a text amendment to the VLDR zone district.



Figure 6 - Alternative B Plan View

Alternative C

Highlights of Alternative C include:

- 80 new lots (+ 11 existing = 91 Total)
- 9 acres of open space
- 9.4 acres of local streets and alleys
- Open spaces as follows: a three acre area located at the northern woodland, two open space corridors, and a view point in the center of the site.
- Retention of the Historic Murdock Barn as an open space tract.
- A looping street pattern that follows the topography. All new streets are double-loaded with lots.
- Connections to existing streets are made at Denali Lane, Roy Street, and Ironwood Lane. An alley connection to Murdock Road is made at the north property line.
- A pathway network connects all of the open spaces. A mid-block pedestrian crossing is provided on Murdock Road.
- Lots ranging from 5,600 square feet to 0.5-acre, with many lots in the 10,000 – 15,000 square foot range.
- A gross density of 2.2 units/acre and a net density (net of existing lots) of 4.4 units/acre.
- The layout of new lots does not conform to existing ownership boundaries – cooperation between property owners would be needed to process land use approvals.
- This alternative would require a text amendment to the VLDR zoning district.



Figure 7 - Alternative C Plan View

Alternatives Comparison

Alternative	A	B	C	B/C
Total # of proposed lots ¹	54	83	80	82
Acres of right-of-ways & alleys	6.5	7.1	9.4	7.1
Acres of open space	14	13	9	11
Gross Density ²	1.5	2.3	2.2	2.2
Net Density ³	3.35	5.03	4.39	4.43

1. Proposed lots - does not include 11 “existing” 1-acre lots.
2. Gross Density is equal to number of new lots divided by total acres of developable land. Total acres of developed land does not include “existing” lots. Roads, alleys, and open space have not been subtracted from total developable land. Total developable land equals 36.6 acres.
3. Net Density is equal to number of new lots divided by net acres of developable land (roads, alleys, and open space have been subtracted from total developable land area).

IV. Recommended Plan

Overall Character

The recommended plan (Alternative B/C) is a 55-acre neighborhood characterized by a mix of large- and medium-lot homes, a variety of open spaces, and a network of streets and paths. It is designed as a walkable neighborhood. The design strikes a balance between compatibility with adjacent uses and densities that are characteristic of Sherwood's low density neighborhoods. The layout generally follows the existing ownership boundaries in order to facilitate future land use approvals.

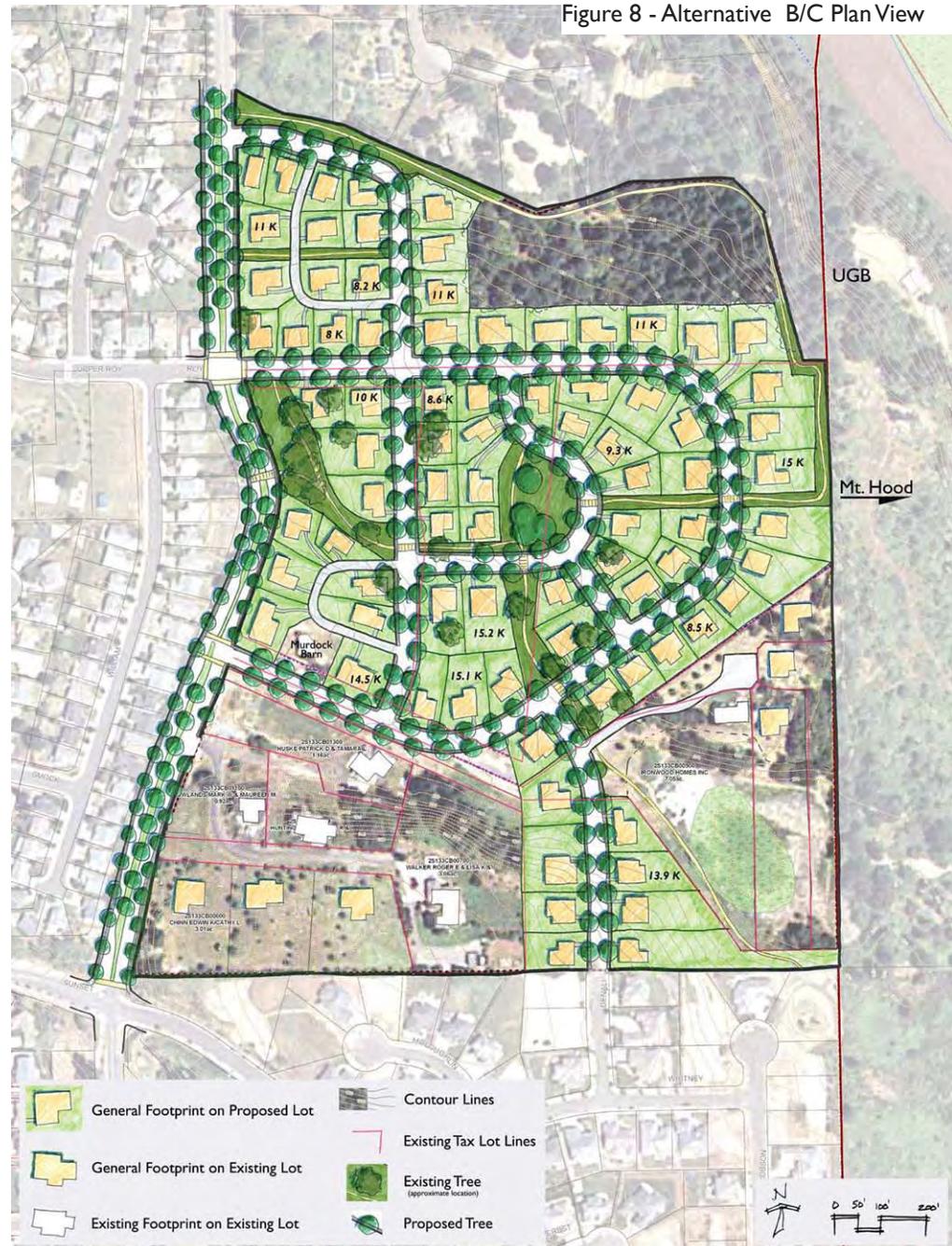
Residential Density

The 82 new lots on this plan have an approximate gross density of 2.2 units per acre, not including existing lots. The approximate net density is 4.4 units per acre, when streets and open space are not included. Development of this plan would require a text change to the Sherwood Zoning and Development Code Very Low Density Residential (VLDR) zoning district to allow approval as a Planned Unit Development.

Coordination with Existing Ownerships

The design of the neighborhood conforms very closely to the pattern of existing ownerships. Wherever possible, existing parcel lines have been used as the boundary for streets or lots. This will enable separate land use approvals that, together, will knit into a cohesive neighborhood plan. Some refinements to the plan will be required during implementation.

Figure 8 - Alternative B/C Plan View



Housing Variety

The plan includes 82 “new” lots, i.e. the colored lots illustrated on Figure 8. These comprise the undeveloped portions of the site. The plan assumes that four existing homes would be redeveloped. Two of these redeveloped homes (tax lots 2S 1 33 CB 200 and 300, see figure 2) are consistent with input received from property owners. With small refinements, all four of these homes could be easily incorporated into the recommended plan.



Figure 9 - Recommended Plan with existing homes and lot lines highlighted.

The plan also has 11 lots on existing or future one acre parcels. These include the southwest corner and the four lots comprising Ironwood Estates, a subdivision approved in May 2004. The property owners in the southwest corner of the site do not want further subdivision of their properties.

The overall transition of lot sizes is a “transect” of increasing density from 1-acre lots in the southwest corner, to approximately 15,000 square-foot new lots in the south and middle areas, to 8,000 – 10,000 square feet in the north. This method of design provides a buffer to the existing homes and intensifies towards the center of the plan area, away from the existing neighborhood.



Figure 10 - Transect Diagram.

This diagram illustrates a complete application of transect design, from central city to rural edge. Courtesy of Duany Plater - Zyberk & Company.

Open Space

The plan includes 11 acres of open space that is woven throughout the neighborhood. The main open space is 4.5 acres clustered in the northern wooded area. This space is connected to Murdock Road by a green 25-50 foot-wide linear buffer of open space and walking path along the north edge of the site. A one acre neighborhood park is located in the center of the neighborhood at the high point of the site. This prominent location provides views (including an eastward view to Mt. Hood) and serves to organize the pattern of streets and lots around it. The park is visually and physically connected to two open space tracts extending to the south and west.

A grove of trees is preserved at the newly formed intersection of Roy Street and Murdock Road. This location may also accommodate stormwater facilities. The Murdock Barn is preserved and allows a subdivision of the parent parcel.

The wetland area at the south end of Ironwood Estates is key open space. It is a delineated wetland that is part of the lots recorded on the Ironwood Estates plat. One of the off-road pedestrian paths extends along its west edge.

Wetland in southeast corner of the site



Circulation

The streets form a connected system of blocks that follow the topography of the site. Connections are made at Roy Street and Denali Lane, as required by the Sherwood Transportation System Plan. A new connection to Murdock Road is proposed at the north end of the site. The existing access to Murdock Road, Ironwood Lane, is illustrated with a prohibited south-bound left turn due to sight distance. More site specific mapping is recommended to determine the degree of the sight distance problem. It is likely that modifications to Murdock Road could improve the sight distance to allow for left turns from the site onto Murdock Road. This is further described in the DKS Alternatives Transportation Analysis (appendix 3-c). There are 7.1 acres of land dedicated to local streets and alleys.

The street circulation is supplemented by a network of off-road pedestrian paths. The paths form a walking loop around the north half of the site that connect all of the northern open spaces. A path extends south from the neighborhood park to the wetlands and connects to the cul-de-sac at the north end of Robson Road.

Murdock Road 2005 - looking south



Green Streets

As part of a larger strategy for low impact infrastructure and development practices, green streets should be considered for Murdock Road and the local circulation within the Southeast Sherwood Master Plan area.

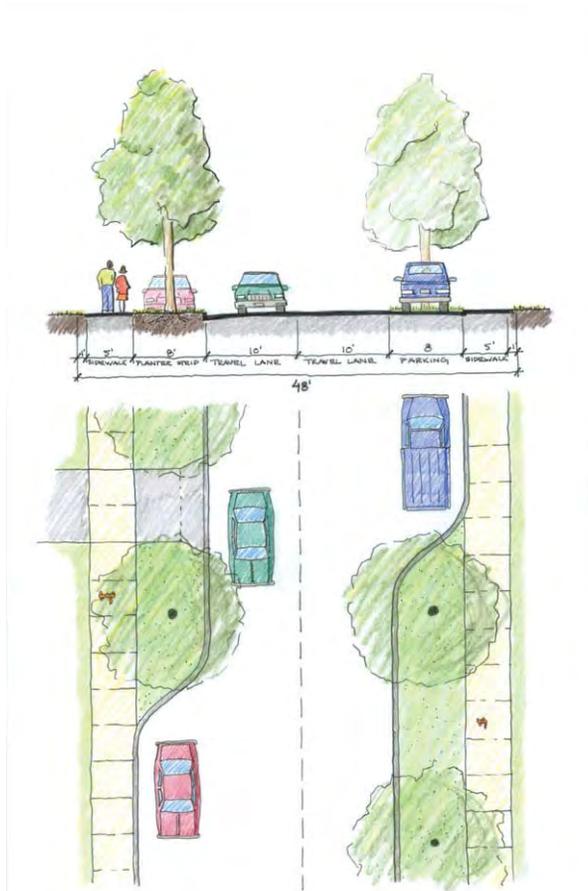


Figure 11 - Local Green Street with Parking

- 28 feet wide with parking on one side
- 32 feet wide with parking on both sides

Issues to be considered include accommodation of adequate parking on residential streets, the feasibility of soils and drainage characteristics, maintenance of green streets, and how green street storm water conveyance will work with other water quality facilities. Three green street cross sections (two local streets to use within the plan area and one for Murdock Road) have been prepared and are illustrated below. For additional information, the Metro Green Streets Handbook is available at <http://www.metro-region.org/article.cfm?ArticleID=262>.

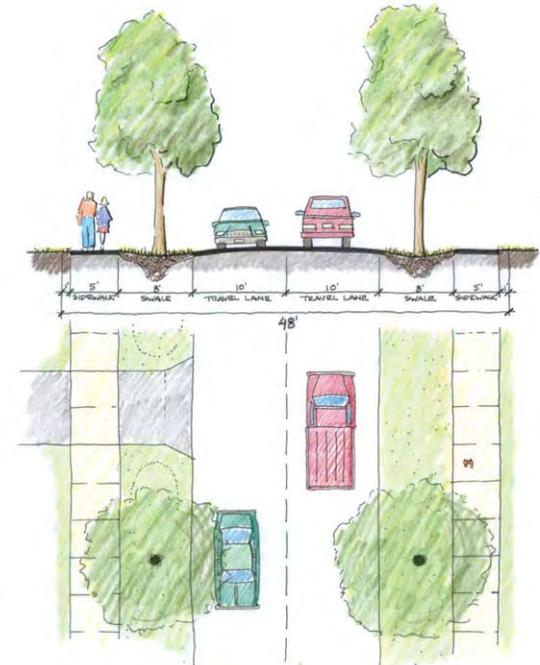


Figure 12 - Local Green Street without Parking

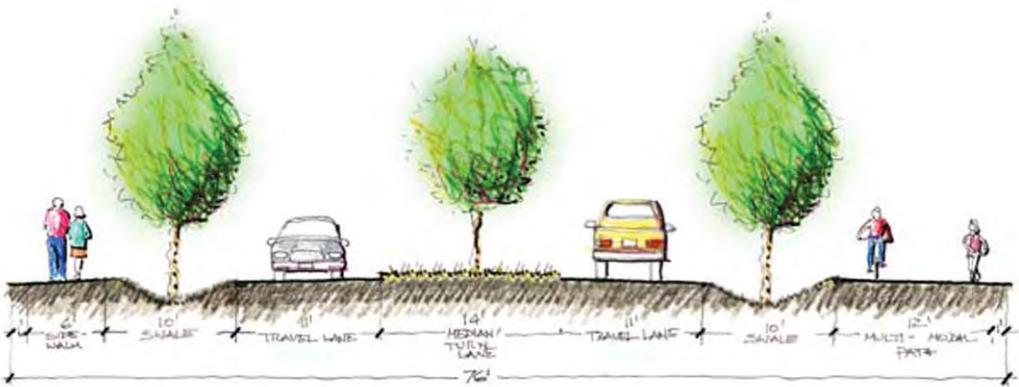
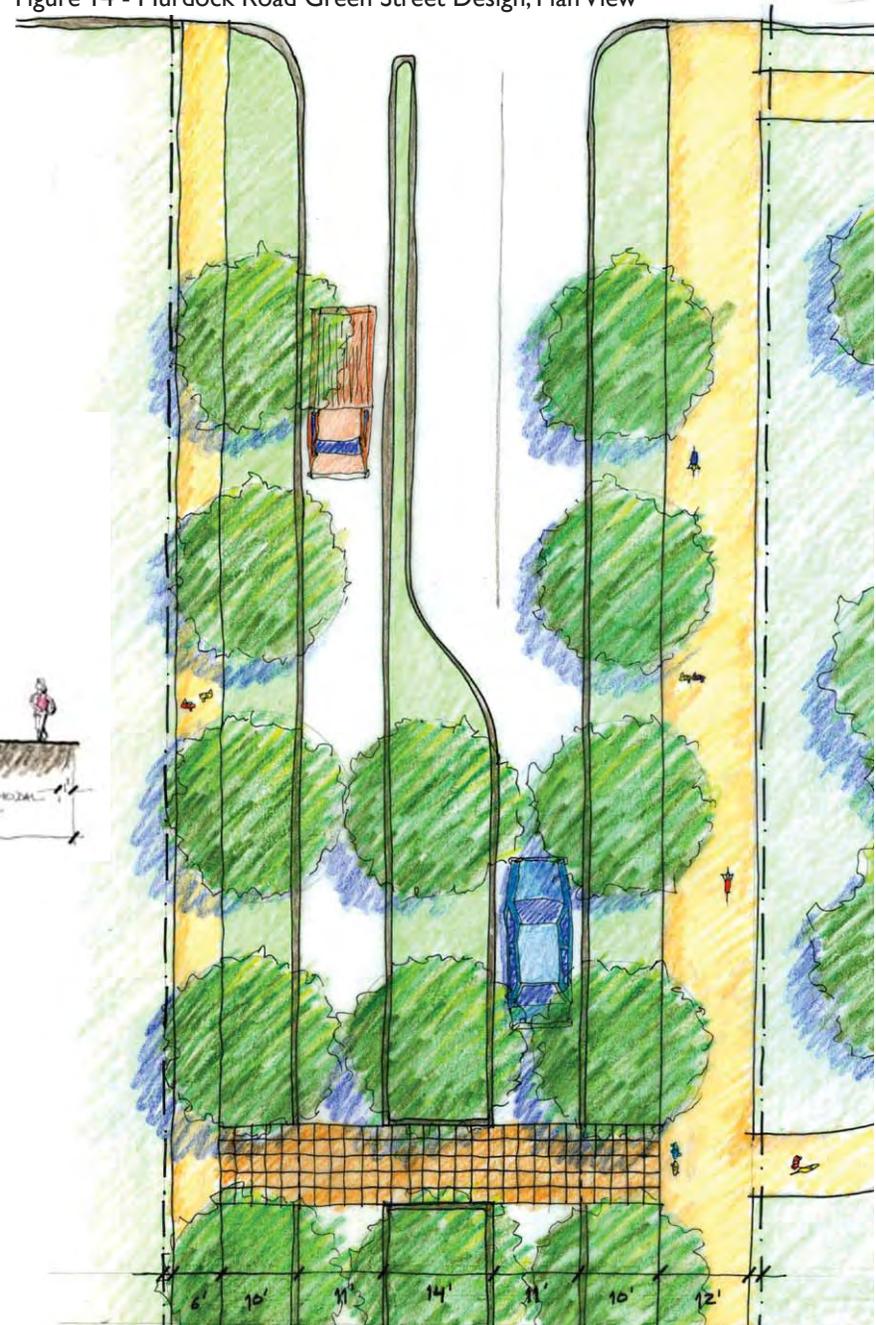


Figure 13 - Murdock Road Green Street Design, Cross- Section

Figure 14 - Murdock Road Green Street Design, Plan View



Curb Options

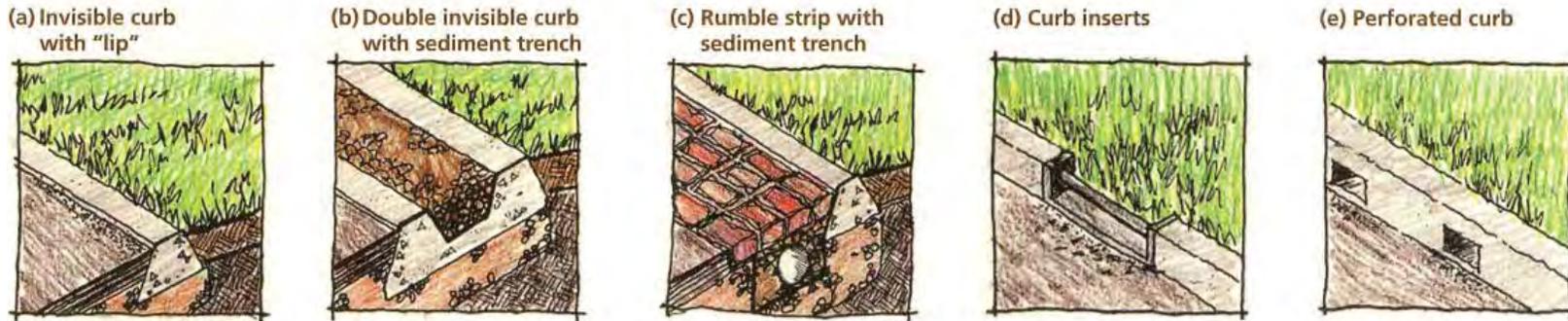


Figure Courtesy of *Green Streets - Innovative Solutions for Stormwater and Stream Crossings*, METRO. 2002



Green Street in Seattle Washington - Courtesy of Seattle's pilot Street Edge Alternatives Project (SEA Streets)

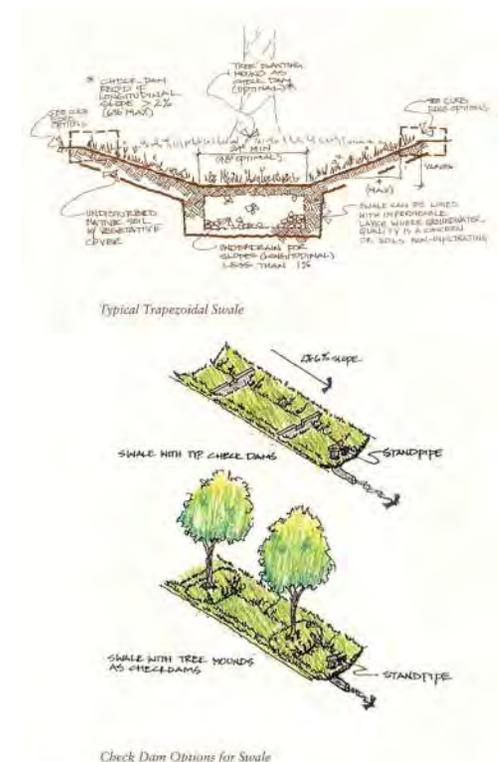


Figure Courtesy of *Green Streets - Innovative Solutions for Stormwater and Stream Crossings*, METRO 2002.

Rationale for Recommended Plan

The recommended master plan is Alternative B/C as illustrated in Figure 15. As described in previous sections of this report, this alternative grew out of the consideration of all of the other alternatives, plus commentary from participants in the process. The following describes the reasons why Alternative B/C is recommended, using the project goals (in italics) as organizing criteria.

A. A pedestrian friendly transportation system that will link the site with nearby residential developments, parks, schools, commercial sites and other destinations.

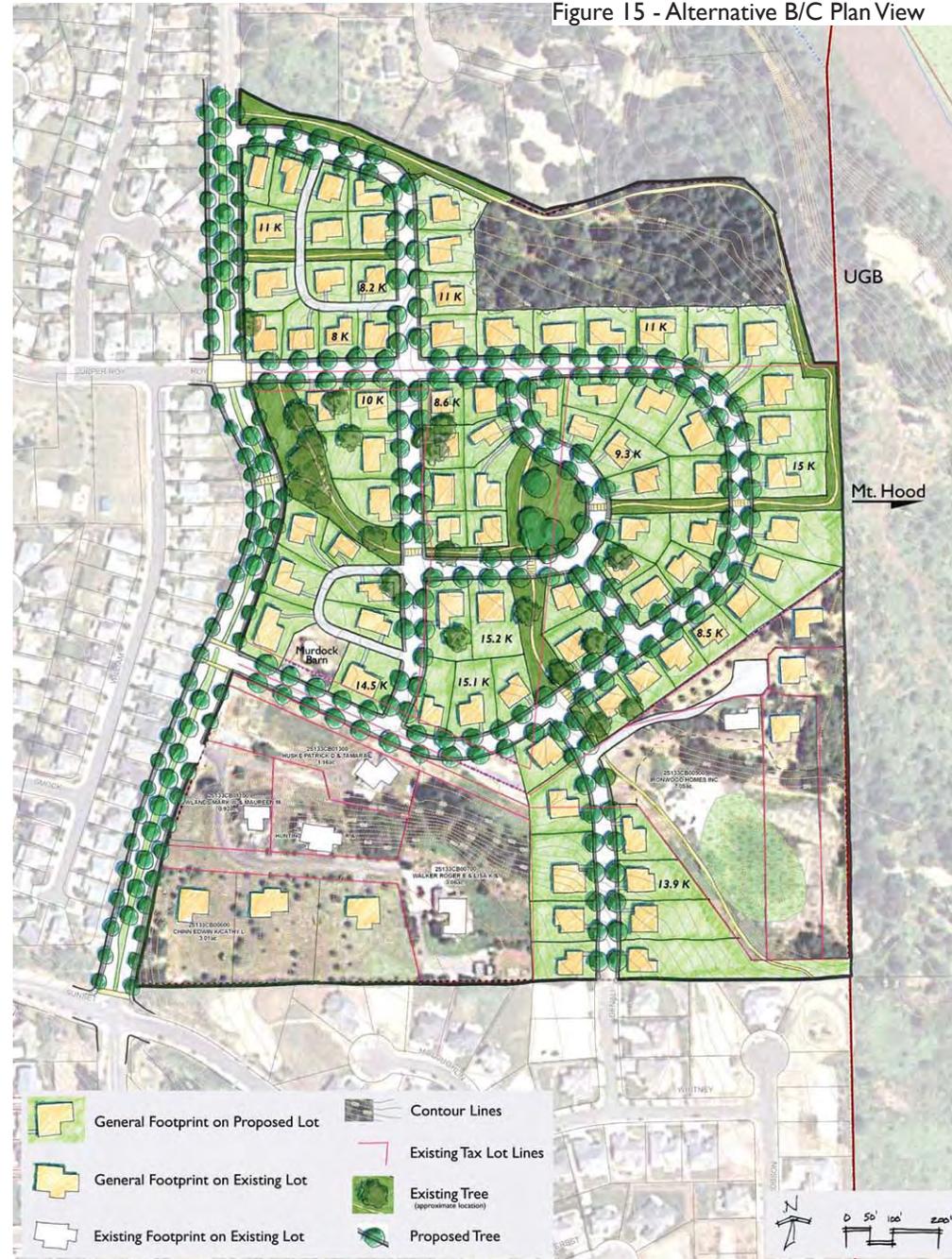
- All of the alternatives provide pedestrian friendly transportation systems to a strong degree.
- Alternative B/C has the best balance of “public realm” circulation because of the connected and logical pattern of streets and alleys.
- Alternative B/C also has an off-road path network that responds to site opportunities.

B. An increase in residential densities.

- Developer and City representatives emphasized the need for providing sufficient density to feasibly pay for infrastructure. Alternative B/C provides an 82-lot design that also has significant open space amenities. This is less than the developer preferred plan (AKS plan - appendix 4-e) of 121 lots with far less open space.

- Citizen input emphasized a preference for larger lots. Many citizens expressed a preference for the VLDR 1-acre zoning pattern. In the third workshop, some citizens who previously supported 1-acre zoning stated they were open to a variation of Alternative A. Alternative A is not recommended because it: (1) does not follow existing ownership lines, which makes coordinated land use approvals difficult; (2) has a disproportionate amount of open space on a few properties; and (3) may not have enough density to pay for infrastructure.
- Alternative B/C incorporates a “transect” of lot sizes from 1-acre lots in the southwest corner, to approximately 15,000 square-foot new lots in the south and middle areas, and to 8,000 – 10,000 square feet in the north. Alternative B/C also incorporates varied open space amenities throughout the neighborhood – this is an essential design feature to enhance neighborhood livability.
- Alternative B/C includes similar lots sizes across streets and in sub-areas of the plan. It also does not include 5,000 – 7,000 square foot lot sizes. These elements are responsive to comments received in the workshops.
- Alternative B/C provides 24 lots on the 12-acre Moser property at the north end of the site, while retaining a 4.5 acre open space in that location. This design maintains base density available under a planned unit development approval procedure, while preserving an important open space and wildlife habitat area.
- Alternative B/C follows existing lot lines as closely as the overall layout would allow.

Figure 15 - Alternative B/C Plan View



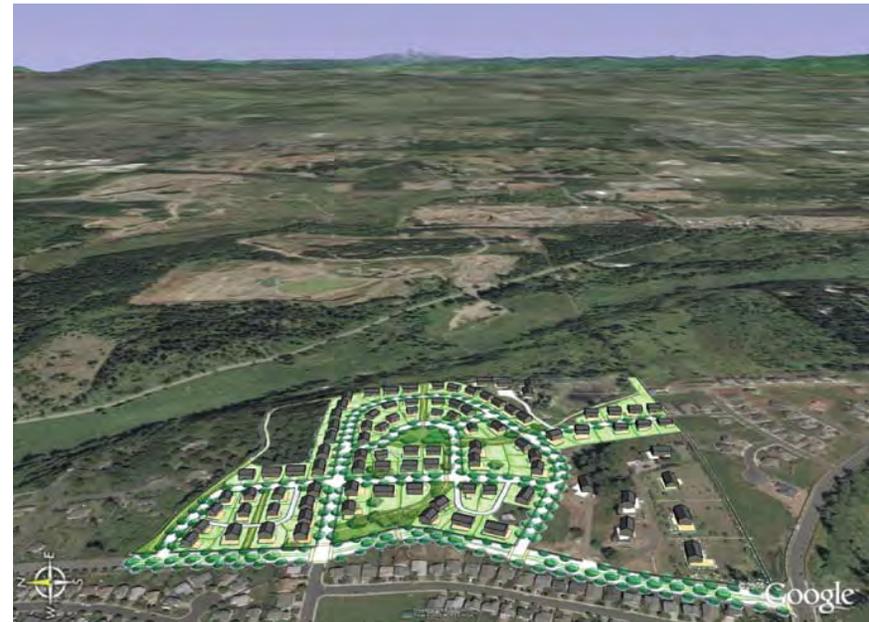
C. A land use plan that provides for a mix of housing types and is compatible with adjacent uses.

- Alternative B/C achieves a mix of lots sizes, without very small lots (5,000 square foot lots) and without too much variation in sub-areas of the plan. All lots are single-family detached, which is responsive to comments received at the first workshop. Accessory dwelling units would still be allowed.
- At the south end of the site, the 15,000 square foot lot pattern is compatible with the 12,000 square foot lot pattern to the south. The height and specific location of buildings along the Denali Lane extension will be important. The further east, and the lower in height, these homes are constructed, the less they will block eastward views from the adjacent home to the west.
- At the north end of the site, a 25-50 foot buffer with trail has been included to increase compatibility with the 1-acre homes and mature vegetation of Fair Oaks Subdivision. The large open space in this area is a key feature of Alternative B/C and ensures compatibility between the existing subdivision and new development.
- Along Murdock Road, the lot arrangements will provide a friendly neighborhood character that is much more open and green than the existing character of the west side of the street, which is dominated by rear yard fences.

D. Conceptual plans for public facilities (roads, paths, water, sewer and storm drainage) needed to support the land use plan.

- As noted above, Alternative B/C provides an 82-lot density (in balance with open space) to enhance the feasibility of paying for infrastructure.
- It provides a connected and clear pattern of public streets.
- Engineering of stormwater facilities was not part of the scope for this neighborhood design process. One or two lots within Alternative B/C may be needed for stormwater facilities. Green streets and low impact development practices are recommended in order to reduce water-related impacts and the land area required for detention basins.

Figure 16 - Alternative B/C Perspective View



- As noted in the transportation analysis, the City’s requirements for sight distance are not achieved at the intersection of the proposed southern access and Murdock Road. However, the relocation of this intersection (as shown in Alternative B) was strongly opposed by all participants. More site specific mapping is recommended to determine the degree of the sight distance problem. It is likely that modifications to the alignment of Murdock Road will be needed, as described in the DKS report (appendix 2-d).
- Alternative B/C includes a 1-acre hilltop park. The park is recommended because of its unique location and value as a shared amenity for the neighborhood. It is relatively close to Murdock Park to the west, but would provide passive park use and an alternative to having to cross Murdock Road to visit a local park. This park needs to be coordinated with the City’s Park Master Plan. An alternative (not recommended) would be to reduce the space to about 0.25 acre and design it as a small viewpoint.

E. Implementing strategies including map and text amendments for the City to adopt.

- Implementing land use procedures and standards will be prepared by the City.
- Alternative B/C follows existing ownership boundaries as closely as the overall layout would allow. This increases the potential for the individual properties to be phased in over time and have the neighborhood “knit together” according to the plan.

F. A high level of neighborhood and citizen involvement.

- This project included significant involvement from project area owners and neighbors. Well over 120 individuals attended all three workshops. Further description of neighborhood and citizen involvement is described in Sections I and III of this report as well as in appendixes 2, 3, and 4.
- At the outset of the project, it was hoped that the large public involvement effort would result in a consensus plan with widespread support. However, generally speaking, neighbors and citizens did not support Alternative B/C. And although there was some neighborhood support for Alternative A, this alternative did not achieve the project goals. Conversely, the AKS Plan is not supported by the City or neighbors. The recommended plan responds to as many of the comments as possible and strikes a carefully considered balance between Alternative A and the AKS Plan.

Figure 17 - Alternative B/C Illustrated View of Park



Appendix



Resolution 2005-059

**A RESOLUTION AUTHORIZING PARTICIPATION IN A STUDY OF THE
“SE SHERWOOD STUDY AREA” AND THE VERY LOW DENSITY RESIDENTIAL ZONE**

WHEREAS, the City of Sherwood has a Very Low Density Residential (VLDR) Zone in the Sherwood Plan and Zone Map that requires a minimum 1 acre per lot; and

WHEREAS, the City has approved recent subdivisions and partitions in the proposed study area without adequate public improvements because the City cannot require urban levels of service in proportion to the impacts of the projects; and

WHEREAS, the City expects future private development in the immediate future and that a master plan for the neighborhood would better serve current and future property owners, neighbors, and the City; and

WHEREAS, City staff has applied for technical assistance through the Oregon Transportation and Growth Management (TGM) Quick Response program to fund the study and master plan for the “SE Sherwood Study Area” and at no additional cost to the City; and

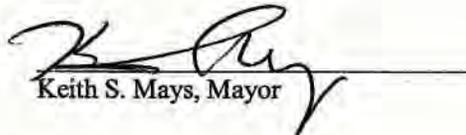
WHEREAS, the City is committing in-kind services, such as staff time, to match the overall \$50,000 estimated budget; and

WHEREAS, this technical assistance application requires a demonstration of support from local elected officials, the Planning Commission has identified the task in the 2005 Work Program; and the City Council recognizes the benefits of a coordinated master plan for efficient land use, multi-modal transportation, and shared open space, and acknowledge the need to analyze and plan for the proposed study area; and

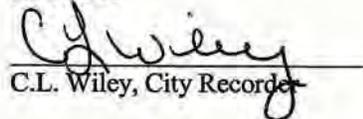
NOW, THEREFORE, THE CITY OF SHERWOOD RESOLVES AS FOLLOWS:

Section 1. The SE Sherwood Study Area (Exhibit A) and technical assistance application is hereby endorsed and the Planning Supervisor shall administer the study according to the attached Statement of Work (Exhibit B).

Duly passed by the City Council this 6th day of September 2005.


Keith S. Mays, Mayor

ATTEST:


C.L. Wiley, City Recorder

Southeast Sherwood Neighborhood Plan Open House - October 26, 2005

Thank you for attending the open house. Please let us know any comments you have or information we should know regarding:

Existing Conditions: _____

Transportation: _____

Frequently Asked Questions: _____

Neighborhood Design (including specific ideas about the design of this neighborhood):

Other: _____

Please submit comments by **November 2, 2005**

To: Kevin Cronin, AICP, Planning Supervisor
City of Sherwood
Southeast Sherwood Open House #1
22566 SW Washington Street
Sherwood, OR 97140



Southeast Sherwood Neighborhood Master Plan
Open House # 1 - Exit Survey Responses

Appendix 2-b

Existing Conditions:

- Conditions in study area are currently good.
- More units/acre has no option for space to do anything except exist. People walk in our neighborhood because it is kind of open. When we were elsewhere we walked in the less densely built areas. We need more open space, HOWEVER we must be willing to acquire it – buy, gift, will or some ownership mechanism.
- JC Reeves Dev. Road proposal to go through Denali Lane North has a huge issue due to steep slopes (around 25%). Alternate proposal to go through Robson is unrealistic due to wetland (check 100 year flood plain – it’s much broader than map at meeting shows).

Transportation:

- I would prefer most transportation planning to be focused on improving traffic flow on Tualatin – Sherwood road. That is the greatest problem related to growth in my estimation/perspective.
- We’ll need some public transportation with more park and ride space.
- To put road in through Denali Lane will require major retaining walls in order to grade slope for road. In the end, it would resemble a tunnel minus the roof. Is that going to be cost-effective?

Frequently Asked Questions:

- You have such a BIG lot – are there any more around here? is one question. Another frustrated remark is – there are no one-story houses to be found anywhere!
- When Woodhaven was developed, the area was designed with green spaces, walking trails and recreational area/parks. How come JC Reeves didn’t have to put anything into his development that would be for the benefit of the entire community?

Neighborhood Design:

- This study area needs large lots and low density due to its unique terrain. Whatever is decided in the end, be sure to protect the forested areas in this study area.
- A mix of apt/condo, large 2 story homes, one story, some larger lots. Sunset Park is great but a tree filled park that offers summer shade and picnic possibilities for apt/condo dwellers and walking/running paths is part of a “neighborhood.” Some planning went into the development of Lake Oswego – there are lots of trees and space between houses. I don’t feel that I need to “keep my elbows in” as I’m beginning to here.
- I believe JC Reeves should consider selling back that portion (3.7 acres) north of existing development. City should consider walking trails/park (nature) to “connect” areas rather than a road. Building more houses directly about (west) of wetland, as JC Reeves intends, will destroy wetland due to fertilizers/pesticides run-off from lawns. This is an extremely viable wetland. The “pond” is home to many different varieties of birds during the winter and spring months. Deer and coyotes as well as other wildlife, frequent this area.

Other:

- This open house was a good idea to open communication flow.
- Concern with any high density building and apartments town houses, etc.
- Also, the wetlands and property between Tonquin and the west edge of Metro Boundary.
- Major Concern – impact on wetlands if land becomes subdivision with high density – must protect the wildlife and wetlands.
- We don’t want to loose the value of our property because of neighbors or trees.
- Almost everything being built for the “younger” set – two or more story places, etc.
- The area in question should not be more than one house per acres. People in Fairoaks’ and Ironwood’s developments custom-built homes there with the knowledge that it was zoned as such. It wouldn’t be ethical to re-zone since the majority of those people don’t want it rezoned (2 developers owning 85% of the land knowing it was zoned as such). In fact P. Huske built homes for people using that knowledge in his favor to entice people to buy into his development.

Curt Peterson

- Concerned about unique geologic features – Tonquin Scablands.
- Concerned about wildlife habitat and migration.
- Would prefer VLDR Density retained.
- Not enough technical knowledge involved in the creation of the master plan (i.e. needs more geologic studies, etc).

Carolyn Peterson

- The overall plan theme should be Low Impact to the current citizens of Sherwood and low density zoning should be preserved.
- Due to the unusual natural landscape and woodlands, any plan should only allow natural landscaping and native vegetation. Traditional lawns and non-native plants should be minimized.
- Cut and filling of topography must be minimized.
- Fencing that inhibits movement of wildlife should not be allowed.
- These types of safeguards will lessen pollution to the adjacent Tonquin wetlands and groundwater.
- There is no need for an internal connected road network that inhibits the movement of wildlife and discourages pedestrians.
- Bike and pedestrian trails can interconnect the areas. These same trails can be designed to allow emergency access.
- The plan to turn Murdock Road into another three lane Day Road is a high price for the citizens of Sherwood to pay for continued unrestrained development.
- Be a leader for low impact development in the Metro area.

Kurt Kristensen

- Set aside master plan until UGB extended to wetland high mark below the bluff parallel with Rock Creek (with Metro collaboration).
- Have more collaborative process including: Metro, Federal Wildlife Refuge, Neighbors and property owners of bluff property, Washington County commissioners.
- Area is too sensitive to develop at higher density than currently zoned.
- City favors developers over residents.
- Murdock Road does not need improvements.

Roger and Lisa Walker

- Concerned about increased pedestrian and vehicular traffic
- Concerned about loss of wildlife, view, and natural environment.
- Would like City to maintain diverse lot sizes by retaining large lot zoning in this area (minimum 1 unit/acre).
- Non-resident land owners are pushing the need for a rezone.
- Do not make improvements to Murdock Road that would encourage its use as a bypass road to Tualatin-Sherwood Road.
- Buffer existing homes with large new homes, parks, or wetlands.
- Require height and setbacks to protect existing homes and views.
- Avoid building on steep property.

Southeast Sherwood Neighborhood Master Plan
Open House #1 Written Comments Received - Continued

Appendix 2-b

Rufauna Craigmiles (Roni)

- The Metro Long-Range Growth Plan of 2040 considered diversity of housing and protection of natural areas key issues.
- To my knowledge, the comparatively small area of very low-density zoning that exists east of Murdock represents the only one-acre lots available for homes in the Sherwood city boundary. If this is true, we may have our last opportunity to protect them. The area under consideration for rezoning is partially developed with homes on acre or larger lots.
- Maintaining the integrity of the existing homes is important. Any future development should be done to protect these property owners as well as to address concerns over the wildlife, wetlands and vegetation in the area. Zoning to allow less than acre lots would destroy the last chance to offer Sherwood this level of diversity and would harm the natural environment.
- Murdock Road needs some attention without question. Resurfacing and maybe a left hand turn lane for safety would be nice. I would not, however, like to see it turned into a thoroughfare connecting Tualatin Sherwood Highway and Sunset. This could easily become a by-pass from Oregon to 99W and create a traffic Rufauna Craigmiles (Roni)
- Feedback Form Format
- The Metro Long-Range Growth Plan of 2040 considered diversity of housing and protection of natural areas key issues.
- To my knowledge, the comparatively small area of very low-density zoning that exists east of Murdock represents the only one-acre lots available for homes in the Sherwood city boundary. If this is true, we may have our last opportunity to protect them. The area under consideration for rezoning is partially developed with homes on acre or larger lots.
- Maintaining the integrity of the existing homes is important. Any future development should be done to protect these property owners as well as to address concerns over the wildlife, wetlands and vegetation in the area. Zoning to allow less than acre lots would destroy the last chance to offer Sherwood this level of diversity and would harm the natural environment.
- Murdock Road needs some attention without question. Resurfacing and maybe a left hand turn lane for safety would be nice. I would not, however, like to see it turned into a thoroughfare connecting Tualatin Sherwood Highway and Sunset. This could easily become a by-pass from Oregon to 99W and create a traffic nightmare for local residents. If future development in the area were in line with present zoning restrictions, the present street would be adequate with general maintenance.
- Buffer existing properties with parks and wetlands. Change siting of Denali to the east to protect existing wetlands.
- Require setbacks and height restrictions in consideration of existing houses and view property.
- Avoid building on steep property. Slides and erosion potential could be harmful to the area in general. Use this property for green spaces.

Gary Huntington

- Minimum 1 unit/acre zoning, especially on existing 3 acres between Ironwood Homes and Sherwood View Estates (Chinn Property).
- If higher density allowed, it should be placed in center of property.
- Homes should have a minimum size to be consistent with existing homes in surrounding subdivisions.

Martin J. Gavin

- Supports minimum one acre zoning.
- Murdock Road traffic has increased greatly over last 10 years and new residential development will add to the traffic resulting in right of way improvements that may encroach upon their property.
- Values heavily wooded area on north end of site. Concerned about the impact development will have on wildlife.
- Why is there a focus on Southeast Sherwood Neighborhood rather than on other areas of town that need planning?
- Why is Sherwood not focusing on a greater mix of uses overall (jobs/residential/commercial)?
- The City should place a higher priority on sustainable building and renewable energy technologies and be an example for other communities.
- The City should preserve this land.

Nancy and Mark Batz

- The environmental impact of any development must be considered in this extremely sensitive area.
- Concerned that low density residential is not being considered as part of the master planning process.

Jean Lafayette – Planning Commissioner

Summary of comments heard at open house:

- John McKinney wants to keep large lots. No less than 1/4 of an acre.
- Gail Toien requested more adult oriented activities available in the parks.
- Dan Jamieson, School District Super., expressed concerns on sidewalk connectivity especially on Sunset near the school.
- What's the current right of way? How much will the city take and from which side of the road?
- Why is this a city priority? There are many other things that need to be addressed.
- Future notices. Please confirm that if they signed in future notices will be mailed directly to them.
- Maintain and protect existing owners. Bought based on VLDR adjacent.
- This should be kept VLDR to provide diversity. The only one acre lots in the city.
- Don't change zone to build.
- Need to consider wildlife in the area. This is near (next to?) areas that the Tualatin Wildlife Refuge is interested in protecting.
- We discussed protecting existing home owners by smart planning with the highest density in the center of the area and the adjacent properties maintaining larger lots.
- There was also concern about the city's goal for developing this at a higher density than its currently zoned. "What's the city getting out of this?"

Frequently Asked Questions (FAQ)

Question 1: *Why is the City doing a master plan?*

Answer: The secret is out. Sherwood is a great place to live and work and a lot of new families continue to move here to enjoy a high quality of life. As a result, development is going to happen. The City wants to coordinate this new development so it fits in with the existing community and is designed well. As it pertains to SE Sherwood, the City wishes to avoid piecemeal development and inadequate infrastructure that could result from development under the existing zoning or from multiple requests for zone changes. Property owners and developers who would like to develop control over 85 percent of the land in the study area. Recent developments have resulted in a disjointed land use pattern without public improvements, connected streets, recreation trails, or shared open space. The master plan will address the issues of public facilities, traffic and transportation, recreation and open space, tree preservation, and location and lot patterns for new housing.

Question 2: *Has the City decided to change the existing zoning?*

Answer: No. The master plan is a study. The Planning Commission and City Council will review the results and decide whether to initiate further action.

Question 3: *Who is paying for the master plan?*

Answer: The Oregon Transportation & Growth Management program has provided the necessary funds to pay for the consultant services. The City does not pay any direct costs for the master plan. The contract is between the State and the consultant, while the City receives the professional service and provides staff support.

Question 4: *Why is the City considering a new zoning designation or amending the existing Very Low Density designation?*

Answer: According to the Metro Housing Rule (OAR 660-007-0035), Sherwood is required to provide a minimum 6 units per acre for new housing. For example, the Washington County zoning designation is R-6, or six to an acre, for the Yuzon property, which is far and above the existing 1 acre minimum and is consistent with the state standard. Typically, when areas are annexed to the City a property is “upzoned” to an urban density and not “downzoned” to a rural density located in a city limits. The City is simply following the pre-existing zoning that was in place before annexation. The City is honoring the property owners request to review the zoning standards because they see higher densities all around them. From a market perspective, in order to privately finance public improvements, and reduce the burden on taxpayers, the development community needs a project “to pencil out” so different land use scenarios need to be considered prior to any master plan being adopted.

Question 5: *Why add more housing when the local schools are at capacity?*

Answer: Regardless of school district capacity issues, the City cannot stop development. However, the City can direct where the growth goes and what it looks like. Since December 2004, the City has been working with the school district on a master plan that includes a new elementary and middle school for Area 59 west of Sherwood to address capacity issues. The City can only control *how* the area develops; the market and individual property owner decisions determine *when* the area develops.

Question 6: *Does the Planning Commission and City Council support this master plan process?*

Answer: City staff consulted the Planning Commission on many occasions prior to initiating the master plan and has supported staff's decision to develop a master plan. The Planning Commission has identified this task in their 2005 Work Program. In addition, the City Council adopted Resolution 2005-059 that endorsed and authorized the master plan.

Question 7: *How large is the study area and how many property owners are involved?*

Answer: The study area contains about 53 acres. Property sizes range from 1 to 12 acres. There are 11 properties, 8 different property owners, and 9 residential units.

Question 8: *Why is the Snyder property not included in the Study Area?*

Answer: The Snyder property, located west of the study area, is outside the UGB. In all likelihood, this property will not come into the UGB. Therefore, it will not be developed at urban densities.

Question 9: *What are the City's tree regulations and how do they apply?*

Answer: Section 8.304.07 of the Sherwood Zoning & Community Development Code (SZCDC) requires a developer to inventory and mitigate all native and non-nursery related trees on a property subject to a land use application. In addition to the inventory, a certified arborist must submit a tree mitigation plan that does one or a combination of the following:

- (1) preserve as many as possible that are not impacted by new roads or structures;
- (2) replace on per caliper inch any removal of trees on site;
- (3) replace off site on city parks, open space, or right-of-way; and/or
- (4) pay a fee in lieu per caliper inch.

These options provide the necessary flexibility to meet the tree standard. New city rules will be explored in 2006 to implement a region wide Tualatin Basin program to protect and restore fish and wildlife habitat. These new rules will implement new standards adopted by Metro in September 2005.

Question 10: *How do I get involved?*

Answer: There are four ways to get involved:

1. Check the Web for updates:
http://www.ci.sherwood.or.us/government/departments/planning/se_sherwood.html
2. Email: planning@ci.sherwood.or.us;
3. Phone: Kevin A. Cronin, Planning Supervisor, 503-625-4242; and
4. Read monthly updates in the *Sherwood Archer* insert in the *Gazette*.

If you have any other questions that have not been addressed above, or would like to receive future notices of meetings and updates, e-mail the Planning Department at planning@ci.sherwood.or.us or call 503-625-4242.

Memorandum

DATE: October 26, 2005

TO: SE Sherwood Master Plan Project Team

FROM: Carl D. Springer, PE; Chris Maciejewski, PE; Garth Appanaitis

SUBJECT: SE Sherwood Master Plan Baseline Transportation Conditions Review

The purpose of this memorandum is to summarize the existing transportation conditions surrounding the southeast Sherwood Master Plan study area. The City is considering strategies to coordinate future development of the study area, bordered on the north by Fair Oaks, on the south by Sherwood View Estates, on the west by SW Murdock Road and on the east by the UGB. This memorandum includes information regarding the roadway network and intersection operations for the areas along SW Murdock Road between W Sunset Boulevard and NE/SW Oregon Street. Specific information in the following sections includes general street and trail layout, street functional class, existing speed limits, traffic volumes, and intersection operations.

Roadway Network

The following section provides information regarding the streets located in the vicinity of the Southeast Sherwood study area based on field review and the City of Sherwood Transportation System Plan¹. The primary street characteristics are summarized in Table 1.

Table 1: Roadway System Characteristics

Street Name	Classification	Daily Traffic Volume	Posted Speed (mph)
SW Murdock Road	Arterial	6,000	35
NE Oregon Street	Arterial	9,000	35
SW Oregon Street	Collector	5,000	25
SW Willamette Street	Neighborhood Street	500	25
SW Fair Oaks Drive	Local	N/A	25
SW Roy Street	Neighborhood Street	N/A	25
West Sunset Boulevard	Arterial	6,000	25
SW McKinley Drive	Local	N/A	25

N/A = not available

¹ *City of Sherwood Transportation System Plan*, Prepared by DKS Associates, March 2005.

Southwest Murdock Road is classified as an arterial and has a posted speed limit of 35 miles per hour. The two-lane roadway runs from the roundabout at NE/SW Oregon Street southward past W Sunset Boulevard, bordering the west side of the study area. The average daily traffic (ADT) on the road is approximately 6,000 vehicles. Sidewalks are provided for the majority of the west side of the street between Oregon Street and Sunset Boulevard, except for a short distance north of Willamette Street. A sidewalk only exists on the east side of the street for approximately half the distance between Division Street and Oregon Street. Bike lanes are not provided.

Murdock Road is controlled by a roundabout at Oregon Street and a four-way stop at Sunset Boulevard. There are currently no traditional traffic calming devices (e.g. speed humps or curb extensions) on the roadway, although there are street trees on portions of the west side. Murdock Road is designated as a primary emergency response route by Tualatin Valley Fire and Rescue² and therefore, options for installing traffic calming measures in the future are limited to options that would not impact emergency response times.

Northeast Oregon Street is classified as an arterial and has a posted speed limit of 35 miles per hour. The road intersects SW Oregon Street and Murdock Road at a roundabout. Sidewalks run along the entire north side of the street, as well as a portion of the southern side between Murdock Road and Tonquin Road. The two-lane road widens to three lanes east of Tonquin Road and serves approximately 9,000 vehicles per day. Bike lanes are provided between Tonquin Road and Tualatin-Sherwood Road.

Southwest Oregon Street is classified as a collector and has a posted speed limit of 25 miles per hour. The two-lane road serves approximately 5,000 vehicles per day and has sidewalks along the south side. Bike lanes are not provided.

Southeast Willamette Street is classified as a neighborhood street and has a posted speed limit of 25 miles per hour. The two-lane road intersects Murdock Road from the west, opposite of Fair Oaks Drive. In the vicinity of the study area, sidewalks are provided along the south side of Willamette Street only. The street serves approximately 500 vehicles per day. Bike lanes are not provided.

Southeast Fair Oaks Drive is classified as a local road and has a posted speed limit of 25 miles per hour. The two-lane road provides access to the Fair Oaks Planned Unit Development (PUD). Bike lanes are not provided.

Southeast Roy Street is classified as a neighborhood street and has a posted speed limit of 25 miles per hour. The two-lane street has sidewalks along both sides and a trail which leads to Murdock Park on the south side of the street. Bike lanes are not provided.

West Sunset Boulevard is classified as an arterial and has a posted speed limit of 35 miles per hour. The two-lane roadway has sidewalks along both sides and serves approximately 6,000 vehicles per day. Bike lanes are not provided.

² *City of Sherwood Transportation System Plan*, Prepared by DKS Associates, March 2005.



Southwest McKinley Drive is classified as a local road and has a posted speed limit of 25 miles per hour. The street has sidewalks along both sides and provides access to Sherwood View Estates. Bike lanes are not provided.

Existing Intersection Operations

The operational performance of the study intersections was determined using 2000 Highway Capacity Manual (HCM) methodology for signalized and unsignalized intersections. Table 2 lists the performance level of each study intersection. The three intersections in the study area are all operating at level-of-service (LOS) C or better, which meets the City of Sherwood LOS standard of LOS D³.

This finding suggests that the existing traffic controls at these study intersections could service moderate growth along the corridor. Future forecasts for any new planned development within the study area would be re-evaluated to ensure that there will be adequate facilities to serve it.

Table 2: Existing PM Peak Hour Intersection Performance

Intersection	Traffic Control	Level of Service	Average Delay	Volume to Capacity
SW Murdock Road / Oregon Street	Roundabout	A	7.3	0.68
SW Murdock Road / SE Willamette Street	2-Way Stop	A/C	—	—
SW Murdock Road / W Sunset Boulevard	All-Way Stop	B	10.4	0.44

2-Way Stop Intersection LOS:

A/A = Major Street turn LOS/ Minor Street turn LOS

Roundabout Intersection LOS:

LOS = FHWA Methodology Level of Service

Delay = FHWA Methodology Level of Service

V/C = HCM Methodology worst approach Volume to Capacity Ratio

³ City of Sherwood Transportation System Plan, Prepared by DKS Associates, March 2005.

Memorandum



17355 SW Boones Ferry Rd.
 Lake Oswego, OR 97035
 Phone (503) 635-3618
 Fax (503) 635-5395

To: Kevin Cronin, AICP, Planning Supervisor, City of Sherwood

From: Michelle Stephens and Joe Dills, OTAK

Copies: Matt Crall, Transportation & Growth Management Program

Date: November 15, 2005

Subject: Southeast Sherwood Master Plan
 Opportunities and Constraints Memo with
 Stakeholder Input from Workshop # 1 (Task 2.2d)

Project No.: 13384

The purpose of this memorandum is to outline the opportunities and constraints for the SE Sherwood Neighborhood Plan. The site is an approximately 52-acre (GIS database) area located on the east side of Murdock Road, north of Sunset Boulevard and south of the Fair Oaks Subdivision (see Vicinity Map in Appendix).

Issues addressed (and illustrated below and on the Opportunities and Constraints Map in the appendix) include existing site conditions (slope, wetlands, woodlands, public facilities/infrastructure, transportation, and parks and open space), the opportunities and constraints specific to residential master plan options for this site, and input from project stakeholders. The City of Sherwood produced a Technical Memo that addresses many of the policy and site issues in greater detail available at www.ci.sherwood.or.us/government/departments/planning/se_sherwood.html.

Parcelization

Within the 52-acre study area there are 11 total properties ranging in size from 1 to 12 acres. There are eight different property owners and nine existing homes. Piecemeal development and inadequate infrastructure could result from development under the existing zoning or from multiple requests for zone changes. The master plan presents an opportunity to coordinate development and ensure well designed, coordinated developments that have adequate infrastructure, transportation networks, and open space.

Slope Analysis and Views

The site slopes downward from both the north and the south, with a lowland area located in the center and southeast corner of the project area. Approximately 27 percent of this site (15-acres) has slopes greater than 15 percent, with over half of those being slopes greater than 20 percent (8-acres). Slopes greater than 20 percent create design difficulties for residential development and the

construction of infrastructure and streets. This site is also marked by channels, depressions, and bedrock knolls that are part of the Tonquin Scablands Geological Area that was sculpted by ancient glacial flooding.

The terrain is defined by two high points and sloping terrain between them. The highest point is at the southern end of the site (tax lot 700, elevation 360 feet mean sea level). The other high point is east of the center of the site (tax lot 100, elevation 315 feet mean sea level). The two highpoints are annotated on the Opportunities and Constraints Map with view arrows. These hilltops enjoy great views, including ones of Mount Hood to the east. Other portions of the site have good views of the Tualatin Valley.

The unique terrain of this site provides an opportunity for providing privacy and variation in home orientation. It also provides a challenge to a connected circulation network and cohesive neighborhood design.

Wetlands

According to a delineation report submitted to the Department of State Lands and the City for the Ironwood Acres Subdivision, there are 2.25 acres of delineated wetlands located at the southeast corner of the site. The wetlands extend to the east of the site boundary. The wetland marsh holds water except in the driest summer months. It is bordered by defined banks on the south and north sides.

The wetland can act as passive open space for the future residents of the area, while also providing wildlife habitat and storm water mitigation. As a jurisdictional wetland, it is not part of the developable land on the site.

Woodlands and Trees

A mixed woodland is located at the northern portion of the site. It includes a variety of mature trees, including Madrone, Douglas fir, and others. It occupies approximately 12 acres of land or 21 percent of the total site area. Metro's natural resource (Goal 5) inventory describes this area as Class A (highest-value) wildlife habitat. According to the long term resident of the property, the area provides habitat for many species of mammals and birds. Wildlife moving through the Tonquin lowlands travel through this portion of the site.

The Opportunities and Constraints Map illustrates the pattern of small tree groves and isolated large trees running from northwest to the southeast portion of the site. The oak savannah is a defining element of the existing landscape in the interior portion of the site and is consistent with native upland habitat in the Willamette Valley. The trees on Tax Lot 100 have been recently cut. Section 8.304.07 of the City's zoning code addresses trees on private property. In general, the City only permits the removal of trees for the purposes of constructing City and private utilities, streets,

*SE Sherwood Master Plan - Opportunities and Constraints Memo
 With Stakeholder Input from Workshop #1*

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and other infrastructure, and the minimally required site grading necessary to construct the development as approved. If other trees must be removed the City requires that the removed trees be mitigated. Mitigation can be in the form of replacement trees on-site, replacement trees planted off-site, or cash payments equivalent to the fair market value of the otherwise required replacement trees.

Overall, the wooded areas and trees provide both opportunities and challenges to the master plan. They are an opportunity to provide visual and open space amenities for the neighborhood. They also provide a challenge for site design and provision of density that may be needed for covering infrastructure costs. The master plan should explore the potential for clustering development in the north so that a portion of the woodland can be retained.

Public Facilities/Infrastructure

Public infrastructure/facilities including sanitary sewer, water, and fire protection are all available to the site. Storm water and water quality facilities can potentially be consolidated to one or two locations within the site instead of each development having its own facility, thereby reducing maintenance costs to the City and providing more developable land.

Transportation

The Transportation System Plan (TSP) for the City of Sherwood was adopted in March of 2005 and is available on the City's webpage (www.ci.sherwood.or.us/government/departments/engineering/tsp/tsp.html). The plan addresses existing conditions on Murdock Road and the surrounding streets as well as planned improvements for the next 20 years, including pedestrian and bicycle facilities that may require the dedication of right-of-way in the project area. DKS Associates, the transportation firm that prepared the TSP, has also prepared a transportation technical memo specific to new residential development on this site.

The nine homes located in the project area are all accessed by private drives from Murdock Road. Future roads for the project area will need to provide connectivity internally in addition to the surrounding projects and streets. The geologic features, wetland, and woodland are all obstacles to an internal connected road network.

Pedestrian activity in the area is relatively low, but will increase when development occurs on the site. Careful design for pedestrian crossings of Murdock will be needed for safety. A network of sidewalks and pedestrian paths will be an amenity for the neighborhood and help integrate it into the surrounding area that has parks and school facilities. There are no multi-use paths in the site area, but will be explored as part of the master plan process.

Parks and Open Space

The entire site is within one-quarter mile, or a five minute walk, from Murdock Park, a four-acre active city park. The site is also within one-half mile of Sunset Park, which at 16 acres, is the second largest park in Sherwood.

The Tualatin River National Wildlife Refuge is located within one-half mile northeast of the project site. Residential development in this area will be accessible to the regional trail system that is part of Metro's future trail network which includes the wildlife refuge.

Adjacent Land Use

Fair Oaks Subdivision north of the site consists of large lot (1-acre or larger) detached single-family homes. West of the site, across Murdock Road, are small lot detached single-family homes developed on varying lot sizes that average approximately 6,000 square feet (7 units per acre). Sherwood View Estates, located south of the site, consists of detached single-family homes with an average lot size of approximately 12,000 square feet.

Compatibility with adjacent densities and existing homes on the site will need to be considered in the master plan. Opportunities include: buffer areas between the large lots on the north and smaller lots on the site; a landscaped edge treatment to Murdock Road; and careful home siting on the south.

Summary of Stakeholder Issues

Approximately 40 stakeholders attended the Southeast Sherwood Neighborhood Master Plan Open House #1. Fifteen written comments were returned on either the provided feedback form or in a letter format.

Two issues were mentioned in the majority of the comments. The first was the importance of preserving the natural environment of the site including wildlife habitat, wetlands, steep slopes, endangered species, Tonquin Scablands, and mature vegetation. At least one of these issues were raised by every respondent.

The second primary issue was the desire of the residents within the project area and adjacent to the project area to maintain the existing Very Low Density Residential (VLDR) zoning. Although some respondents were willing to consider additional density, their preference was to maintain a maximum of one unit per acre zoning. In addition, lots that were smaller than one acre needed to be placed in the center of the project, and buffered from the existing larger lots.

*SE Sherwood Master Plan - Opportunities and Constraints Memo
With Stakeholder Input from Workshop #1*

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Some respondents felt the master plan process should be postponed. Instead, a larger study involving Washington County Commissioners, Metro, other agencies, and more residents and additional land outside of the existing UGB would be conducted. This response was due partly to the perception that the master plan process was being driven by two developers and that the City favored the developers desires over the desires of the existing residents.

Respondents also desire to maintain the existing views and the adoption of design standards for new development that requires large setbacks, buffer areas between existing and new development, and height restrictions. Other neighborhood design issues include the request to preserve the Murdock Barn, have a connected trail network which allows for wildlife migration and access by emergency vehicles, and a request that any development keep an “open” feel (i.e. “elbow room”). Although the majority of comments desired large lot, detached single family homes, one respondent desired a mix of home styles that cater to residents in all stages of life.

Existing traffic, pedestrian and bicycling facilities along Murdock Road were not listed as a concern by any of the respondents. However, the majority of respondents did not want Murdock Road to become a bypass route onto the Tualatin-Sherwood Road. The respondents did not believe any right of way changes (besides maintenance) were necessary on Murdock Road as it not perceived to currently have a traffic problem. There is also a perception that a “high” density development within the project area would cause traffic congestion on Murdock Road, and therefore require the right of way changes proposed in the TSP. Some respondents, who were opposed to the changes in right of way, were therefore opposed to an increased density on the project site.

One commenter stated that an internal connected road network was not necessary and that a connected pedestrian network that connected safely to schools and parks was a priority that would also allow wildlife migration.

Appendix 2-e

Appendix

Southeast Sherwood Neighborhood Plan Alternatives Workshop – November 30, 2005

Thank you for attending the workshop.

Please let us know any comments or preferences regarding:

Alternative A (open space, lot size, transportation network, etc.): _____

Alternative B (open space, lot size, transportation network, etc.): _____

Alternative C (open space, lot size, transportation network, etc.): _____

Overall Critique/Other: _____

Please submit comments by **December 12, 2005**

To: Kevin Cronin, AICP, Planning Supervisor
City of Sherwood
Southeast Sherwood Workshop #2
22566 SW Washington Street
Sherwood, OR 97140

Or: cronink@ci.sherwood.or.us



Use back or additional sheets if necessary

Southeast Sherwood Neighborhood Master Plan
Open House #2 – Survey Response

Appendix 3-b

Alternative A (open space, lot size, transportation network, etc.):

- Too much lot size variation – too much house size variation would result.
- Don't like the tiny lot circles if you change that, like open space near UGB.
- Don't like alleys.
- Make these lots fewer and bigger.
- Nothing < 10,000' lots.
- I like this plan the best.
- Open Space excessive.
- Not acceptable.
- This alternative does not take into account the input from the majority of the workshop participants to leave this area as it, or at the minimum subdividing it into one acre lots with 50% for open/natural space.
- Minimum lot size 10K to 12K sf.
- Denali should be cul-de-sac to preserve Sherwood View Estates as was originally planned when residents bought property.

Alternative B (open space, lot size, transportation network, etc.):

- Too many small lots.
- Don't like alleys.
- Don't like the mix of lot sizes.
- Nothing less than 10,000' lots.
- Reject.
- Having no left turn allowed onto Murdock from the SE Sherwood Neighborhood (near the Murdock barn) will cause increased traffic through the Sherwood View Estates neighborhood. That is a big concern.
- Open space excessive.
- Road at entrance runs thru wetlands.
- Best plan for view lots.
- Not acceptable.
- Subdividing this area into 91 lots would totally destroy the natural beauty. This area is unique and should not be developed in this manner. Changing the zoning would go against the public input and the best interest of the overall Sherwood community.
- Too many small lots – would be difficult to get buyers for larger lots when such close quarters are “next door” – reminds you of (could not read, but looks like Alotto) – not a good thing (where you have a nice house and someone puts up a different “type”)
- Minimum lot size s/b 10K to 12K
- Keep Denali a cul-de-sac.

Alternative C (open space, lot size, transportation network, etc.):

- Too many small lots.
- Don't like alleys.
- Nothing less than 10,000' lots.
- Reject.
- Having no left turn allowed onto Murdock from the SE Sherwood Neighborhood (near the Murdock barn) will cause increased traffic through the Sherwood View Estates neighborhood. That is a big concern.
- 5000 sq. foot lots are unreasonable for this area. The planners are kidding themselves if they think someone with of 15.5k lot would want a home on 5000 sq. ft. directly across the street.
- Not acceptable.
- This alternative is even less of a desirable plan than alternative "B". It has negative issues relating to the existing plant and animal habitat, as well being an overwhelming change to the area as it exists today. There is no public support for this alternative.
- Same as for Alternative B. Too many small lots – would be difficult to get buyers for larger lots when such close quarters are "next door" – reminds you of (could not read, but looks like Alotto) – not a good thing (where you have a nice house and someone puts up a different "type"). Minimum lot size s/b 10K to 12K. Keep Denali a cul-de-sac.
- Get rid of alleys – this is not the Bronx!

Overall Critique/Other:

- Please try an option D with less # houses than B and C, and more lot size uniformity than A.
- Why is the zoning changing in the first place? We all moved in believing the current zoning. It feels like we got a bait and switch, rug pulled out from under us thing. Why have zoning if it means nothing and people can't count on it?
- It's extremely disturbing how in each alternative there are plans for eight homes directly above the delineated wetland pond. How will those homes with fertilizers, pesticides, etc. used on the lawns prevent harming the pond and the various wildlife that uses it?
- How do you make it equitable for each owner? Who will pay for open space? Overall, this process is turning out to be a disappointment. There is a core of people who are not open-minded about the alternatives presented. They are just using this as a forum to say that they want no change and would be very happy if there were not further development. Of course, they would – they are not the property owners. Everyone wants to be the last person in the City!
- I am still looking forward to an Alternative "D" from the City of Sherwood which leaves the area as it is without additional residential development. I am personally against the above three Alternatives based on the potential negative impact to already crowded school, increased traffic on Murdock Road and the natural environment of this unique area.
- I recommend that the decision to develop this area or leave as is be left up to a vote by all residents of the City of Sherwood. A ballot measure could be setup to allow this area to be preserved for future natural park land, or to be developed as a residential subdivision. If approved by the measure for future natural park land, a bond measure could be established for funding land acquisition and park development.
- Need an alternative showing original zoning.
- Also, alternative need with 10K to 12K lots.
- Keep green space and buffer zone for fragile wildlife and wetland areas.

Southeast Sherwood Neighborhood Master Plan
Open House #2 Written Comments Received

Appendix 3-b

Kurt Kristensen

- Does not believe there is support for any of the alternatives.
- Cost of development on environmental and school system too high. Would be better to not allow development on land until school system catches up
- City did not honor workshop #1 comments.
- Upgrades to Murdock Road should not be considered with this development as the need for the road improvements are related to the entire City, not just this development.
- Traffic on Murdock Road is a concern.
- Roundabouts should be considered. Intersections proposed will cause road to become unsafe and cause traffic congestion in Fair Oaks Subdivision.
- This project needs to be reviewed with Metro and Washington County to look at entire bluff area and wetlands. Make wildlife refuge a regional attraction.
- Build a Street of Dreams.
- Protect areas with lower density.
- Propose additional workshop before final recommendation.
- Believes plans are developer driven.

Steve Klein

- Preferred Alternative A to the other plans, but none were to his satisfaction. Improvements to Alternative A include reducing the number of lots, creating a minimum lot sizes of 7,500 square feet, but keep average lot size around 20,000 square feet. Increase lot sizes even if it means reducing open space.
- Does not see need for any formal parks within development. Area already served by Murdock and Sunset Parks.
- Access onto Murdock Road a large concern (doesn't say why). Combine private accesses into one of the new access roads.

Lisa Walker

- There is a need for at least one additional meeting. At least one plan needs to reflect minimum 1 acre

Bob Davidson

- Although he would prefer no development – development of lots within the 12,000 to 15,000 square foot range or larger are acceptable. Similar to development in Sherwood View Estates.
- Not in favor of smaller lot sizes mixed with larger lot sizes.

Evy Kristensen

- Worried that a zone change will be like “opening a can of worms.” Prefers to keep 1 acre zoning.
- Concerned about impact on schools and environment.
- Wants to preserve last forest in Sherwood.

Dean Glover

- Wants to see a 1 acre plan/option.
- Moser forest along north property line needs to be saved and protected. No development permitted. How is this area being protected?
- Alternative A is the preferred out of the 3 presented. Alternative C is the least preferred – lots are too small.
- Believes alleys give the impression that too many homes are being squeezed into project area without adequate access.
- Access to Murdock appears to be dangerous.
- Concerned about 20 foot easement on north property line. If developed would like 10 foot dedicated back to Fairoaks Subdivision.
- Believes process is moving too fast.
- Would like more City planning personnel at open houses to hear feedback and to have meetings recorded.

Gary De Boer

- Allow construction at the end of Denali with cul-de-sac.
- Only provide emergency access through existing subdivision rather than allowing access by new development through existing subdivision.
- Not in favor of any of the presented alternatives. Would prefer low density plan.
- Does not like alleys.
- Concerned about Murdock Road accesses and “no left turn” proposal. Would force traffic through existing subdivisions.
- Worried about school congestion.
- Create a “street of dreams.”

Carolyn and Curt Peterson

- Likes the open space, and alleys on Alternative A.
- Alternative B is less desirable than A, and C is the least desirable due to the amount of proposed open space.
- Dislikes the proposed flag lots, due to access through existing lots.
- Concerned about access through existing (western) wetland.
- Southeast wetland needs larger buffer.
- Concerned that allowing smaller lot sizes is only a way to allow future development of hundreds of houses on this site.
- Extending Denali Street results in unfair traffic burden on residents of Fairview Estates.
- Prefers minimum 1 acre zoning, similar to Fairoaks subdivision.
- Worried about school congestion.
- City should partner with Metro (or find other funding source) to protect sensitive lands/forests.
- Safeguards should be in place to ensure development is wildlife/environment friendly.
- Not in favor of a three lane Murdock Road.
- Wants City to be a leader for low impact development.

Southeast Sherwood Neighborhood Master Plan
Open House #2 Written Comments Received - Continued

Mark and Megan Rowlands

- Keep current 1 acre zoning.
- Would like another meeting with 4th option presented.
- Consider doing a “Street of Dreams.”
- Take more time to develop smart growth plan.

AKS – Montgomery Hurley

- Master plans do not recognize existing homes and/or property lines.
- Streets and lot layouts on three alternatives are irregular.
- Proposed layouts/lot sizes/streets do not appear to meet City code or require PUD overlay to accomplish.
- Plans do not seem to add much density over what is currently allowed.
- Not in favor of alleys.
- Wants more details on ownership of alleys and open space.
- Would like specifics on plans (setbacks, stormwater, and length of driveways).
- Plan requires excessive lengths of driveways and awkward home configurations.
- Would like to see an additional public open house.

Paula Yuzon

- Encourages the City on its path of thinking for the entire community and region (prevent sprawl, develop compact urban form).
- Don't be swayed by NIMBY's, but listen to their comments.

Lori Stearns

- Owns property within plan area. Does not want sale/development of her land attached to a Master Plan – property controlled by neighbors.
- Concerned with all three alternatives:
 - Not dense enough lot sizes.
 - None of the three plans were acceptable.
 - Believes true parcel lines and recorded plats need to be represented on alternatives.
 - Layout does not consider existing property lines
 - Too much open/green space shown on her property
 - Concerned with safety of nature trails – Doesn't the City already have enough trails
 - Why is there a formal park?
 - More consideration should have been given to other clusters of mature trees on developed lots within the plan area.
- Doesn't like Murdock with a median. Too expensive, why not just use turn lanes.
- Feels her property is taking unfair share of burden of open space.

Memorandum

DATE: November 30, 2005
TO: SE Sherwood Master Plan Project Team
FROM: Chris Maciejewski, PE; Carl D. Springer, PE
SUBJECT: SE Sherwood Master Plan – Alternatives Transportation Analysis

P05274-000-000

The purpose of this memorandum is to review the transportation performance and other key characteristics of the alternatives created for the SE Sherwood Master Plan (Alternatives A, B, and C). The first two sections of this memorandum discuss compliance of the proposed alternatives with City access spacing and safety standards. The last section evaluates local traffic operation issues in the long term (2020).

Access Spacing

Murdock Road is designated as an arterial roadway in the City's Transportation System Plan (TSP)¹, which has an access spacing minimum of 600 feet and maximum of 1,000 feet. The properties forming the study area combine for approximately 2,000 feet of frontage to Murdock Road. The City's TSP designates a connection to the study area at Roy Street. Because Roy Street is located approximately 1,500 feet north of Sunset Boulevard, there should also be one access point to the study area between Sunset Boulevard and Roy Street. North of Roy Street, the study area has approximately 500 feet of frontage, which under the City access spacing criteria would not allow an access point north of Roy Street.

In addition to access to Murdock Road, the TSP designates a local street connection from the study area to the south (Denali Lane). This connection should be included in each of the alternatives.

While the adopted City standards for access spacing are aimed at providing a well-connected, functional roadway system, it is important to consider the balance between maintaining standards and providing effective access to the lands served by the roadway. The City has the authority to grant exceptions to the access spacing criteria when it is warranted. For example, there are no access options to Murdock Road between Roy Street and Willamette Street (which are 1,100 feet apart) where development has already occurred. Therefore, a public roadway access to Murdock Road at the north end of the study area (500 feet north of Roy Street) may be desirable as it could balance motor vehicle traffic accessing the study area (less turning traffic at each site access intersection, less traffic on the local streets leading into the study area) and it would meet the City's criteria of maximum 1,000 foot spacing between public roadways.

¹ *City of Sherwood Transportation System Plan*, Prepared by DKS Associates, March 2005.

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In addition, access spacing criteria is subject to the physical constraints of the surrounding land (topography, adjoining property access). When the access spacing criteria cannot be met (without significantly impacting the function of a property) due to physical constraints, the City also has the authority to grant an access spacing criteria exception. For example, the southeast corner of the study area has several existing homes served by a driveway accessing Murdock Road that winds up a steep slope. This driveway is bounded by the slope to the south and a storm water pond to the north. As it would be difficult to convert this driveway into a public roadway and connect it to the rest of the study area, it may be appropriate to have a second access to Murdock Road between Roy Street and Sunset Boulevard.

Based on these access spacing criteria, the three alternatives created for the study area were reviewed for compliance with City standards. Table 1 summarizes the findings.

Table 1: Access Criteria Review Summary

Scenario	Proposed Access Points to Murdock	Meets City Standard?	Connection to Denali?	Comments
Alternative A	3	No	Yes	<ul style="list-style-type: none"> Includes 2 access points between Roy and Sunset, which does not meet minimum 600' spacing requirement. However, both of these access points may be needed due to physical constraints between the two access points
Alternative B	3	Marginal	Yes	<ul style="list-style-type: none"> Meets criteria between Sunset and Roy Northern access is approximately 500 feet north of Roy, which is slightly below the 600 foot minimum. This access may be desirable as it would be the only intersection on Murdock in the 1,100 feet between Roy and Willamette.
Alternative C	4	No	Yes	<ul style="list-style-type: none"> Includes 2 access points between Roy and Sunset, which does not meet minimum spacing requirements. However, both of these access points may be needed due to physical constraints between the two access points Northern access is approximately 500 feet north of Roy, which is slightly below the 600 foot minimum. This access may be desirable as it would be the only intersection on Murdock in the 1,100 feet between Roy and Willamette.

Table 2: Forecasted 2020 (TSP) PM Peak Hour Intersection Performance

Intersection	Traffic Control	Level of Service	Average Delay	Volume to Capacity
Murdock Road / Oregon Street	Roundabout	A	5.4	0.34
Murdock Road / Willamette Street	2-Way Stop	A/B	—	—
Murdock Road / Sunset Boulevard	All-Way Stop	B	10.2	0.39

2-Way Stop Intersection LOS:

A/A = Major Street turn LOS/ Minor Street turn LOS

Roundabout Intersection LOS:

LOS = FHWA Methodology Level of Service

Delay = FHWA Methodology Level of Service

V/C = HCM Methodology worst approach Volume to Capacity Ratio

All-Way Stop Intersection LOS:

LOS = Level of Service

Delay = Average delay per vehicle (seconds)

V/C = Volume to Capacity Ratio

To determine if rezoning the study area to allow more units impacts the operations at the study intersection, the trip generation of the site was estimated for each of the alternatives. Trip generation was estimated based on rates provided by the Institute of Transportation Engineers³ (ITE) for residential land uses. Table 3 lists the estimated daily and peak hour trips for each of the alternatives, including a calculation of the net increase in trips from existing zoning. Alternatives B and C, which have similar unit totals, would generate approximately 250 more daily vehicle trips and approximately 20 to 30 more peak hour vehicle trips than Alternative A.

Table 3: Motor Vehicle Trip Generation Comparison

Scenario	Residential Units	Daily Trips	AM Peak Trips	PM Peak Trips
Alternative A*	65	622	49	65
Alternative B	91	871	68	92
<i>Net Increase (B – A)</i>	+26	+249	+19	+27
Alternative C	90	861	68	91
<i>Net Increase (C – A)</i>	+25	+239	+19	+26

*Alternative A is based on the level of development allowed with existing zoning

³ Trip Generation Manual, 7th Edition, Institute of Transportation Engineers, 2003.

Based on the small net increase of trip generation listed in Table 3, the denser alternatives for the proposed site would not significantly impact operations on the surrounding roadway system. The net increase in traffic would represent less than 5 percent growth in daily or peak hour volumes. The operation at the study area intersections is estimated to continue to meet or exceed performance standards (LOS D). The functional classification of Murdock Road (arterial) and Denali Lane (local) is not estimated to warrant change with the net increase in trips. Therefore, the planned roadway system in the study area can adequately serve the vehicle generated by any of the development alternatives.

Conclusions

The proposed alternatives for the SE Sherwood Master Plan layout a well-connected, functional roadway system that is in-line with planning objectives in the City's TSP. In each option, there are roadway issues to be considered that balance strictly meeting roadway standards with realistically providing an effective roadway system. The City has the authority to grant exceptions to criteria when warranted to address these issues. Based on the analysis presented in the previous sections, the following findings should be considered to select a preferred alternative:

- Access Spacing
 - Alternatives A and C would require an exception to access spacing criteria between Roy and Sunset. This option may be pursued if it is determined that the physical constraints (storm-water pond and hillside) create barriers to site access.
 - Alternative B would require an exception to access spacing criteria north of Roy Street. However, this would be the most likely location for an access onto Murdock between Roy Street and Willamette Street.
- Safety
 - Alternatives A and C could require the prohibition of side-street left turns at the main access point between Roy Street and Sunset Boulevard due to restricted sight distance. This could be addressed with a channeled median. If implemented, this turn restriction could increase the amount of traffic generated from the study area that would use Denali Lane to access Sunset Boulevard and Baker Road to the south of the site. As another option, the curves on Murdock Road may be able to be corrected as part of the roadway improvements to provide adequate sight distance.
 - In each alternative, the exact location of the enhanced pedestrian crossing on Murdock Road south of Roy Street needs to address sight distance issues with both the horizontal and vertical curves on Murdock Road.
- Operations
 - The street system serving the study area is planned to have adequate capacity to handle any of the alternatives. The net increase in vehicle trips would not significantly impact roadway performance or function on Murdock Road or Denali Lane.

Southeast Sherwood Neighborhood Plan Alternatives Open House # 3 – January 18, 2006

In addition to comments on specific plan alternatives (see other side), it is helpful to the City to know your opinion regarding key issues.

1. Please prioritize the following neighborhood master planning issues as least important (1) to most important (5) to you:

Master Plan Issues	No Opinion	Least Important	...	Most Important
a. Similar Lot Sizes To Existing Neighborhood	0	1	2	3 4 5
b. Similar Home Sizes To Existing Neighborhood	0	1	2	3 4 5
c. Public Open Space (manicured park)	0	1	2	3 4 5
d. Public Open Space (nature park)	0	1	2	3 4 5
e. Mature Trees/Forests	0	1	2	3 4 5
f. Wetlands	0	1	2	3 4 5
g. Pedestrian Access/Walkable Neighborhood	0	1	2	3 4 5
h. Pedestrian Safety	0	1	2	3 4 5
i. "Green" Infrastructure	0	1	2	3 4 5
j. Connected Street Network	0	1	2	3 4 5
k. Trail/Open Space Access	0	1	2	3 4 5
l. Overall Density	0	1	2	3 4 5
m. On-Street Parking	0	1	2	3 4 5
n. Density sufficient to fund required infrastructure	0	1	2	3 4 5
o. Coordinated Development of Parcels Under Separate Ownership(s)	0	1	2	3 4 5
p. Other (please specify)	0	1	2	3 4 5

2. Where do you live?

- A. North of the project area
- B. South of the project area
- C. West of the project area
- D. In the project area

Thank you for attending the open house!



Southeast Sherwood Neighborhood Plan **Alternatives Open House # 3 – January 18, 2006**

Please let us know any comments or preferences regarding:

Alternative A (open space, lot size, transportation network, etc.) _____

Alternative B/C Hybrid (open space, lot size, transportation network, etc.) _____

Comments _____

Please submit comments by **January 30, 2006**

To: Kevin Cronin, AICP, Planning Supervisor
City of Sherwood
Southeast Sherwood Open House # 3
22560 SW Pine Street
Sherwood, OR 97140

Or: cronink@ci.sherwood.or.us



Use additional sheets if necessary

**Southeast Sherwood Neighborhood Plan
Alternatives Open House #3 - January 18, 2006**

Appendix 4-b

1. Please prioritize the following neighborhood master planning issues at least important (1) to most important (5) to you:

Master Plan Issues	Survey #	Mean	Max	Min	1	2	3	4	5	6	7	8	9	10	11	12	13
a. Similar Lot Sizes to Existing Neighborhood	3.6	5	2	5	3	2	3	3	5	5	4			2	4	4	
b. Similar Home Sizes to Existing Neighborhood	3.7	5	2	5	2	2	3	3	5	5	4			2	4	4	
c. Public Open Space (manicured park)	2.8	5	1	1	5	4	3	4	2	3	3			4	3	1	
d. Public Open Space (nature park)	4.2	5	2	5	5	5	5	5	5	5	5			2	4	2	
e. Mature Trees/Forests	4.3	5	1	5	5	5	5	5	5	5	5			1	4	4	
f. Wetlands	4.0	5	0	5	4	5	5	4	5	4	5			0	5	4	
g. Pedestrian Access/Walkable Neighborhood	3.9	5	2	4	5	4	5	5	5	5	4			2	3	3	
h. Pedestrian Safety	4.3	5	3	5	4	3	5	4	5	5	4			5	3		
i. "Green" Infrastructure	3.8	5	1	4	4	5	5	5	5	4	4			1	2	4	
j. Connected Street Network	1.7	4	0	3	0	4	3	1	1	1	1			2		1	
k. Trail/Open Space Access	4.0	5	1	3	5	5	5	5	5	4	5			1	4	4	
l. Overall Density	3.7	5	1	4	5	2	1		5	4	1	3		5	5	5	
m. On-Street Parking	1.5	4	0	1	0	1	1	1	1	1	2			2	2	2	
n. Density sufficient to fund required infrastructure	2.4	5	0	1	0	4	0	3	1	4	2			5	4	1	
o. Coordinated Development of Parcels Under Separate Ownership(s)	3.4	5	0	5	4	4	4	2	4	5	1			0	5	2	
p. Other - Minimize disruption to existing neighborhoods											na						
p. Other - Average owners lots														na			
p. Other - Traffic from new development direct access to Murdock including ability to make left turn on Murdock.																na	
p. Other - Low Density																na	
p. Other - Flexibility within Master Plan regarding lot layout and streets.																na	

2. Where do you live?

A. North of the project area									1						1	
B. South of the project area				1	1			1			1	1				1
C. West of the project area									1							
D. In the project area																
E. N/A							1									

The entries in the above columns (numbered 1 - 13) represent the 13 feedback forms returned with the "survey" portion completed from Open House #3. The numbers within the columns are the priority ranking from each respondent to each of the issues on the left (one through five - with five as the most important). The Mean column is the average rank of each master plan issue, followed with the highest (Max) and lowest (Min) ranking for each issue.

Southeast Sherwood Neighborhood Plan
 Alternatives Open House #3 – January 18, 2006

Appendix 4-b

Alternative A (open space, lot size, transportation network, etc.)

- I would, of course, prefer even less houses – but appreciate the trails – connection to open park and nature spaces. The lot sizes are more generous than most – that’s a plus.
- Eliminate lot west of Murdock Barn so you have open space on Murdock Road and preserve the look of Murdock Barn.
- I like the trails, preserving the tree area.
- Best Alternative – most space new intersection should be “full service” left and right turns. To not do so would route much more traffic thru existing neighborhood of Sherwood View Estates.
- Yes – preserve as much as possible of the Moser Natural Area – Sherwood’s last original forest.
- Like Moser natural area a lot. Like the Murdock “existing look and feel” preservation. Much prefer this plan to all others. Except: Please make the “no left turn” intersection on Murdock a full right and left turn intersection! The backflow into Sherwood view will cause much disruption as people go that way to get to Sunset. We thought we had a dead-end neighborhood, and now I get how many people driving by my house everyday?
- Best plan presented. Leaves nice amount of green space and would best complement existing homes and neighborhoods.
- This is the least worst of the two alternatives. Less homes per acre than B/C. Rapid growth is not necessarily good. Dense housing is bad.
- Does not meet overall goals of the Master Plan for best use of the land within city boundaries.
- It does not reflect the majority owner’s wishes for higher density.
- It does not reflect accurate conditions for the region, both for platted lots; i.e. Ironwood Acres and a trail system along its eastern boundary.
- The plan shows a green corridor through the center of the plan, the long term plan success may have a problem sense the health of the current trees are poor, some are dead or dying. The plan also depicts several large trees in this area that don’t exist.
- This plan does not allow emergency services access in or out in all directions onto Murdock Road. That could be hazardous in emergency situations.
- I disagree with trails running down the center of the development that benefit very few citizens and pets.
- There are too few lots to support the cost of the infrastructure.
- Offers a better compromise and a higher degree of protection and use of the environment for City park connects and trails.
- There should be a collaboration with METRO, Washington County, and Fish and Wildlife to accomplish Alternative A and protect and provide access to viewing the wetlands, and possibly, with METRO Open Spaces look at a system of elevated trails around the perimeter of the wetlands – with access from the green belt corridor between Sherwood Fair Oaks and SE Sherwood.
- It is imperative that Planners and focus groups that are working on Sherwood’s 20 year parks plan review Alternative A and incorporate the trails and access. In particular they should visit Wilsonville’s River Park and take note of the wild trails they have incorporated; this type of system would fit the area that is to be preserved as Sherwood’s Last Forest on the Moser Property.
- The City, attorneys for developers and neighbors should work with state, Washington county and Metro to assure that once Alternative A is adopted that there is a legal guarantee that the open space concepts and areas shown will, in fact, be preserved. Either with METRO Open Space Bonds or City Parks Funds.

Alternative B/C Hybrid (open space, lot size, transportation network, etc.)

- Looks best.
- Too many houses, too many streets, too little open spaces.
- Like this because apparently will be easier to do with less owner cooperation.
- Like to have all exits from development both left and right turn.
- Alternative “B” is denser but leave more of natural area than “B/C”
- Most space new intersection should be “full service” left and right turns. To not do so would route much more traffic thru existing neighborhood of Sherwood View Estates.
- Like Moser natural area a lot. Let’s keep it as Sherwood’s last forest.
- Please make the “no left turn” intersection on Murdock a full right and left turn intersection! The backflow into Sherwood view will cause much disruption as people go that way to get to Sunset. We thought we had a dead-end neighborhood, and now I get how many people driving by my house everyday? This was my same comment in Alternative A, I can’t stress this enough. Please straighten Murdock so that the sightline is enough to allow left turns. Please do not burden us in Sherwood View with the backflow of cars coming through our neighborhood in order to get the Sunset and Murdock intersection. Our neighborhood never planned on this traffic through it. I’m counting on you, Pat!!!
- Lots too small, too many people, cars, etc. Does not measure up to existing adjacent homes and neighborhoods.
- Throw this option out.
- Lot sizes are acceptable, if a lower density neighborhood was wanted.
- Closer to an acceptable plan, if a lower density plan was wanted.
- It has green space that does not dominate one property.
- It recognizes property lines.
- It recognizes existing conditions for platted lots and tree survey.
- I disagree with the exact placement of a few private streets. They do not flow well with the topography and marketability of the region.
- I like the trail system but still think flexibility for the trail system locations is needed.
- I agree that there could be a small public space, but I don’t think it should be an open space park on top of the hill (view will be blocked). There is already a park for free play a half block down the street. Perhaps a quiet space with a few benches in a serene setting like the edge of the wetland or the timber setting would better suit the neighborhood and community?

AKS Alternative

- Has met all goals of the Master Plan agreement #24248 #1 for the SE Sherwood contract.
- Reflects realistic densities for land within urban growth boundary.
- Designed with current development codes, easily implemented.
- Designed with accurate infrastructure including water quality facilities and topography.
- Liberal use of trail system and green space throughout plan.

Southeast Sherwood Neighborhood Plan
 Alternatives Open House #3 – January 18, 2006 - Continued

Appendix 4-b

Comments

- PLEASE straighten Murdock so cars can make left-hand turns and drive safely.
- Develop the cooperation and find the time to collaboratively create ways to protect high-value habitat and runoff to wetlands.
- Plan, plan, and plan for future traffic congestion. Don't want to be in gridlock.
- I would prefer nothing to ever be built there. Of the options I like Alternative A.
- Conservation easement.
- Like to see more evenly spaced lots and park. I think if all property owners are planned with a ratio of lots and park you would have more consensus. We need parks they can be designed in a way that considers each owners land.
- Like the AKS Versions and B/C Hybrid.
- I like Lisa Walker's plan, an also the plan drawn based on top of it. "Plan D".
- Thanks for listening to inputs at the last open house. It looks like you took inputs into consideration. Please keep it up! Thanks.
- We like plan 4 AKS, it is better for everyone, all are treated the same. We all get what we want.
- I don't believe that the Moser's property should have to give up half of the open space for this plan. I think the open space should be a percentage of each owner's property – I also feel that smaller lots would be more likely to have more amenities per developer's as it would make developing less costly.
- Unless a left turn is provided at both streets connecting to Murdock, Denali, Whitney and McKinley will see an unacceptable increase in traffic. These streets should remain low traffic, quiet residential streets as they were when the homeowners bought their properties.
- Since you are developing a master plan, developers should be required to follow it, or the plan is useless.
- Sherwood has a problem with over crowded schools now. Bringing in a large numbers of people will only make the situation worse. Instead of focusing on growth, the City of Sherwood should focus on improving existing conditions. Tualatin-Sherwood road needs to be four lanes. Murdock and Sunset Blvd. need to be repaved now with a surface that can handle the heavy trucks that use them. Note: Heavy trucks do use Sunset.
- More classrooms and more teachers are required. Sherwood should grow only when it is capable of handling growth.
- Thank you for your time and consideration. I hope that moving forward there will be a little flexibility with development layout.
- As a homeowner, a majority landowner and developer/builder in this region it was difficult to sit on the sidelines and not be an integral part of the design phase. As one final request, I ask that the future process will allow flexibility for future development layouts base on the guidelines that have been outlined in this process.
- Concerned about the traffic designs along Murdock and forecast accidents and road rage as traffic increases. Our traffic circles have proven themselves and I suggest that long-term growth will be better provided for by compact traffic circles at: 1. Murdock and Denali, Murdock and Upper Roy and 3. At Fair Oaks and Murdock. There's a unique opportunity to get ahead, rather than serve near term needs. My measurements show that there is adequate space to provide tight traffic circles at all intersections, and these circles will provide flow as well as slow down speeders; long-term, regardless of volume this will provide a neighborhood with safer perimeters.
- There needs to be a lighted and guarded crossing for people at several places.

- There is a 50% chance that the I-5/99 interconnect will run 1-2 miles south of Sunset, and that Murdock will become a primary feeder; I suggest that, to protect the adjoining neighborhoods, we need those traffic circles. If that is not acceptable 4 way lights at all intersections are needed.
- I agree with Pat Fleming that there are regional advantages to connecting the area North of Fair Oaks into the parks, trails and wet land access system being considered for SE Sherwood. With Metro's Open Spaces Bond the City would be able to create a WaterScape in the three parcel area in front of Fair Oaks and, with Fish and Wetlands people create an access platform for regional visitors that would want to walk the visualized elevated trails - similar to Stellar Olson Park.
- The traffic master plan can be accommodated with a safety lane access that is gated at Denali rather than a full fledged traffic artery. If the planning commission could accept that I predict a huge amount of opposition would melt.
- As citizens and tax payers of Sherwood, we are greatly concerned about the proposed development of SE Sherwood. We reside in Sherwood View Estates and when we bought our lot and built our home it was our understanding that Denali Lane would be ending in a cul-de-sac and that was a selling point. This is our retirement home since we do not plan on leaving Sherwood until we have no control ("feet first").
- Supporters of the educational bond issues even though we do not have children or even grand children in the system – but we feel that is the future – the education of the children. All this leads to our concerns about what the proposed development will create:
- Increased student load on an already over capacity school system. The addition of 65 to 91 houses in the proposed development area would even further overload the system.
- Environmental impact on the fragile wet lands directly adjoining the proposed development area. Even with storm drains the run-off will still impact the area down hill – in other words – the wet lands.
- Environmental impact on the fragile wild life refuge which also directly adjoins the proposed development area. Development will affect the migratory patterns of the wildlife even more than we already have, forcing them into an ever decreasing habitat. It will also affect their food supply and water supply not to mention the impact of the encroachment of so many people on their ever shrinking habitat.
- Increased traffic and decreased safety for residents – there is already a problem at the Sunset-Murdock intersection from people not stopping for the stop sign. The three alternatives offered did not address the issue of either another round-about or traffic light for people trying to exit the proposed development and turning left.
- The "punching through" of Denali would channel traffic through Denali and through Sherwood View – which was never supposed to handle such a load. This is a safety issue which has not been properly addressed. We have heard that the City needs to have another access route to Sherwood View, however, it appears that instead of solving that City concern, it will instead create more dangerous concerns for the residents – traffic and crime (more access/exit for perpetrators).
- It was extremely disappointing to find that only three alternatives were being offered for this development – even with the concerns already voiced by participants in the three open meetings. It was even more disappointing to find that the area being developed across 99W at Elwert was considered over a year and there were FIVE alternatives proposed, along with an established citizen's advisory committee. Why were the citizens of the SE Sherwood area not given the same opportunity, but were given only three alternatives, less than six months time, no citizen advisory committee, and only three meetings? It appears input from tax payers for this particular development area doesn't carry very much weight – which makes us wonder just why!! Was our participation in the meetings just an exercise in futility and the decision had already been made as to what would be done? It is hoped the tax payers' and voters' opinions would count in the process – please consider this.

Frequently Asked Questions (FAQ) SE Sherwood Master Plan Workshop No. 3 – January 18, 2006

Question 1: *Why is the City not doing a fourth alternative?*

Answer: The project budget and timeline included the development of three plans for SE Sherwood. A fourth alternative is not budgeted, nor does it accomplish the objectives of the project. Those objectives include creative site design, a connected and multi-modal transportation system, dedicated recreation opportunities and open space, maximum tree preservation, and “green” public infrastructure. For example, a fourth alternative that has all one acre lots does not achieve any of these objectives, which is why the City initiated the master plan process.

Question 2: *Can someone from the public present their own plan to the Planning Commission?*

Answer: Yes. Anyone from the public can present a plan to the Planning Commission. AKS Engineering, who represents three property owners in SE Sherwood, will present their own plans at the January 18 workshop. In addition, the City will provide the public an opportunity to design the SE Sherwood neighborhood. Any plans produced can be presented to the Planning Commission for their consideration. City staff can work with individuals who wish to make a presentation and help navigate the public review process.

Question 3: *Is a preferred alternative being selected at the January 18 workshop?*

Answer: No. The original scope of work for this project, which was developed last summer and approved by the City Council (September 2005), included the selection of a preferred alternative. Since then, the City has received many comments concerning the selection of one plan. There is a perception in the community that the City is doing this plan for the developers and that selection will be based on the most density. Nothing could be further from the truth. As a result of a lack of consensus, City staff will forward both plans to the Planning Commission that were produced by the consultant during the last five months. Any plans that were produced by third parties can also be submitted.

Question 4: *What are the next steps?*

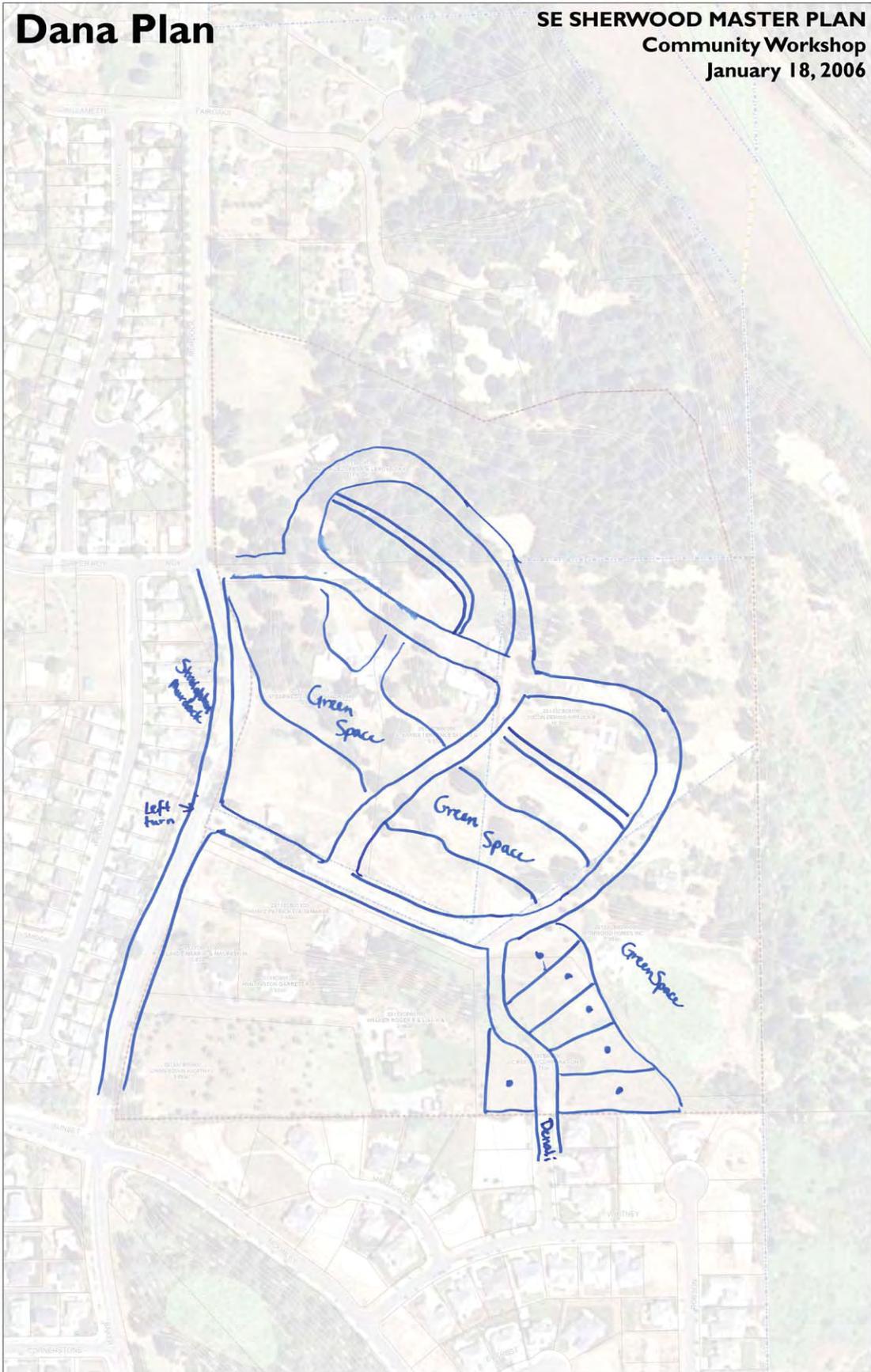
Answer: The consultant will collect all the public comments, revise the two alternatives based on comments, and summarize the master plan process in a report. In this report the consultant will provide a recommendation and a list of implementation measures for each alternative prepared by the consultants. City staff will review the report and forward it to the Planning Commission in February or March 2006 depending on the consultant’s schedule and staff availability.

Question 5: *Will I receive notice of future meetings regarding the SE Sberwood Master Plan?*

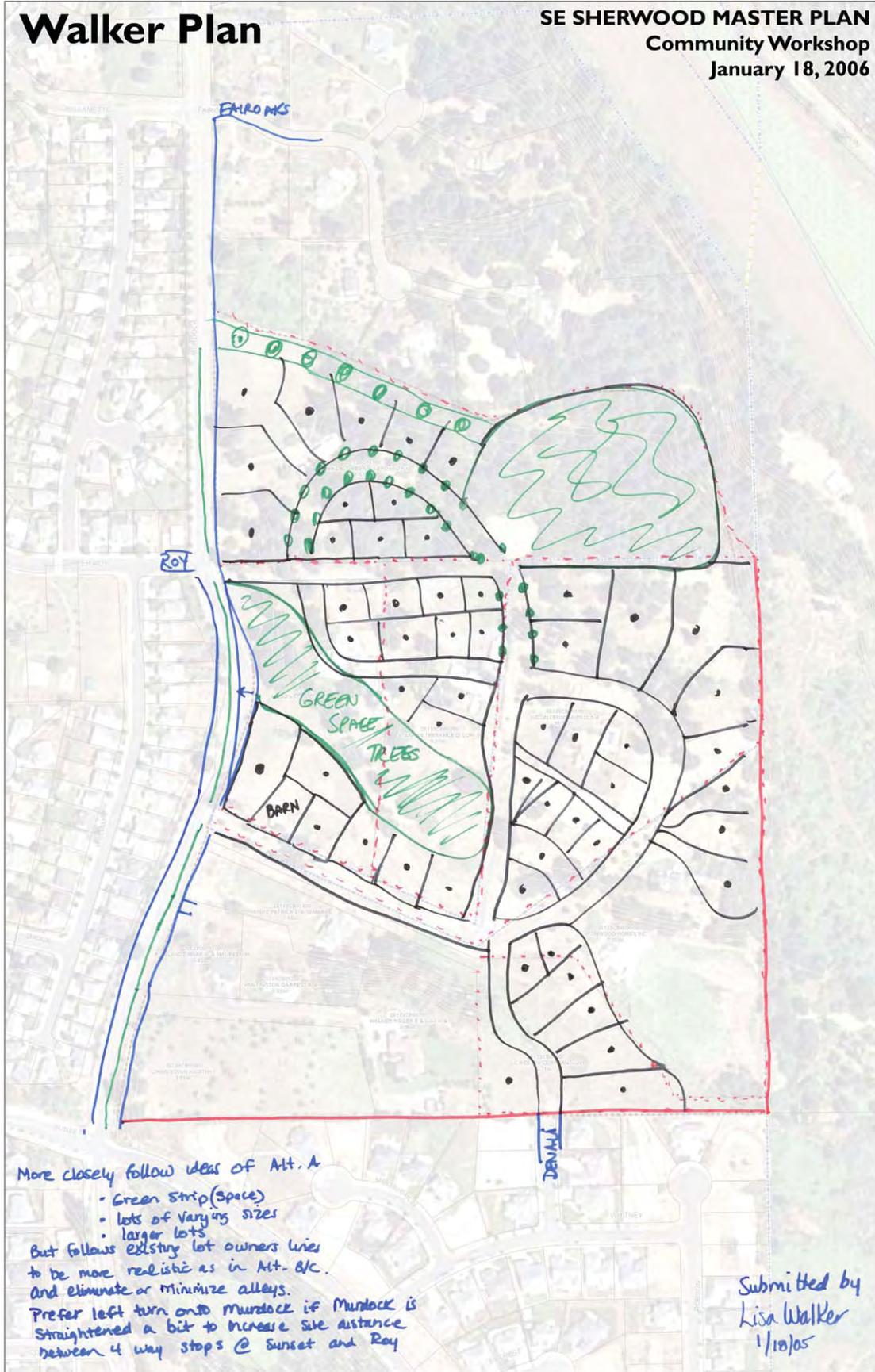
Answer: Yes. The City has been providing this service since the project began in April 2005 with the very first neighborhood meeting. If you have received e-notice in the past you will receive e-notice in the future when the Planning Commission or City Council reviews the report. Please make sure the Planning Department has current contact information.

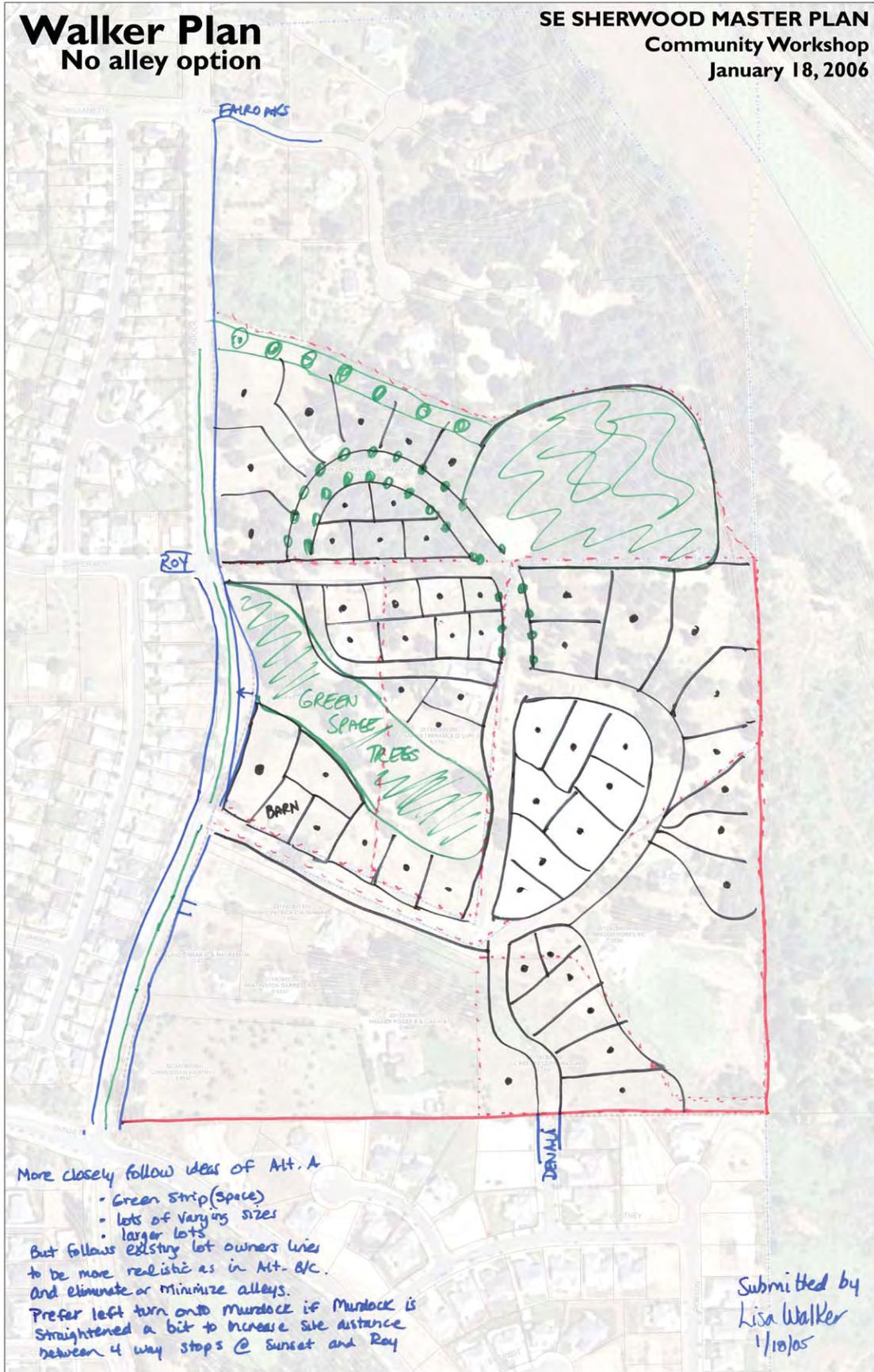
Question 6: *What happens after the Planning Commission reviews the consultant’s report?*

Answer: The Planning Commission has a range of choices, including but not limited to: (1) Select a preferred alternative and direct City staff to implement the plan, (2) Allow property owners to submit subdivision plans, a zone change, and/or a planned unit development application based on one of the alternatives produced during the master plan process, (3) Select a preferred alternative and forward to the City Council for review and adoption by resolution, or (4) Table the process and take no action. Other implementation measures could be developed per the direction of the Planning Commission.











Raindrops to Refuge Position – SE Sherwood Master Plan December 2005

GOALS: 1. MANAGE STORMWATER 2. PROTECT HABITAT

1. Stormwater Management —

- To limit stormwater runoff after development to an amount that does not exceed that of the site if in an undeveloped state. (zero-discharge).
- The stormwater that does run off the site will be clean.

2. Habitat –

- Protect high-value upland habitat to meet stormwater goals and to save habitat adjacent to the Tualatin River National Wildlife Refuge and Rock Creek wetlands.
- Ensure the delineated wetland on the site is protected.
- Designate that the wetland will eventually be restored to a healthy natural state.

STRATEGY: Plan and build the entire SE Sherwood Neighborhood as a Green Streets/Low-Impact development.

Due to this area’s proximity to the Wildlife Refuge and Rock Creek wetlands and due to its unique Tonquin geologic attributes, R2R asks that this area be consider a prime candidate for a Low-Impact neighborhood. R2R believes this is an economically advantageous strategy as well.

Discussion on the Green Streets/Low Impact strategy.

R2R believes that the current focus of the debate is on the wrong topic – density. Density may or may not have anything to do with ecological impact. Either low or high density developments can be friendly to the natural environment or can deliver great harm. Low density developments, such as 1 acre sites, have been some of the worst contributors to ecological degradation. Large homes, expensive landscaping, large areas of impervious surface, and hobby farm uses all can contribute to harmful runoff and create other negative impacts. Frequently owners of large, expensive homes employ commercial services to maintain huge, green, weed-free lawns year round. Over-watering and over-fertilizing are common. Heavy pesticide use is routine.

Conversely, high density development, when done well, can actually have less impact on ecological health. Of course the reverse of both scenarios occurs as well. The point is that discussion and planning must focus on design, development, and then homeowner behaviors, not just density, if the natural areas around the neighborhood are to be protected.

R2R is pleased to see the proposal for a green street for Murdock Road. We ask however that these concepts be expanded into the entire neighborhood. Various techniques are proven to control and clean runoff naturally and inexpensively. Neighborhood layout options are available to meet density goals while protecting habitat sites. There exists a growing realization that the use of native plants on both public and private sites results in low-cost maintenance and good looking landscapes. Metro, Clean Water Services and others offer guides to the development of low-impact/green streets neighborhoods.

R2R also asks the community to recognize the economic advantages of planning a green neighborhood. Information is available that documents the positive long-term economics of investing in green development strategies up front. A growing body of information supports the contention that land and home values are positively affected when natural areas in and around the neighborhood are protected, enhanced, and accessible.

The SE Sherwood Plan offers too good an opportunity to pass up. Here, in the preliminary planning stage, the community has the opportunity to insert these low-impact options into the discussion. Raindrops to Refuge offers to do research and compile information relevant to a low-impact scenario in support of this advanced planning process.

Neighboring residents, current and future landowners, and developers all stand to benefit economically and esthetically when this neighborhood is completed in a manner that protects its natural areas.



MEMORANDUM

City of Sherwood
22200 SW Washington St
Sherwood, OR 97140
Tel: 503-825-5229
Fax: 503-825-5224
www.sherwood-or.gov

DATE: September 27, 2005
TO: Kevin Cronin, Planning Supervisor
FROM: Julia Hajduk, Senior Planner
SUBJECT: Southeast Sherwood Study Area Technical Memo

Mayor
Keith Meyer

Councilmembers
Debbie Green
Dave Olson
David Thompson
Lisa Brademan
Dino Berg
David Larson

City Manager
Dana Strout

Introduction

The purpose of this memo is to provide technical background information to consider as the City and property owners study future growth implications in the southeast Sherwood area.

Location

The area specifically being discussed in this memo includes the areas both inside and outside of the City of Sherwood zoned Very Low Density Residential (VLDR). Generally, the subject area is located on the east side of Murdock Road. All the parcels except tax lot 100 identified on assessor's map 2S1 33CB are located inside the City limits. The properties were brought into the City in 1991 and 1987¹. An annexation application is currently in process to bring the last tax lot (TL 100) into the City limits.

Land Use

Density

The zoning, VLDR, currently provides a maximum of one dwelling unit per acre. Upon review of early versions of the Comprehensive Plan and the Washington County Sherwood Community Plan, this low density designation did not always limit development to this extent.

Comprehensive Plan

1983² – This version provided a minimum of 1-3 dwelling units per acre with minimum lot sizes ranging from 10,000-43,000 square feet per lot. The Plan and Zone Map includes portions of the SE Sherwood area zoned VLDR, but also VLDR in other locations throughout the City and Plan area.

¹ Current tax lot 1700 on assessor's map 2S1 33BC and tax lots 200 and 300 on assessor's map 2S1 33CB were annexed in 1987 (Boundary Commission file #2365). Current tax lots 600, 700, 900, 1000, 1100, 1200 and 1300 on assessor's map 2S1 33CB were annexed in 1991 (Boundary Commission file #2819). *Note: tax lot numbers were revised after the parcels were annexed.*

² Reflects changes to the Comprehensive Plan since it was adopted by the Council in August 1980 (Ordinance 726) through March 1983 (Ordinance 737).

*1991 update*³ – This version is the first to require the 1 dwelling unit per acre minimum. The 1991 version Plan and Zone Map identified the SE Sherwood area as the only VLDR in the Plan area.

Both versions have the same location related considerations for VLDR:

- Where natural features such as topography, soil conditions, or natural hazards make development to higher densities undesirable;
- Along the fringe of expanding urban development where the transition from rural to urban densities is occurring; and
- Where a full range of urban services may not be available but where a minimum of urban sewer and water service is available or can be provided in conjunction with urban development.

Sherwood Community Plan⁴

The Sherwood Community Plan was developed and adopted by Washington County in 1983 as part of the County Comprehensive Plan process. The Sherwood Community Plan designated the SE Sherwood area with an R-6 (6 units per acre) density. For example, the Yuzon property that is proposed for annexation in October, has a County designation of R-6, but if annexed to the City, the property will be “down zoned” to a lower density. Under normal circumstances, a County designation is lower than City designation. It should be noted, however, that at the time, the County did not assign any urban areas with a density lower than 5 units per acre and there was no “minimum” density requirement. In addition, the Community Plan identifies the SE Sherwood area as an area of special concern specifically requiring any development on these parcels to go through a planned development (PUD) process.

Natural Resources

The Sherwood Community Plan designated SE Sherwood as an area of special concern due to the Tonquin Scablands geological area. This area was thought to be an important geological and biological feature due to its unique scientific and educational value. The area is marked by channels, depressions and bedrock knolls and was determined to present some constraints to development. The Sherwood Community Plan indicated that a detailed study, in coordination with Metro, the State, Clackamas County and the Cities of Sherwood and Tualatin was needed to determine the significance of this area. While no study was found during this research, more recent information on the area determined that “The Tonquin Geologic Area” stretches from the Willamette River through the city of Wilsonville, and connects to the Tualatin River National Wildlife Refuge near Sherwood and Tualatin. It includes unique geologic depressions called “kolk ponds” and basalt “knobs” sculpted by ancient glacial flooding. Historic Coffee Lake basin, a long north-south running lowland, is the dominant natural feature in the area. The Metro open space and trails plans targeted acquisition of portions of the Tonquin Geologic Area. To date the “Metro Greenspaces” bond money funded the acquisition of 436 acres of land in the Tonquin Geologic area, the majority of which lies north of Wilsonville. Metro will consider a similar bond in November 2006 to replace expended funds from the original bond from 1995.

³ Adopted March 13, 1991 (Ordinance 91-922). Planning case number PA 91-12.

⁴ Adopted by the Washington County Board of Commissioners June 28, 1983 (County Ordinances 263, 264, and 265), acknowledged by the Department of Land Conservation and Development October 7, 1983. The Community Plan was revised December 27, 1983 by Ordinances 278, 279 and 280 to update information and to reflect the adoption of other plan elements.

Given Metro targets for open space acquisition providing a multi-use trail system from the Willamette River to the Tualatin River National Wildlife Refuge in Sherwood, it can be argued that the VLDR land in Sherwood is not a critical element to the overall protection of the Tonquin Geologic area. However, Comprehensive Plan policies encourage and require future growth to complement the natural environment and, if possible, add additional viewing and access opportunities.

In addition, there are significant riparian and wildlife habitat areas within the SE Sherwood Study Area that will need to be considered when planning any changes to the zoning. **Figure 1** identifies the Metro inventoried resources in this area.

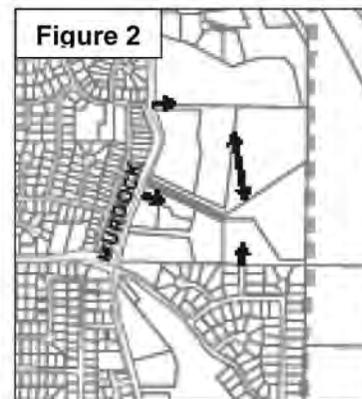
The Tualatin Basin Natural Resources Protection Program (Program) has been under development for the last four years with the cooperation and input from local cities and special districts Washington County's Tualatin River Basin. This program will not add any additional regulations beyond the existing Clean Water Services Title 3 buffer requirements. However, the Tualatin Basin Program does call for providing flexibility in development standards and encouragement of low impact development design techniques for areas that have class I and II riparian and class A and B wildlife resources. The City of Sherwood will participate in the development of new standards during the next year and will provide a proposal to the City Council in late 2006.



Transportation

The Transportation System Plan (TSP), adopted in March 2005⁵, is a master plan for all modes of transportation. The TSP identifies the need for local street connectivity in the SE Sherwood area connecting SW Denali Street to the north to provide access to the undeveloped parcels. **Figure 2** shows the local street connectivity identified in Figure 8-3 of the TSP for this portion of Sherwood. Planned connections include a new street that lines up with SW Roy Street, a new street to replace an existing flag lot drive, and another street to provide access and circulation internally.

The Southeast Sherwood study area is not directly adjacent to the newly added Urban Growth Area 48 (2004), therefore, a higher classification street and/or a street to the east of the existing City limits was not identified in the TSP. SW Murdock Road, running along the west of the study area, is classified as an arterial street. According to the TSP, SW Murdock Road lacks sidewalks and bicycle facilities adjacent to the study area. Other than SW Murdock Road, there is no planned bicycle or pedestrian facilities adjacent to the study area.



⁵ Adopted by the City Council March 15, 2005 (Ordinance 2005-006)

To the north, a planned trail is identified in the TSP through the National Wildlife Refuge connecting to the Tonquin Trail.

Historic Resources

The City adopted the Sherwood Cultural Resource Inventory as an appendix to the Comprehensive Plan update in March 1991.⁶ The inventory identified 2 resources in the SE Sherwood study area: the E. Murdock Residence and the Murdock Barn.

The E. Murdock Residence⁷ is listed as a resource of primary significance due to its connection with the Murdock family. It was inventoried in 1989 and found to be in fair condition, however, it appears that the residence was demolished. The residence was constructed circa 1905 by Emer Murdock who purchased the land in 1901. The Murdock family members were farmers in the area and resided in the Murdock residence until it was sold in 1943 to the Fosters.

The Murdock barn⁸ is listed as a resource of secondary significance and remains in the property currently identified on assessor's map 2S1 33CB, tax lot 300. In 1989 it was determined to be in poor condition, but remained in the significance inventory due to its connection with the Murdock family. The Murdock residence is directly west of the barn. The barn was constructed circa 1910.

Public Facilities

SW Murdock Road is served by an 8 inch PVC sanitary sewer line and water line that varies in size between 10 and 12 inches. There is currently no storm line in SW Murdock Road between SW Upper Roy Street and SW Sunset Blvd. The area south of the SE Sherwood study area appears to drain storm water to a pond system built with the Sherwood View Estates PUD which then flows south to an unnamed tributary of Rock Creek South. Murdock Park is the closest city park. This four acre facility is located near the intersection of Roy and Murdock Road. Sunset Park, at 16 acres, is the second largest park and located about 1,500 feet to the west along Sunset Boulevard. Archer Glen Elementary is the closest public school and has recreation fields.

⁶Adopted March 13, 1991 (Ordinance 91-922); Planning file PA 91-12.

⁷Sherwood Cultural Resource Inventory Field No. 58, December 1989

⁸Sherwood Cultural Resource Inventory Field No. 59, December 1989



14280 SW Whitney Ln.
Sherwood, OR 97140
February 8, 2012

Ms. Sylvia Murphy
City Recorder
City of Sherwood
22560 SW Pine St.
Sherwood, OR 97140

Dear Ms. Murphy:

RE: PUBLIC HEARING DENALI PUD (PUD 11-01, AND SUB 11-01)

My wife and I have just moved into Sherwood View Estates and have been made aware of the above planned development on vacant land adjacent to our subdivision. We understand the City Council will be considering the Planning Commission's recommendations regarding this PUD on February 21, 2012. We respectfully submit the following comments to the City Council.

After carefully reviewing the materials submitted by the Planning Commission we feel the City Council should not approve this PUD primarily due to the contaminated soils and steep slopes on the site. As a Registered Professional Engineer and Board Certified Environmental Engineer I know from experience how difficult it is to properly handle contaminated soils and preserve the environment. The steep nature of the site and the existence of sensitive wetlands further complicate the situation as illustrated by the following points.

1. The soil is contaminated with heavy metals from tannery wastes including chromium, lead, mercury and copper. All of these are toxic to humans and wildlife. In fact, some researchers feel there is no safe level of lead when it comes to children.
2. The site is currently covered with vegetation and trees. This helps prevent movement of the contamination by reducing surface runoff, percolation and the impact of wind. Obviously, much of this vegetation will be removed during construction. Surface runoff to the wetlands will increase due to the steep slopes. Wind will easily move the soil off the site particularly as the construction equipment is operating. The construction process can create dust particles in the size range that can enter the lungs. This can be very harmful to human health, particularly children, due to the presence of the heavy metals.
3. If the soil is stripped but left on site in piles, the same environmental impacts mentioned above can still occur. Capping the contaminated soil with clean soil can alleviate some of the issues but not all. Percolation of the contaminants into the groundwater and subsequent movement down slope to the wetlands will still occur particularly during heavy rainfall.

4. Given the current housing market the lots could remain unsold and undeveloped for some time. With no vegetation left to hold the soil the opportunities for environmental damage and public health concerns would only increase.

We urge the City Council to seriously consider these impacts during the deliberations regarding the proposed Denali PUD. Thank you for the opportunity to provide comments.

Sincerely,

Jack W. Hoffbuhr P.E., BCEE

Sylvia Murphy

From: Kurt Kristensen <kurtk@poetspeak.com>
Sent: Saturday, February 04, 2012 9:10 AM
To: Sylvia Murphy
Subject: Public Hearing Denali PUD (PUD 11-01 AND SUB 11-01)

Mr. Mayor and Council Members:

These are my written comments regarding the proposed adoption of Public Hearing Denali PUD (PUD 11-01 AND SUB 11-01) to be heard in public hearing in front of you on Tuesday, February 21, 2012.

I have testified in favor of the proposal at the Planning commission, with a few unresolved concerns, that I ask you to consider:

The Denali PUD is a difficult building proposition; it's on a very steep slope, and it holds the possibility of the SE Sherwood Master Plan's design promise for providing public connective pathways and a public viewing area.

It presents several challenges:

1. Will city council require that the set-asides be dedicated to the city for use, maintenance and public parkway access, instead of allowing developer's homeowners' association to provide limited public access?
2. Will City council require that the contaminated soil be encased in an asphalt or concrete viewing plaza and pathway protective surface; apparently the DEQ can issue a NFA permit to proceed by just requiring developer to leave contaminated soil in permanent dirt piles?
3. Will city council allow developers to build six single family houses based on the anticipated DEQ approval of permanently storing all the contaminated soil in grass seeded piles within the area dedicated for public use? This is completely contrary to all the testimony recorded during the development of the SE Sherwood Master Plan.
4. Will city council recognize the mandate of the SE Sherwood Master Plan and plan for the necessary public connectivity to city area walking path ways?
5. Will city council recognize that there are legitimate view easement issues, and require that developers collaborate with adjacent Sherwood View Estates residents and other neighbors to do lot-line adjustments to ensure that current residents will NOT lose their view.
6. Will the city council be willing to listen to written or verbal testimony presented by neighbors to place a safety iron gate across Denali cul-de-sac to maintain it as a cul-de-sac, but allow police and fire egress and ingress.
7. Will city council stipulate that developers, along with future developers of SE Sherwood Master Plan area provide for city collaboration and financial support to make the Ironwood Lane-Murdock Rd. a safe intersection. SE Sherwood Master Plan calls for 72 residences (or an additional 150 auto users), and with the possibility of half of Sherwood View Estates using the proposed access route this intersection could become troublesome.

Respectfully,

Kurt Kristensen

Kurt Kristensen - M. Ed.
22520 SW Fair Oaks Ct.
Sherwood, OR 97140-9720
503-625-2340
<http://www.commondreams.org/>

TO: Sherwood City Council

FROM: Tom Nelson, Economic Development Manager

SUBJECT: ORDINANCE 2012-005 MAKING CERTAIN DETERMINATIONS AND FINDINGS RELATING TO AND APPROVING THE FIFTEENTH AMENDMENT (SUBSTANTIAL) TO THE SHERWOOD URBAN RENEWAL PLAN

Issue

Should the City Council adopt an ordinance approving a substantial amendment to increase maximum indebtedness?

Background

The URA Board of Directors approved URA Resolution 2012-001 on January 17, 2012 recommending a substantial amendment to the URA Plan to increase maximum indebtedness.

Other Factors:

- An increase in Maximum Indebtedness is needed to complete priority projects in the Urban Renewal Plan;
- An increase in Maximum Indebtedness requires a substantial amendment to the Urban Renewal Plan.
- SURPAC and the URA have recommended the substantial amendment to increase Maximum Indebtedness.
- The Ordinance includes attachments as follows:
 - Memo (Exhibit A) outlines the necessary process to approve a substantial amendment.
 - The URA Plan Amendment (Exhibit B) includes amended language in the Plan.
 - Report (Exhibit C) provides an explanation of conditions and financial impact.
 - Planning Commission Report and Recommendation (Exhibit D) provides a record of finding that the amendment complies with the Sherwood Comprehensive Plan.
- All overlapping taxing jurisdictions have received notice of the plan amendment, and have supported or not offered any recommendations contrary to the amendment.

Recommendation: Adoption of the attached Ordinance 2012-005 approving a substantial amendment to the Urban Renewal Plan to increase Maximum Indebtedness.



ORDINANCE 2012-005

AN ORDINANCE MAKING CERTAIN DETERMINATIONS AND FINDINGS RELATING TO AND APPROVING THE FIFTEENTH AMENDMENT (SUBSTANTIAL) TO THE SHERWOOD URBAN RENEWAL PLAN

WHEREAS, the City Council of the City of Sherwood approved the Sherwood Urban Renewal Plan by adoption of Ordinance No. 2000-1098 on August 29, 2000, which Plan has thereafter been amended fourteen times. The Sherwood Urban Renewal Plan, as amended through the Fourteenth Amendment is referred to herein as the “Plan”; and

WHEREAS, the Urban Renewal Agency of the City of Sherwood (“Agency”), as the duly authorized and acting urban renewal agency of the City of Sherwood, Oregon, is proposing to change the Plan to increase the maximum indebtedness that may be incurred under the Plan, to update the projects in the Plan and to generally update the Plan (the “Amendment”). Such changes are proposed so that the original objectives in the Plan may be fully accomplished and the urban renewal projects called for in the Plan, as amended, may be completed; and

WHEREAS, under the terms of Section 700 (Amendments to the Urban Renewal Plan) of the Plan and under state law an amendment increasing the maximum indebtedness of the Plan is a Substantial Amendment and requires the notice, hearing, and approval procedures required by ORS 457.095, and special notice as provided in ORS 457.120; and

WHEREAS, the Agency, pursuant to the requirements of ORS Chapter 457, has prepared the Amendment which is attached to this Ordinance as Exhibit A, and incorporated herein by this reference; and

WHEREAS, the Agency has caused the preparation of a Report accompanying the Amendment as required by ORS 457.085(3) (“Report”), which Report dated February 21, 2012 is attached to this Ordinance as Exhibit B and incorporated herein by this reference; and

WHEREAS, the Amendment increases the maximum indebtedness of the Plan in an amount that does not exceed twenty percent of the original maximum indebtedness of the Plan, from \$35,347,600 to \$45,133,469, an increase of \$9,785,869 and makes certain other changes to bring the Plan up to date; and

WHEREAS, the Amendment and the Report were forwarded on January 6, 2012 to the governing body of each taxing district affected by the Amendment, and the Agency has thereafter consulted and conferred with said districts; and

DRAFT

WHEREAS, the Amendment and the Report were forwarded to the City of Sherwood Planning Commission for recommendation, the Planning Commission considered the Amendment and Report on January 24, 2012 and voted that the Plan with the Amendment conformed with the Sherwood Comprehensive Plan and further recommended that the City Council consider the financial impact from the Amendment (Planning Commission Recommendation Exhibit C”); and

WHEREAS, on January 24, 2012 Agency representatives met with the Board of Commissioners of Washington County to review the Amendment, including the proposed change in the maximum indebtedness for the Plan; and

WHEREAS, the City Council has not received written recommendations from the governing bodies of the affected taxing districts; and

WHEREAS, on February 1, 2012 the City caused notice of the hearing to be held before the City Council on the Amendment, including the required statements of ORS 457.120(3), to be mailed to postal patrons in the City of Sherwood in the Sherwood Archer; and

WHEREAS, on February 21, 2012 the City Council held a public hearing to review and consider the Amendment, the Report, the Planning Commission Recommendation, and to receive public testimony; and

WHEREAS, after consideration of the record presented through this date, the City Council does by this Ordinance desire to approve the Amendment.

NOW THEREFORE, THE CITY OF SHERWOOD ORDAINS AS FOLLOWS:

Section 1. The Amendment complies with all requirements of ORS Chapter 457 and the specific criteria of 457.095(1) through (7), in that, based on the information provided in the Report (attached as Exhibit C), the Planning Commission Recommendation (attached as Exhibit D) and the public testimony before the City Council:

- a. The process for the adoption of the Amendment, has been conducted in accordance with the provisions of Chapter 457 of the Oregon Revised Statutes;
- b. The area designated in the Plan as the Sherwood Urban Renewal Area (“Area”) is blighted, as defined by ORS 457.010(1) and continues to be eligible for inclusion within the Plan because of conditions described in the Report in the Section “Existing Physical, Social, and Economic Conditions and Impacts on Municipal Services”, including the underdevelopment of property within the Area (ORS457.010(1)(g) and (h));
- c. The rehabilitation and redevelopment described in the Amendment to be undertaken by the Agency is necessary to protect the public health, safety or welfare of the City because absent the completion of urban renewal projects, the Area will fail to contribute its fair share of property tax revenues to support City services and will fail to develop and/or redevelop according the goals of the City’s Comprehensive Plan;
- d. The Amendment (attached as Exhibit B) conforms to the Sherwood Comprehensive Plan and provides an outline for accomplishing the projects described in the Plan, as more

fully described in the Plan as amended by this Amendment and in the Planning Commission Recommendation;

- e. No residential displacement will occur as a result of the acquisition and disposition of land and redevelopment activities proposed in the Amendment and therefore the Amendment does not include provisions to house displaced persons;
- f. No acquisition of property is provided for in this Amendment.
- g. Adoption and carrying out the Plan, as amended by this Amendment is economically sound and feasible in that eligible projects and activities will be funded by urban renewal tax revenues derived from a division of taxes pursuant to section 1c, Article IX of the Oregon Constitution and ORS 457.440 and other available funding as more fully described in the Section “Financial Analysis of the Plan” of the Report;
- h. The City shall assume and complete any activities prescribed it by the Plan; and
- i. The Agency consulted and conferred with affected overlapping taxing districts prior to the Plan being forwarded to the City Council.

Section 2: The Fifteenth Amendment to the Sherwood Urban Renewal Plan is hereby approved based upon review and consideration by the City Council of the Plan and Report, and the Planning Commission Recommendations, each of which is hereby accepted, and the public testimony in the record.

Section 3: The City Manager shall forward forthwith to the Agency a copy of this Ordinance.

Section 4: The Agency shall thereafter cause a copy of the Amendment to be recorded in the Records of Washington County, Oregon.

Section 5: The City Manager, in accordance with ORS 457.115, shall publish notice of the adoption of the Ordinance approving the Amendment, including the provisions of ORS 457.135, in the Oregonian no later than four days following adoption of this Ordinance.

Section 6: Effective Date. This ordinance shall become effective the 30th day after its enactment by the City Council and approval by the Mayor.

Adopted by the City Council of the City of Sherwood this 21st day of February 2012.

Keith S. Mays, Mayor

Attest:

Sylvia Murphy, CMC, City Recorder

	<u>AYE</u>	<u>NAY</u>
Clark	_____	_____
Langer	_____	_____
Butterfield	_____	_____
Folsom	_____	_____
Henderson	_____	_____
Grant	_____	_____
Mays	_____	_____

- Attachments: Exhibit A – Sherwood Urban Renewal Plan Fifteenth Amendment Memo
Exhibit B - Sherwood Urban Renewal Plan Fifteenth Amendment
Exhibit C – Report on the Sherwood Urban Renewal Plan Fifteenth Amendment
Exhibit D – Sherwood Planning Commission Report and Recommendation

Exhibit A

To: Sherwood City Council
From: Tom Nelson, Economic Development Manager
Re: Substantial Amendment, Amendment No. 15
Date: February 21, 2012



I. PURPOSE

This is a Sherwood Urban Renewal Plan Amendment (Amendment) to the Urban Renewal Plan (Plan) to increase the financial capacity of the Plan (maximum indebtedness¹). Because it is increasing the maximum indebtedness, it is termed a substantial amendment. The Amendment also makes changes to sections of the Plan to update it to be in conformance with present statutory provisions, comprehensive plan and zoning changes and urban renewal best practices. The Sherwood Urban Renewal Agency (Agency) is being asked to forward the Amendment to the Sherwood Planning Commission for their review for conformance with the Sherwood Comprehensive Plan and to the Sherwood City Council and recommend that the City Council adopt the Amendment.

II. BACKGROUND

The Sherwood Urban Renewal Plan was adopted on August 29, 2000 and has been amended fourteen times. The present amendment will increase the maximum indebtedness by \$9,785,869 from \$35,347,600 to \$45,133,469. The increase in maximum indebtedness is for the addition of projects to the plan which will improve the transportation systems, both street and trail, within the Area. It will also add to the capacity to provide additional revenues to existing projects within the Plan as identified in Table 12 in the Report to the Fifteenth Amendment.

The URA has accomplished a significant amount of work since its inception in August/2000. The following table accounts for Maximum Indebtedness to date:

¹ Maximum indebtedness is the limit on an urban renewal plan for how much can be spent on projects and programs throughout the life of the plan. In accordance with state law, every urban renewal district has a maximum indebtedness

Table 1 – Sherwood Urban Renewal Projects August/2000 to date

URA Projects	Expenditure
Sherwood City Hall	\$ 9,197,507
Downtown Streets Phase I	8,225,079
Cannery Project (Partially Completed)	9,748,360
Oregon Street/Langer Farms Pky. Intersection	1,000,000
Sherwood Forest Senior Affordable Housing Project	389,453
Old School Property	619,627
SW 1st Street Properties	264,000
Robin Hood Properties	250,000
SW Main Street Property (WQ Facility)	245,572
Sherwood School Fields and Grandstands	380,000
Façade Grants	227,802
Sherwood Field House	600,000
Sherwood Broadband	200,000
Administration (August/2000 to date)	1,848,002
Total	\$ 33,195,402

Included in the projects to date are purchases of blighted properties that will eventually be either publically or privately developed, restoring revenue to the URA which can either be spent on qualified URA projects or to defease debt. The plan's initial Maximum Indebtedness is \$35,347,600 which leaves a balance of \$2,152,198. The remainder will be needed to complete the Cannery Project.

In addition to completing the Cannery Project, the projects which are being added to the Plan are mainly infrastructure projects to improve the transportation network within the Sherwood Urban Renewal Area (Area), allowing for the development of underutilized parcels in the Area. Of primary significance are the first two projects. The Downtown Streets Phase II project is needed to complete the redevelopment of Old Town Sherwood. The Oregon Street Improvement Project will complete redevelopment of a primary entrance to Sherwood and a connector to the planned Tonquin Industrial Area. Other projects receiving additional funding are ongoing improvement projects within the Area, such as façade grants and sidewalk improvements. The future projected projects are identified in Table 2, below.

Table 2 – Projected Future Projects for Sherwood Urban Renewal Area

Project	Estimated Cost
Infrastructure	
Complete Community Center Construction	1,949,530
Downtown Streetscapes Phase 2	2,950,000
Oregon Street Improvements	3,290,000
Alley Improvements in Old Town	500,000
Lincoln Street Improvements - Willamette to Division Street	734,000
Century Drive Extension	500,000
Cedar Creek Trail	300,000
Sub-Total Infrastructure	10,223,530
Property Acquisition	500,000
Façade Grants	200,000
Main Street Program	100,000
Parking Study	50,000
Sidewalk Improvements in Old Town	100,000
URA Administration	1,200,000
Traffic Re-routing Study and Plans for Old Town	175,000
Redevelopment of Public Land into Parking Lots	371,000
Sub-total Other Projects	2,696,000
Total	12,919,530

One of the changes made by the 2009 Oregon legislature was instituting revenue sharing with impacted taxing jurisdictions. This revenue sharing clause is applied to existing urban renewal plans when actions are taken that result in an increase in the maximum indebtedness of these existing plans. Revenue sharing is instituted at certain specified trigger points as specific in ORS 457.470.

The financial projections, completed by ECONorthwest, estimate that the Sherwood Urban Renewal Area (Area) will begin revenue sharing in FY 2014 when the Area is projected to meet the 10 percent of initial maximum indebtedness trigger stated in the statutes (10% of \$35,347,600 is \$3,534,760). At that 10 percent limit, the affected taxing jurisdictions will begin receiving a portion of the increased tax revenue as a result of the projected increased assessed value within the Area. This is a positive benefit to the taxing jurisdictions, as they will not receive this revenue sharing without the Amendment.

The Area is projected to meet the 12.5 percent of the initial maximum indebtedness trigger in FY 2016, at which time the tax increment revenues to the Agency from the Area are held stable at that number, \$4,418,450, and the impacted taxing jurisdictions receive a proportionate share of the increase in tax increment revenues for the

remaining life of the district. These revenue sharing requirements only minimally impact the length of time the district will be in operation. An analysis of the tax increment revenues without revenue sharing indicates the Area would be able to defease the debt one year later with revenue sharing as without. These impacts are shown in tables 17 and 18 of the attached Report.

III. AMENDMENTS TO URBAN RENEWAL PLAN

The Amendment is considered to be a substantial amendment that requires the same procedure for adoption as a new urban renewal plan. The Amendment would increase the maximum indebtedness and add projects to the Plan. Substantial amendments are required to be adopted in the same manner as the adoption of an urban renewal plan, requiring approval of the Sherwood Urban Renewal Agency, notice to the taxing jurisdictions, review by the Sherwood Planning Commission, notice to the citizens of Sherwood and a Sherwood City Council hearing.

There are also other changes to the Plan to bring it up to date with current best practices. The significant changes in the Plan are:

- Updating Section 100 The Urban Renewal Plan to list all previous amendments.
- Updating Section 200 Citizen Participation to add information about Citizen Participation in this Amendment.
- Updating Section 400 Land Use to bring it in conformance with present zoning and comprehensive plan designations.
- Adding projects to Section 500 Description of Projects to be Undertaken, sub section 504 Public Improvements.
- Updating Section 700 Amendments to the Urban Renewal Plan to bring it into conformance with State Statutes.
- Increasing the Maximum Indebtedness in Section 800 Maximum Indebtedness.
- Updating the Plan's Attachment B – Comprehensive Plan Goals and Objectives to bring it up to date with the City's Comprehensive Plan.
- Adding funding to projects within the Plan as shown in Table12 in the Report to the Fifteenth Amendment. (Projects are identified in the table above)

The Amendment is shown in Attachment 1.

An updated Report (Attachment 2) accompanies the Amendment. It follows the requirements of ORS 457 and analyzes, among other things, the continued existence of blight in the Area and the financial feasibility of increasing the maximum indebtedness.

IV. PROCESS FOR AMENDMENT

The process of adopting a substantial amendment to the Urban Renewal Plan consists of the following steps:

- Preparation of an Amendment, including the opportunity for citizen involvement.
- Forwarding a copy of the Amendment and the Report to the governing body of each taxing district. (The taxing districts letters were sent out on January 6, 2011.)
- Urban Renewal Agency review of the Amendment and accompanying Report and recommendation to forward the Amendment to City Council for adoption. (January 17, 2012)
- Review and recommendation by the Planning Commission. (The Sherwood Planning Commission review is scheduled for January 24, 2012.)
- Notice to all citizens of Sherwood of a hearing before the City Council. (Notice will be provided by an article in the February 2012 edition of the Sherwood Archer, which reaches all postal patrons as specified in ORS 457.120.)
- Hearing by City Council and adoption of the Amendment and accompanying Report by a non-emergency ordinance. The hearing and date set for vote by City Council is scheduled for February 21, 2012. The ordinance must be a non-emergency ordinance, which means that the ordinance does not take effect until 30 days after its approval and during that period of time may be referred to Sherwood voters if a sufficient number of signatures are obtained on a referral petition.
- Presentation to the Washington County Commission on January 24, 2012.

Though not required, Tualatin Valley Fire and Rescue (TVF&R) requested a presentation at its January 24, 2012 Board Meeting. A presentation was made, and a letter of support was received on February 2, 2012.

V. STAFF RECOMMENDATION

Staff recommends that the Sherwood Urban Renewal Agency forward the Urban Renewal Plan Amendment and Report on the Urban Renewal Plan Amendment to the Sherwood City Council and recommend approval of the Amendment.

Attachments:

- A. Sherwood Urban Renewal Plan Amendment No. 15
- B. Report on the Sherwood Urban Renewal Plan Amendment No. 15

Sherwood Substantial Amendment 2011 Amendment No. 15

Exhibit B

The following amendments are made to the Sherwood Urban Renewal Plan. Additions are in italics and deletions are shown in ~~cross-out~~.

Section 100. The Urban Renewal Plan

The following amendments have been made to the Sherwood Urban Renewal Plan.

Amendment 1: Resolution No. 2003-002 February 11, 2003

- 1) inserting properties proposed to be acquired,*
- (2) inserting a section providing information on the benefit to the renewal area provided by public buildings*
- (3) inserting a corrected boundary map to rectify an error in the map attached to the plan adopted by Council Ordinance 2000-1098*
- (4) revising the description of project activities to clarify the Agency's intent to participate in funding a multi-use public facility*
- (5) revising the definition of substantial amendments to the plan to be consistent with ORS 457.085(i).*

Amendment 2: Resolution No. 2004-004 March 23, 2004

- (1) revising the Cost of Project Activities Table to more accurately reflect the Agency's estimate of the cost of the projects*
- (2) revising the Agency's Performing Arts Goal to reflect a wider range of activities*
- (3) revising the Agency's Promote Private Development goal to include an objective relative to Tournament Town Northwest*
- (4) more accurately reflect the current view of the description of project activities to clarify the Agency's intent to participate in funding an indoor soccer facility*
- (5) that the new activity, addition of a public soccer facility, is consistent with Plan Objectives A and F.*

Amendment 3: Resolution No. 2004-11 June 8, 2004

- (1) inserting properties proposed to be acquired in Section 503, Item C. Tax Map 2S132BD TL 800 Corner of Washington and Railroad*

Amendment 4: Resolution No. 2005-005 May 17, 2005

- (1) amends boundary to include Sherwood High School Field*

Amendment 5: Resolution No. 2008-001 February 19, 2008

*(1) inserting properties proposed to be acquired in Section 503, Item C.
(Old Cannery Site)*

Amendment 6: Resolution No. 2008-005 March 18, 2008

*(1) inserting properties proposed to be acquired in Section 503, Item C.
(Machine Shop, 120 SW Washington Street also known as 22832 SW
Washington Street)*

Amendment 7: Resolution No. 2008-003 March 18, 2008

*(1) inserting properties proposed to be acquired in Section 503, Item C.
(Old Schoolhouse, 16023 SW 3rd Street)*

Amendment 8: Resolution No. 2008-017 June 17, 2008

(1) amends boundary to include Sherwood High School Stadium

Amendment 9: Resolution No. 2008-019 August 5, 2008

*(1) amends boundary to include area at 21305 SW Pacific Highway, 21655
Pacific Highway, and Tax Map 2 S130D001101*

Amendment 10: Resolution No. 2008-024 October 7, 2008

*(1) inserting properties proposed to be acquired in Section 503, Item C.
15804 SW 1st Street (R554563) and 15824 SW 1st Street (RR554572)*

Amendment 11: Resolution No. 2009-011 September 15, 2009

*(1) inserting properties proposed to be acquired in Section 503, Item C.
16020 SW 1st Street (R555269 and RR555250)*

Amendment 12: Resolution No. 2009-014 November 3, 2009

*(1) inserting properties proposed to be acquired in Section 503, Item C.
21949 SW Sherwood Blvd.*

Amendment 13: Resolution No. 2011-015 September 20, 2011

*(1) inserting properties proposed to be acquired in Section 503, Item C.
22939 SW Main Street*

Amendment 14: Resolution No. 2011-019 November 11, 2011

*(1) inserting properties proposed to be acquired in Section 503, Item C.
Railroad Parking Lot*

Amendment 15: Ordinance No.

- (1) Updates Section 100 The Urban Renewal Plan*
- (2) Updates Section 200 Citizen Participation to include Substantial Amendments*
- (3) Updates Section 300 Relationship to Local Objectives to bring it into present day best practices*
- (4) Updates Section 400 Proposed Land Uses*
- (5) Increases maximum indebtedness in Section 800*

Section 200. Citizen Participation

A Substantial Amendment was undertaken in 2011. This amendment was adopted in the same process as an original adoption of an urban renewal plan in accordance with ORS 457.085, including the following process:

- reviewed by the Urban Renewal Agency on January 3, 2012,*
- forwarded to the Planning Commission for their review at a public meeting on January 24, 2012,*
- heard before the City Council at a hearing on February 21, 2012 which was noticed to all citizens in Sherwood in accordance with ORS 457.120.*
- All taxing jurisdictions were consulted and conferred on the amendment through a letter to them on January 6, 2012 which offered to meet with them at their request,*
- The Agency met with the Washington County Commission on January 24, 2012.*

Section 400. Proposed Land Uses

This Section, starting with the descriptions of the comprehensive Plan and Zoning applying to the Renewal Area, is replaced in its entirety to reflect current language in Title 16- Zoning and Community Development Code.

Residential Zones

The Low Density Residential (LDR) zoning district provides for single-family housing and other related uses with a density of 3.5 to 5 dwelling units per acre. Minor land partitions shall be exempt from the minimum density requirement.

The Medium Density Residential, Low (MDRL) zoning district provides for single-family and two-family housing, manufactured housing and other related uses with a density of 5.6 to 8 dwelling units per acre.

The Medium Density Residential, High (MDRH) district provides for a variety of medium density housing, including single-family, two-family housing, manufactured housing multi-family housing, and other related uses, with a density of 5.5 to 11 dwelling units per acre. Minor land partitions shall be exempt from the minimum density requirement.

The High Density Residential (HDR) zoning district provides for higher density multi-family housing and other related uses with density of 16.8 to 24 dwelling units per acre. Minor land partitions shall be exempt from the minimum density requirement.

Commercial Zones:

The Neighborhood Commercial (NC) zoning district provides for small scale, retail and service uses, located in or near residential areas and enhancing the residential character of those neighborhoods.

The Retail Commercial (RC) zoning district provides areas for general retail and service uses that neither require larger parcels of land, nor produce excessive environmental impacts.

The General Commercial (GC) zoning district provides for commercial uses that require larger parcels of land, and/or uses which involve products and activities that require special attention to environmental impacts.

The Office Commercial (OC) zoning district provides areas for business and professional offices and related uses in locations where they can be closely associated with residential areas and adequate major streets.

Industrial Zones

The Light Industrial (LI) zoning district provides for the manufacturing, processing, assembling, packaging and treatment of products which have been previously prepared from raw materials. Industrial establishments shall not have objectionable external features and shall feature well-landscaped sites and attractive architectural design, as determined by the Commission.

Institutional / Public Zone

The Institutional/Public (IP) zoning district provides for major institutional and governmental activities such as schools, public parks, churches, government offices, utility structures, hospitals, correctional facilities and other similar public and quasi-public uses.

Planned Unit Development

Planned Unit developments (PUDs) integrate buildings, land use, transportation facilities, utility systems and open space through an overall site design on a single parcel of land or multiple properties under one or more ownerships. The PUD process allows creativity and flexibility in site design and review which cannot be achieved through a strict adherence to existing zoning and subdivision standards.

Section 700. Amendments to the Urban Renewal Plan

C. Other Minor Amendments

3. Addition of a project substantially different from those identified in Sections 501 through 506 of the Plan. ~~or substantial modification of a project identified in Section 501 through 506 if the addition or modification of the project costs less than \$500,000 in 1999 dollars.~~

D. Amendments requiring approval per ORS 457.095

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

Section 800. Maximum Indebtedness

The maximum indebtedness authorized under this plan ~~is \$35,347,600 (Thirty-five million, three hundred forty seven thousand, and six hundred dollars).~~ *\$45,133,469 (Forty-five million, one hundred thirty three thousand four hundred sixty nine thousand dollars).*

Attachment B – Comprehensive Plan Goals and Objectives

This section is replaced in its entirety with the following section.

Attachment B

As part of the consideration of a substantial amendment to the Sherwood Urban Renewal Plan (Plan), the section in the existing Plan, which addresses the Comprehensive Plan, is being updated to reflect current best practices. The following section will replace the existing Attachment B in its entirety.

ATTACHMENT B-COMPREHENSIVE PLAN GOALS AND OBJECTIVES

ORS 457.085 requires that an Urban Renewal Plan relate to definite local objectives. This section reviews the City Comprehensive Plan, The Vision for Old Town Sherwood and the Economic Development Strategy Plan.

A. CITY OF SHERWOOD COMPREHENSIVE PLAN

The City's Comprehensive Plan considers a wide range of goals and policies relating to land uses, traffic, transportation, public utilities, recreation and community facilities, economic development, housing and environmental protection. The goals of City of Sherwood Comprehensive Plan document are shown below in *italics*. The way the urban renewal plan in its entirety (both existing elements and proposed amendments) conforms to these components is shown in regular type. Specific goals and policies found in the Sherwood Comprehensive Plan which relate to this Plan are:

LAND USE POLICIES OF THE COMPREHENSIVE PLAN

The Land Use Chapter forms the backbone of the Comprehensive Plan. It expresses and applies City policy governing the allocation of land resources in the Planning Area. It specifies the kind, location and distribution of land use that the community intends to see developed. The development of land use policy has been the result of a carefully defined planning process that encouraged the involvement of all persons and agencies with an interest in the use of land within the Urban Growth Area of Sherwood.

An existing land use inventory and analysis was conducted in 1977 and again in 1989 to determine factors contributing to the existing pattern of development and the possible effects of the existing land use pattern on future development. A buildable land survey was taken to determine the nature and extent of vacant and developable land that was available and suitable for future urban growth. Then, standards were developed and applied to make a determination of future space needs for each major category of land use. These studies are to be periodically updated to provide the most reliable basis for plan policy.

1. EXISTING DEVELOPMENT PATTERN

Existing development in the Sherwood Planning Area is located in and around the original town center along the Southern Pacific Railroad line. The development pattern clearly indicates the historic reliance of the first community of Sherwood on the railroad for transportation of person and goods.

The development pattern indicates historic growth outward from the original town center grid to the hillside south of the railroad tracks and along major radial streets.

The existing 1990 distribution of developed land by major category in the Urban Growth Boundary is residential 54%; commercial 6%; industrial 17%; and public and semi-public 23%. About 205 acres, or almost 9% of all land within the urban area, is non-buildable due primarily to flood plains, creek bank slopes, and power line easements.

2. APPLICABLE LAND USE POLICIES AND IMPLEMENTING STRATEGIES

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

Strategy:

- New housing will be located so as to be compatible with existing housing.
- Buffering techniques shall be used to prevent the adverse effects of one use upon another. These techniques may include varying densities and types of residential use, design features and special construction standards.

New apartment units are planned as a project in the Area to help strengthen the downtown core and to provide housing opportunities to Sherwood residents. They will be integrated into the downtown public square area, with close access to the library and other city facilities.

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

Strategy:

- New developments will be encouraged to provide an adequate distribution of owner-occupied and renter-occupied units of all types and densities.

The development of apartments will provide much needed apartment choices in the downtown core for those who wish to be in proximity of the downtown but are unable to afford homeownership in the Area. The Agency has also purchased property intended for the future development of Senior Affordable Housing.

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

Strategy:

- Housing shall be of a design and quality compatible with the neighborhood in which it is located.

The development of apartments will provide much needed apartment choices in the downtown core for those who wish to be in proximity of the downtown but are unable to afford homeownership in the Area. The Agency has also purchased property intended for the future development of Senior Affordable Housing.

3. APPLICABLE ECONOMIC DEVELOPMENT POLICIES AND STRATEGIES

Policy 1 The City will coordinate on-going economic development planning with involved public and private agencies at the state, regional, county and local level.

Strategy:

- The City will develop and update an economic database through a two-way sharing of information between public and private agencies involved in economic planning.

The City and Agency staff are actively engaged with the development planning with public and private agencies at the state, regional, county and local level. The ability to use tax increment financing allows the City to implement economic development plans for the Area. Many of the projects involve coordinating with other entities to enable full project funding.

Policy 2 The City will encourage economic growth that is consistent with the management and use of its environmental resources.

Strategy:

- The City will adopt and implement environmental quality performance and design standards for all industrial, commercial and institutional uses.
- The City will seek to attract non-polluting industries to the urban area.
- The City will provide bikeway and pedestrian linkages between residential and non-residential areas.

Projects in the Plan assist in the development of bikeway and pedestrian linkages in the Area, providing substantial pedestrian improvements in the downtown core and trail linkages to the Cedar Creek Trail. Street improvements to Oregon Street and Century Drive include sidewalks, and Oregon Street will have a bike lane and is part of the planned Tonquin Trail (which the Cedar Creek trail is part of). Projects also provide for infrastructure development that will allow the City to attract non-polluting industries to the Area.

Policy 3 The City will direct public expenditures toward the realization of community development goals by assuring the adequacy of community services and facilities

for existing and future economic development.

Strategy:

- The City will coordinate planning with special districts providing services to the urban area to assure the adequacy of those services to support economic development.
- The City will continue to develop plans and improvement programs for parks, libraries and other “soft” services, recognizing that adequate facilities in these areas are an important component in business attraction and retention.

The Agency has assisted, through projects in the Plan, in the development of the Sherwood Library, Sherwood City Hall, the Cultural Arts Strategy, and the Community Center. The City meets regularly with the Sherwood School District, Tualatin Valley Fire and Rescue, Washington County and other special districts to coordinate special services as part of the implementation of projects in the Plan. In support of the policy, the Lincoln Street Improvements will help upgrade the road so that it provides adequate service to the neighborhood. The Parking Study and Redevelopment of Public Land into Parking Lots project will both help add appropriate parking facilities to adequately service the downtown core to support existing and future economic development.

Policy 4 The City will seek to improve regional access to the urban area as a means to encourage local economic development.

Strategy:

- The City will encourage the maximum use of the railroad corridor, encourage the development of spur service lines where needed and evaluate the feasibility of passenger service.

Regional access will be improved with the improvements along Oregon Street and Century Drive, both transportation improvements in the Plan.

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 Plan provides projects that are intended to strengthen the downtown core, including street and streetscape improvements in the Sherwood Old Town Commercial Area. The Old Town Façade Grant Program also supports the downtown core.

The infrastructure improvements in the Plan along Oregon Street and Century Drive will assist in the future development of commercial and industrial uses that will provide job opportunities and expand the tax base.

Policy 6 The City will seek funding through EDA or HUD for the rehabilitation of the Old Town and Washington Hill neighborhoods.

Strategy:

- The City will seek implementation of new and rehabilitated housing goals set in the Regional Housing Opportunity Plan.
- The City will encourage the provision of affordable housing by designating areas within the City for medium density and high density developments, and by participating in State and Federal housing subsidy programs.

A property purchased through the Plan is intended to be used for Senior Affordable Housing, which conforms to this policy.

4. APPLICABLE COMMERCIAL LAND USE POLICIES AND STRATEGIES

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

Strategy:

- Community wide and neighborhood scale commercial centers will be established.
- Commercial centers will be located so that they are easily accessible on major roadways by pedestrians, auto and mass transit.
- Neighborhood commercial centers will be designated in or near residential areas upon application when need and compatibility to the neighborhood can be shown.

The Plan provides projects that are intended to strengthen the downtown core including street and streetscape improvements in the Sherwood Old Town Commercial Area. The Old Town Façade Grant Program also supports the downtown core.

The Plan includes a project to provide infrastructure improvements along Oregon Street and Century Drive which will provide opportunities for the development of community-wide commercial centers.

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

Strategy:

- Commercial developments will be subject to special site and architectural design requirements.
- The older downtown commercial area will be preserved as a business district and unique shopping area.

The Plan provides projects that are intended to strengthen the downtown core including street and streetscape improvements in the Sherwood Old Town Commercial Area. The Old Town Façade Grant Program also supports the downtown core. The Cannery development will complement Old Town Sherwood and help preserve the business district.

Policy 4 The 1983 “Sherwood Old Town Revitalization Plan” and its guidelines and strategies are adopted as a part of the Sherwood Comprehensive Plan.

Strategy:

- The City will continue to encourage implementation of the goals, objectives, strategies and improvement projects outlined in the “Old Town Revitalization Plan.”

The Plan provides projects that are intended to strengthen the downtown core including the Downtown Streetscapes Phase 2 project in the Sherwood Old Town Commercial Area. The Old Town Façade Grant Program also supports the downtown core. The Cannery Project will complement Old Town Sherwood and help preserve the business district. The Oregon Street Improvements will help turn the Street into an appropriate gateway to Sherwood and will support the downtown core. Additionally, Alley Improvements and Sidewalk Improvements to Old Town, the Parking Study, the Traffic Re-routing Study and Plans for Old Town, and the Main Street Program will all help support the downtown core, and thus conform with the above strategy and policy.

5. APPLICABLE INDUSTRIAL USE OBJECTIVES

Policy 1 Industrial uses will be located in areas where they will be compatible with adjoining uses, and where necessary services and natural amenities are favorable.

Strategy:

- Industrial development will be restricted to those areas where adequate major roads, and/or rail, and public services can be made available.

The Plan includes a project to provide infrastructure improvements along Oregon Street and Century Drive that will provide opportunities for the development of industrial uses to provide job opportunities and services for the residents of Sherwood.

Policy 2 The City will encourage sound industrial development by all suitable means to provide employment and economic stability to the community.

Strategy:

- The City will allocate land to meet current and future industrial space needs that will provide an appropriate balance to residential and commercial activities.
- The City will encourage clean capital and labor-intensive industries to locate in Sherwood.

The Plan includes a project to provide infrastructure improvements along Oregon Street and Century Drive that will provide opportunities for the development of industrial uses to provide job opportunities and services for the residents of Sherwood.

6. COMMUNITY DESIGN

Policy 1 The City will seek to enhance community identity, foster civic pride, encourage community spirit, and stimulate social interaction through regulation of the physical design and visual appearance of new development.

Strategy:

- Develop a civic/cultural center and plaza park as a community focus.
- Develop a system of streets, bikeways, sidewalks, malls, and trails linking schools, shopping, work, recreation and living areas.
- Promote the preservation of historically or architecturally significant structures and sites.

The Plan contains projects which help to foster community identity by installing street and streetscape improvements in the Old Town Area, providing civic improvements in the Old Town Area, developing the Cannery Area with a public plaza, community center, retail and commercial uses in addition to new housing which will support the Old Town Area. The Plan also contains a project to assist in the development of the Cedar Creek Trail system.

Policy 2 The formation of identifiable residential neighborhoods will be encouraged.

Strategy:

- Neighborhood scale facilities such as retail convenience centers, parks and elementary schools will be provided in or near residential areas.
- Natural and manmade features shall be used to define neighborhoods and protect them from undesirable encroachment by incompatible uses.

The projects in the Plan that provide assistance to businesses support the formation of identifiable residential neighborhoods by supporting businesses that provide neighborhood services.

Policy 3 The natural beauty and unique visual character of Sherwood will be conserved.

Strategy:

- Eliminate the visual presence of public utilities where possible.
- Adopt a sign ordinance that regulates the number, size and quality of signs and graphics. Standardize and improve the quality of public signs and traffic signalization.
- Develop and apply special site and structural design review criteria for multi-family, and manufactured housing parks, commercial and industrial developments.
- Develop and maintain landscaped conservation easements along major roadways and parkway strips along minor streets.

- Implement the Old Town design guidelines in the 1983 "Sherwood Old Town Revitalization Plan".

The streetscape project in the Plan has helped to underground utilities throughout the Old Town Area. The Plan has also assisted in providing way-finding signage in the Old Town Area.

Policy 4 Promote creativity, innovation and flexibility in structural and site design.

Strategy:

- Encourage visual variety in structural design.

The ability to partner with private developers, as allowed through projects in the Plan, provides opportunities to become involved in the design component of new development.

Policy 5 Stabilize and improve property values and increase tax revenues by the prevention of blighting influences including those resulting from noise, heat, glare, air, water and land pollution, traffic congestion, improper site and structure maintenance and incompatible land uses.

Strategy:

- Through traffic will be minimized in residential areas.
- Local site access will be discouraged along arterial and collector streets.
- Use a variety of buffering techniques to minimize the effects of incompatible uses.

Projects in the Plan including street and streetscape improvements (Downtown Streetscapes Phase 2, Oregon Street Improvements, Lincoln Street Improvements, Century Drive Extension, Alley Improvements, Sidewalk Improvements) and redevelopment assistance (Property Acquisition, Façade Grants, Main Street Program) support the City's efforts to improve property values and increase tax revenues by the prevention of blighting influences.

7. RECREATIONAL RESOURCES

The City of Sherwood has substantial open space and recreation opportunities within both the City limits and the urban growth boundary. Adjacent recreational opportunities for the region are associated with a potential greenway along the Tualatin River, the Tonquin Geological Area, Hedges Creek Wetlands and the proposed Rock Creek National Urban Wildlife Refuge in the northeast sector of the Sherwood UGB.

Policy 1 Open Space will be linked to provide greenway areas.

The Plan has a project to assist in the development of the Cedar Creek Greenway Expansion Trail and Redevelopment.

Policy 2 The City will maximize shared use of recreational facilities to avoid cost duplication.

A project in the Plan assisted in the renovation of the Sherwood High School Field and Stadium, a shared use facility in the Area.

Policy 4 The City will encourage and support the private sector in the provision of needed recreational opportunities.

Strategy:

- The City will adopt and implement standards for the provision of on-site open space and recreation areas and facilities in private development.
- The responsibility of new developments in meeting standards may, where appropriate be met by the provision of privately owned and maintained areas and facilities.
- The City will encourage the provision of private commercial recreation areas and facilities which address community recreational needs.

The Cannery Project will provide open space surrounded by mixed-use development meeting the policy for open space and recreation development.

8. TRANSPORTATION

The purpose of the Transportation element of the Comprehensive Plan is to describe a multi-modal system which will serve the future transportation needs of Sherwood. The plan for the future transportation system should be capable of effective implementation, responsive to changing conditions and be consistent with plans of adjoining jurisdictions. The Plan seeks to foresee specific transportation needs and to respond to those needs as growth occurs.

Goal 1: Provide a supportive transportation network to the land use plan that provides opportunities for transportation choices and the use of alternative modes serving all neighborhoods and businesses.

Policy 1 The City will ensure that public roads and streets are planned to provide safe, convenient, efficient and economic movement of persons, goods and services between and within the major land use activities. Existing rights of way shall be classified and improved and new streets built based on the type, origin, destination and volume of current and future traffic.

Projects in the Plan provide for the improvement of public roads and streets in the Area, including streetscape improvements.

Policy 2 Through traffic shall be provided with routes that do not congest local streets and

impact residential areas. Outside traffic destined for Sherwood business and industrial areas shall have convenient and efficient access to commercial and industrial areas without the need to use residential streets.

The project in the Plan for improvements to Oregon Street and Century Drive will assist in providing routes that do not congest local streets.

Policy 4 The City shall encourage the use of more energy-efficient and environmentally sound alternatives to the automobile by:

- The designation and construction of bike paths and pedestrian ways;

The projects in the Plan that assist in the construction of sidewalks, paths and bikeways and trails encourage more energy-efficient and environmentally sound alternative to the automobile.

Policy 6 The City shall work to ensure the transportation system is developed in a manner consistent with state and federal standards for the protection of air, land and water quality, including the State Implementation Plan for complying with the Clean Air Act and the Clean Water Act.

All new construction of the transportation system in the Plan will be in compliance with these policies.

Goal 2: Develop a transportation system that is consistent with the City's adopted comprehensive land use plan and with the adopted plans of state, local, and regional jurisdictions.

All new construction of the transportation system in the Plan will be in compliance with these policies.

Goal 4: Develop complementary infrastructure for bicycles and pedestrian facilities to provide a diverse range of transportation choices for city residents.

Policy 1 The City of Sherwood shall provide a supportive transportation network to the land use plan that provides opportunities for transportation choices and the use of alternative modes.

The improvements to the sidewalks, streetscape and Cedar Creek Greenway help encourage alternative modes of transportation.

Policy 2 Sidewalks and bikeways shall be provided on all arterial and collector streets for the safe and efficient movement of pedestrians and bicyclists between residential areas, schools, employment, commercial and recreational areas.

The construction of Oregon Street and Century Drive, a project in the Plan, provides sidewalks and bikeways.

Policy 5 The City of Sherwood shall include requirements for the provision of bicycle parking on large commercial, industrial, and multi-family residential projects.

Bicycle parking will be provided in the Cannery Project and will be required on any new development, as required in the Area.

Policy 6 The City of Sherwood will coordinate the bikeway system with adjacent jurisdictions, especially Tualatin, Wilsonville, Clackamas and Washington County.

Goal 6: Provide a convenient and safe transportation network within and between the Sherwood Old Town (Town Center) and Six Corners area that enables mixed use development and provides multi-modal access to area businesses and residents.

Policy 1 The City of Sherwood shall continue to refine and develop existing and new design guidelines and special standards for the Old Town and Six Corners areas to facilitate more pedestrian and transit friendly development.

Policy 2 The City of Sherwood shall work to provide connectivity, via the off-street trail system and public right-of-way acquisitions and dedications, to better achieve street spacing and connectivity standards.

Projects in the Plan including street improvements support the City's efforts to provide a convenient and safe transportation network within and between Sherwood Old Town and Six Corners.

As described in the findings above, the Sherwood Urban Renewal Plan continues to conform with the Sherwood Comprehensive Plan with the amendments proposed.

B. VISION FOR OLD TOWN SHERWOOD

The final draft of the Vision for Old Town Sherwood was completed in January of 2000 and adopted by the Sherwood City Council on February 8, 2000. The Action Plan is presented in five chapters, which represent the key components of the Vision. The chapter summaries, which relate to the urban renewal plan, taken directly from the Vision for Old Town document, are shown below in *italics*. The way the urban renewal plan conforms to these components is shown in regular type.

Land Use and Design

This chapter recommends expansion and clarification of the Old Town District boundaries. It also recommends mixed-use zoning, with clear historic design standards. And, it recommends a new civic center complex to house city hall and other public and private activities.

The Plan has completed projects and has future projects that conform with this recommendation. The City Hall/Library complex was a project in the Plan. In addition, a new Community Center will be redeveloped as a project in the Plan. Part of this development will incorporate a new mixed-use development.

Transportation

This chapter recommends careful evaluation of the draft Transportation Systems Plan (TSP) to ensure that the access, circulation and parking needs of Old Town are appropriately incorporated into the final TSP. It also includes recommendations for street, sidewalk, and parking improvements.

The Plan has completed projects and has future projects that conform with this recommendation. Transportation projects within the Plan include street, sidewalk, streetscape improvements and parking improvements in the Old Town Area.

Business Development

This chapter recommends actions related to business retention, revitalization, recruitment, and an overall promotional and marketing strategy.

The Plan has completed projects and has future projects that address this recommendation. Façade loans and redevelopment assistance are projects in the Plan that conform with this recommendation.

Funding

This chapter recommends creation of an urban renewal district together with other public and private funding mechanisms. The intent is to provide a focused financial strategy that leverages private investments through targeted public expenditures to ensure that the essential assets of the vision are realized.

The creation of the urban renewal district implements this recommendation. Many of the projects in the Plan have been funded through the combination of funding mechanisms, including private development expected in the Cannery Project.

As described in the findings above, the Sherwood Urban Renewal Plan conforms with the Vision for Old Town Sherwood.

C. CITY OF SHERWOOD ECONOMIC DEVELOPMENT STRATEGY

The City of Sherwood Economic Development Strategy was adopted by the Sherwood City Council in 2007. The Vision Statement is *“The City of Sherwood will drive economic development and support businesses that provide jobs for our residents by building on our assets and developing the necessary infrastructure to retain existing businesses and support new*

businesses. Economic development also will be supported by maintaining our livability and character as a clean, healthy, and vibrant suburban community where one can work, play, live, shop and do business.”

The goals of City of Sherwood Economic Development Strategy document are shown below in *italics*. The way the urban renewal plan conforms to these components is shown in regular type.

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

Objective: Capture existing workers in Sherwood who now work elsewhere.

Objective: Provide locations and support for local jobs for local residents.

Objective: Support and build upon manufacturing and other industries likely to produce family wage jobs.

Projects within the Plan conform to this Goal and these Objectives. The projects provide for infrastructure improvements to support development of vacant and underutilized parcels.

Goal: Support tourism as an economic engine.

Objective: Promote the cultural arts and historical attractions as tourism generators.

Objective: Continue to promote sporting events (i.e., Sports Town USA) as a tourism engine for Sherwood.

Objective: Leverage the presence of the Tualatin River National Wildlife Refuge, and its anticipated 50 to 60 visitors per day, to increase tourism in Sherwood.

Projects within the Plan conform to this Goal and these Objectives. The projects provide for the development of the library and the Community Center both of which provide cultural activities for the community. Projects have provided assistance with the field and stadium renovation at Sherwood High School support sporting events. The Cedar Creek Trail will be an asset to the trail and natural wildlife system.

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

Objective: Identify and protect strategic industrial and other employment sites.

Objective: Prioritize infrastructure improvement projects according to their anticipated economic benefit.

Objective: Calculate the employment land mix necessary to help the city be self-sustaining in terms of the provision of adequate utilities and services.

Objective: Encourage the growth of a variety of restaurants and retail establishments that would cater to business people.

Objective: Improve transportation access to support tourism and other economic development strategies.

Projects within the Plan conform to this Goal and these Objectives. The projects provide for infrastructure improvements to support development of vacant and underutilized parcels. The façade loan program and redevelopment loans will also encourage the growth of restaurants and retail establishments that would cater to business people.

As described in the findings above, the Sherwood Urban Renewal Plan conforms with the Sherwood Economic Development Strategy.

REPORT ACCOMPANYING SHERWOOD URBAN RENEWAL PLAN AMENDMENT No. 15



Prepared for the City of Sherwood

February 21, 2012

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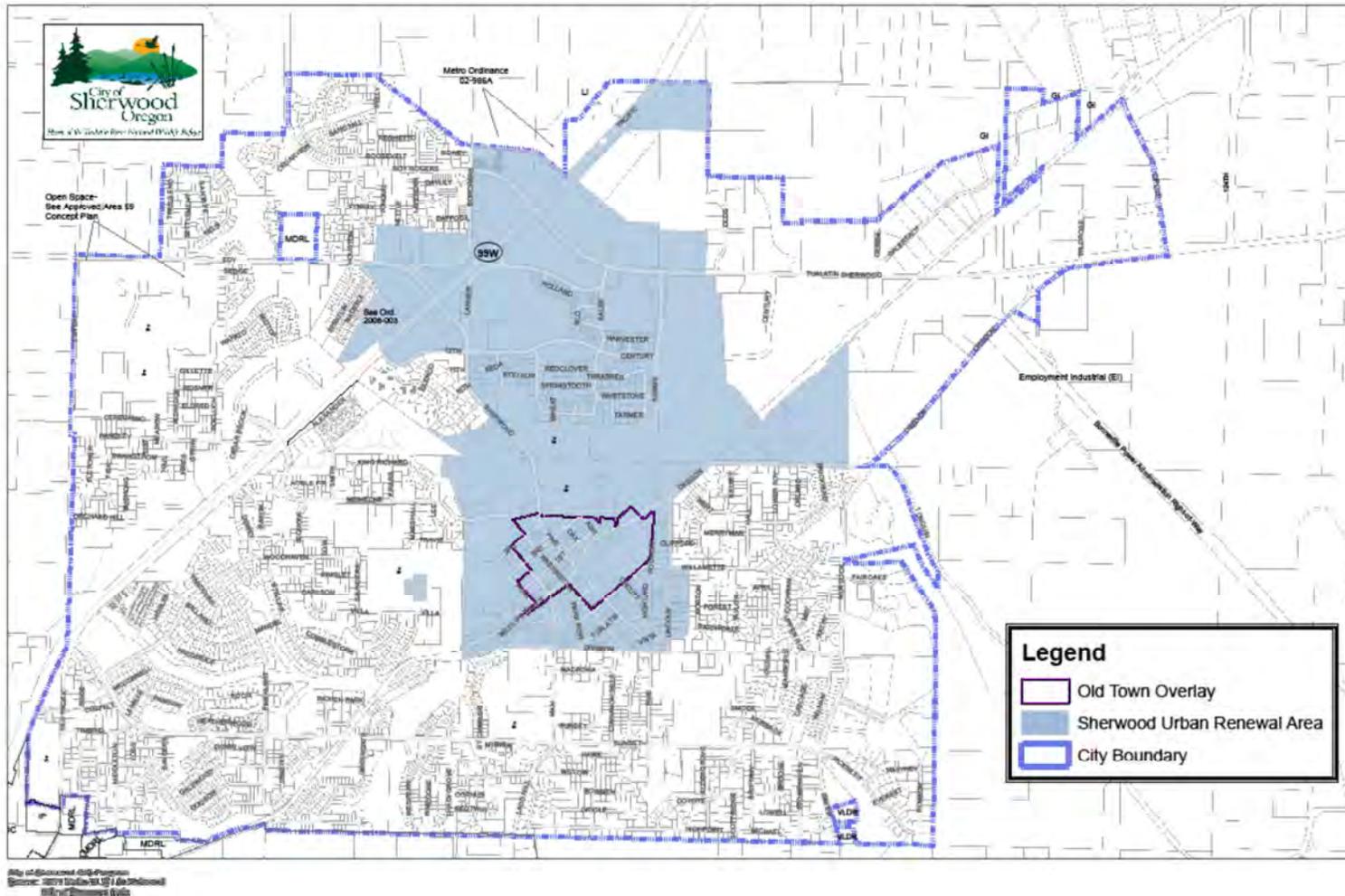
INTRODUCTION

The Report on the Amendment to the Sherwood Urban Renewal Plan (Report) contains background information and project details pertaining to the Sherwood Urban Renewal Plan Amendment (Amendment). The Report is not a legal part of the Sherwood Urban Renewal Plan (Plan), but is intended to provide public information and a basis for the findings made by the City Council as part of its approval of the Amendment to the Plan.

The Report provides the information required in ORS 457.085(3). The format of the Report is based on this statute. The Report documents not only the proposed projects in the Plan, but also documents the existing conditions in the Sherwood Urban Renewal Area (Area). Documentation of the existing conditions of the Area is required because this is a Substantial Amendment to the Sherwood Urban Renewal Plan. Many of the projects identified in this Report for the existing conditions of the infrastructure of the Area are projects identified in a master plan or capital improvement plan, but are not necessarily identified as projects in the Sherwood Urban Renewal Plan.

The Sherwood Urban Renewal Plan was established in August of 2000, and has completed many projects towards its purpose of eliminating blight in downtown Sherwood. Over the years, as the economic and physical landscape around Sherwood has changed, the Plan has also changed. To date, there have been 14 amendments, with the most recent being passed in November of 2011. These amendments have, among other things, updated project costs, adjusted the boundary and established the maximum indebtedness. The amendment this Report addresses - the 15th Amendment to the Sherwood Urban Renewal Plan - seeks to raise the Maximum Indebtedness (MI) of the Plan by \$9,785,869, bringing the total MI to be incurred to \$45,133,469. This will be considered a substantial amendment, and will require a City Council vote on a non-emergency ordinance.

Figure 1 - Sherwood Urban Renewal Plan Area Boundary



EXISTING PHYSICAL, SOCIAL, AND ECONOMIC CONDITIONS AND IMPACTS ON MUNICIPAL SERVICES

This section of the Report describes existing conditions within the Sherwood Urban Renewal Area (Area), and documents the occurrence of “blighted areas”, as defined by ORS 457.010(1).

Physical Conditions

Land Use

According to the Washington County Assessor’s Office, the Area, shown in Figure 1 above, contains 1068 parcels, and consists of 473.78 acres and 122.06 acres of right-of-way, for a total size of 595.84 acres.

An analysis of property classification data from the Washington County Assessment and Taxation database was used to determine the land use designation of parcels in the Area.

Within the Area, the largest use of land is Commercial – Improved (25.75% of total acreage). Following this, but excluding tax-exempt uses, is Residential – Improved (17.75%) and then Residential – Land Only (12.15%). Another interesting thing to note is that, when comparing individual parcels instead of acreage, over 50% of the parcels in the Area are Residential – Improved (610 parcels), followed by Condominiums (234 parcels).

Table 1 - Existing Land Use of Area

Land Use	Parcels	Acreage	% of Total Acreage
Commercial - Improved	84	122	25.75%
Tax-Exempt	83	121.75	25.70%
Residential - Improved	610	84.1	17.75%
Residential - Land Only	19	57.57	12.15%
Industrial - Vacant	7	32.98	6.96%
Multi-Family	8	29.85	6.30%
Miscellaneous	4	10.22	2.16%
Commercial - Vacant	11	5.5	1.16%
Industrial - Improved	3	4.17	0.88%
Urban Developable Tract - Vacant	3	2.86	0.60%
Urban Developable Tract - Improved	2	2.78	0.59%
Condominiums	234	0	0.00%
Total*	1,068	473.78	100.00%

*This total does not include 291 leasing interests Source: Washington County Assessor

Zoning and Comprehensive Plan Designations

In the City of Sherwood, the zoning code implements the Comprehensive Plan. This code establishes districts to control land use throughout the city, and regulates development standards within these established use districts.

As illustrated in Table 2 and Figure 2, the largest portion (16.07%) of the Area is zoned as Retail Commercial. This is followed by Institutional and Public, which is approximately 14.43%, and close after that is Light Industrial – PUD (14.13%). All combined, residential zones comprise 29.70% of the Area and commercial zones comprise 26.50% of the Area.

Table 2 - Existing Zoning and Comprehensive Plan Designations of Area

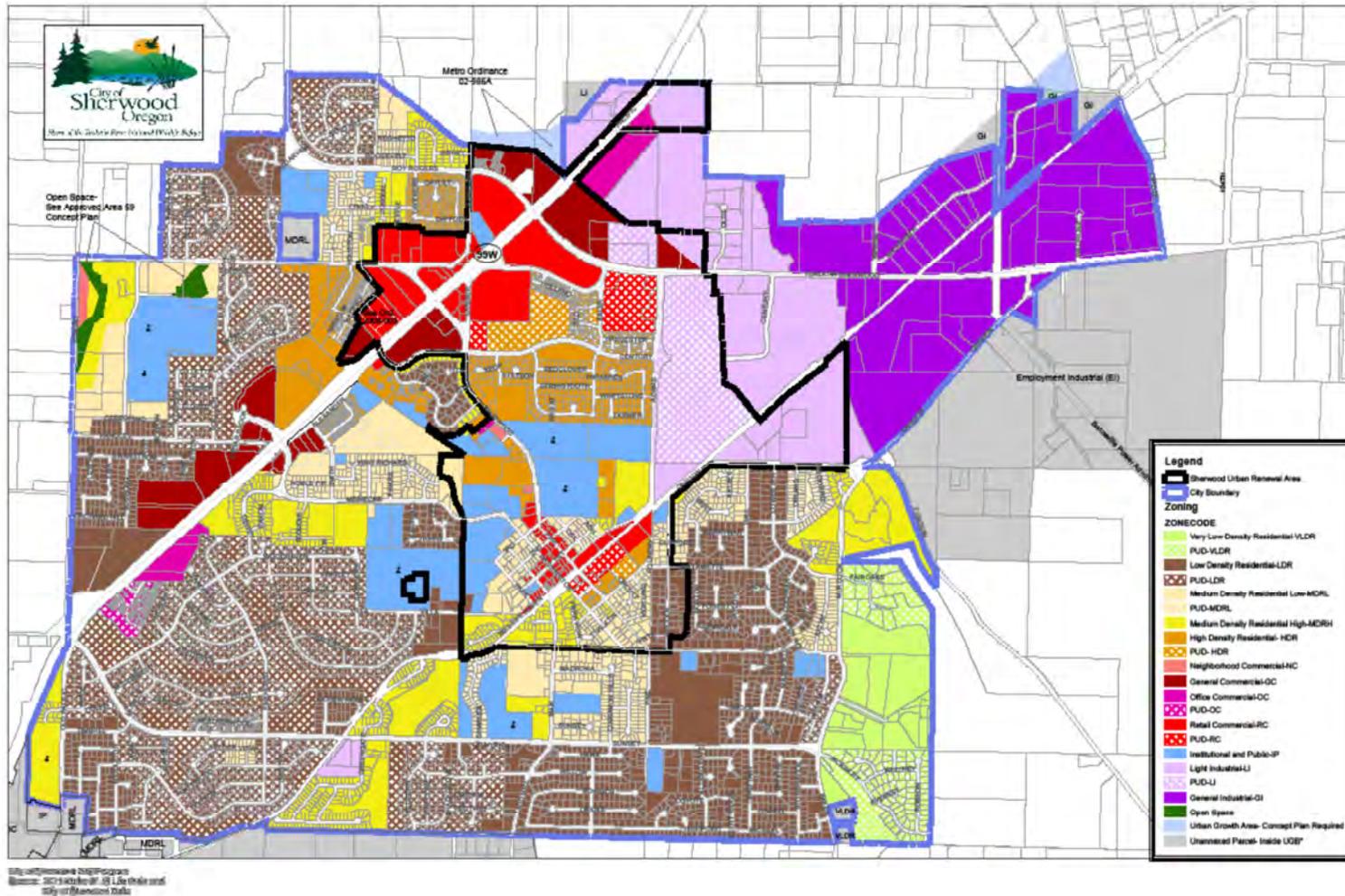
Zone	Parcels	Acreage	% of Total Acreage
Retail Commercial	109	76.5	16.07%
Institutional and Public	18	68.69	14.43%
Light Industrial - PUD	3	67.25	14.13%
High Density Residential	231	60.14	12.64%
Light Industrial	10	46.78	9.83%
General Commercial	229	31.63	6.65%
Not Specified	9	25.75	5.41%
High Density Residential - PUD	180	24.37	5.12%
Medium Density Residential Low	152	24.02	5.05%
Medium Density Residential High	79	22.44	4.71%
Retail Commercial - PUD	4	16.17	3.40%
Low Density Residential	40	10.39	2.18%
Neighborhood Commercial	2	1.03	0.22%
Office Commercial	2	0.81	0.17%
Total*	1,068	475.97**	100.00%

**Total does not include 291 leasing interests*

***This number differs slightly from other totals because the City of Sherwood uses a different GIS system than Washington County*

Source: City of Sherwood

Figure 2 - Area Zoning and Comprehensive Plan Designations



Infrastructure: Existing Conditions

Street and Sidewalk Conditions

While large portions of the Area have been recently improved and streetscaped with urban renewal funds, there are still sections of road that do not adequately serve the community. These sections need to be upgraded to provide a safe and appealing transportation network that will encourage efficient pedestrian and vehicular travel and make the Area an attractive location for business owners. Some of the notable streets that still require improvements are listed below:

Century Drive has yet to be constructed, but it is needed to provide an adequate connection to a Light Industrial zoned portion of the Area. Once transportation facilities are provided, the Light Industrial area will be better able to attract investors.

Lincoln Road is in a dilapidated condition and requires resurfacing.

Oregon Street serves as one of the entrances to the community, yet it has not been improved to the level of the surrounding streets. To properly represent the community and encourage visitor stops, it needs appropriate signage and there needs to be a gateway welcoming traffic to Downtown Sherwood. Additionally, from the roundabout to Lower Roy Road, Oregon Street has no sidewalks, and after Lower Roy Road, there is only a sidewalk on one side of the street. Along with various streetscape projects, including sidewalks, resurfacing, planters, and greenery, there are utilities running along the street that need to be undergrounded.

Railroad Street in Downtown Sherwood needs resurfacing to address the large amounts of cracking and patching that currently exists in the pavement. The street also requires some streetscaping treatment, including a sidewalk, street trees, and planters.

Additionally, the Transportation System Plan for Sherwood was created in 2005, and it identifies both the current conditions of the transportation system and what will be needed to meet demand in the long term. To meet both current and future demand, the plan, and City of Sherwood, have identified deficiencies in the system, and detailed projects totaling \$56,890,379 that are required to address these deficiencies. Those projects that were identified in the plan, and by the City, and that have yet to be completed, and lie within the Urban Renewal Area (URA) boundary, are listed in Table 3, below.

Table 3 – Projects in Area in the Transportation System Plan

Project	Estimated Cost
Capital	
Downtown Streetscapes Phase 2 Design and Construction	\$2,927,596
Century Drive	\$500,000
Edy Road/Borchers Drive	\$600,000
Oregon Street	\$8,000,000
Sherwood Boulevard/Langer Drive	\$750,000
Sherwood Boulevard/Century Drive	\$275,000
Roy Rogers Road from Borchers Drive to Highway 99W	\$4,000,000
Langer Drive/Tualatin-Sherwood Road	\$250,000
Lincoln Street (from Oregon Street to Willamette Street)	\$2,970,000
Lincoln Street (from Willamette Street to Division Street)	\$4,000,000
Clifford Court	\$2,375,000
Highland Drive (Willamette Street to Pine Street)	\$2,400,000
Willamette Street (Pine Street to Division Street)	\$2,250,000
Villa Street/First Street Connection	\$2,882,265
Sub-Total	\$34,179,861
Rehabilitation	
Lincoln Street (from Willamette Street to Division Street)	\$146,741
Alexander Lane (from Smith Avenue to end of street)	\$14,320
Gleneagle Drive (from 10th Street to Sherwood Boulevard)	\$132,252
Gleneagle Drive (from Glenco Court to 12th Street)	\$90,607
Glenco Court (from Gleneagle Drive to the end of the cul-de-sac)	\$23,735
12th Street (from Sherwood Boulevard to Highway 99W)	\$207,700
10th Street (from Gleneagle Drive to Sherwood Boulevard)	\$29,585
Oregon Street (from Lincoln Street to Murdock Road)	\$215,578
Pine Street	\$2,550,000
Old Town Streets	\$10,800,000
Cannery Arterials	\$2,550,000
Future Phases	\$4,700,000
Oregon Street/Tonquin Road	\$1,000,000
Adams Street/Tualatin-Sherwood Road	\$250,000
Sub-Total	\$22,710,518
Total	\$56,890,379

Source: City of Sherwood Transportation Systems Plan

Stormwater

Stormwater treatment in the Area is generally sufficient, however, there are still a few projects planned in the Area.

Table 4 - Stormwater Projects in the Area Listed in the Capital Improvement Plan

Project	Estimated Cost
Catch basin/inlet replacement program	\$332,000
Repairs to Water Facility at 2nd and Park	\$12,000
Columbia St. Storm Water Facility	\$1,500,000
Oregon St. Regional Storm Water Facility	\$400,000
South Stella Olsen Park Stormwater Facility	\$250,000
Community Campus Park Stormwater Facility	\$250,000
Total	2,744,000

Source: City of Sherwood Capital Improvement Plan

Sanitary Sewer

The Sanitary Sewer Master Plan for Sherwood was created in 2007, and it identifies both the current conditions of the sanitary sewer system and what will be needed to meet long-term demand. To meet both current and future demand, the Master Plan and the City of Sherwood have identified deficiencies in the system, and have detailed the projects, totaling \$2,032,161, that are required to address these deficiencies. Those projects that are identified in the Master Plan, and by the City, and that have yet to be completed, and lie within the URA boundary, are listed in Table 5, below.

Table 5 - Sanitary Sewer Projects in the Area from the Sanitary Sewer Master Plan

Project	Project Category	Project Location	Estimated Cost
11	Rehabilitation	SW Willamette St at Orcutt Place	\$76,382
12	Rehabilitation	SW Willamette St. at Highland Drive	\$124,912
14	Rehabilitation	SW Washington St	\$52,750
15	Rehabilitation	SW Schamburg Dr. at Division	\$245,182
17	Rehabilitation	SW Pine/SW Park	\$76,382
18	Rehabilitation	Old Town Laterals	\$40,000
19	Rehabilitation	Ash Street Manhole	\$10,000
Small portions of:			
6	Capacity Upgrade	Rock Creek Trunk	\$356,128
7	Capacity Upgrade	Rock Creek Trunk	\$366,928
8	Capacity Upgrade	Area 48 North	\$683,497
Total			\$2,032,161

Source: City of Sherwood Sanitary Sewer Master Plan

In addition to the projects listed above, the Sanitary Sewer Master Plan also identifies two manholes on Oregon Street for potential replacement.

Water

The City of Sherwood has identified water projects to take place within the Area, totaling \$1,049,840. These projects mainly address infrastructure deficiencies in fire flow and water transmission.

Table 6 - Water Projects in the Area Listed in the Capital Improvement Plan

Project	Estimated Cost*
Regal Cinema	\$21,060
Langer Drive at Albertson's Parking Lot	\$148,850
Albertsons Parking Lot	\$43,810
Tualatin Sherwood Rd.	\$111,930
First St., Pine to Washington	\$33,280
Langer Drive Stub-Out South No.1	\$49,168
Langer Drive Stub-Out South No.2	\$56,336
Roy Rogers Rd. Stub-Out	\$15,582
North Sherwood Blvd Stub-Out No.2	\$15,582
North Sherwood Blvd Stub-Out No.3	\$32,242
Adams North Ext.	\$522,000
Total	\$1,049,840

Source: City of Sherwood Capital Improvement Plan *costs are in 2005 dollars

Social Conditions

There are 871 parcels in the Area with residential uses, accounting for 36.23% of the acreage, and 80.28% of parcels, in the Area. The 2010 census data that was recently released is used, below, to describe the social conditions within the Area. Due to the fact that this data is for the City of Sherwood as a whole, not just the URA, some variation can be expected between the values represented in the tables and the actual values within the URA. The percentages presented here, however, should provide a reasonably accurate picture of what demographic exists within the Sherwood Area.

The age distribution in Sherwood has two peaks, one at the 5-14 year age groups, and a second at the 35-44 year age groups. These groups account for over 40% of Sherwood's population, and people under 50 years of age account for over 79% of the total population. Overall, the median age of a Sherwood City resident (meaning half of Sherwood residents are older, and half are younger) is 34.3 years. The full age distribution of the Area is shown in Table 7, below.

Table 7 - Age

Age	Population	Percent
Under 5 years	1,518	8.3%
5 to 9 years	1,860	10.2%
10 to 14 years	1,842	10.1%
15 to 19 years	1,218	6.7%
20 to 24 years	608	3.3%
25 to 29 years	927	5.1%
30 to 34 years	1,330	7.3%
35 to 39 years	1,876	10.3%
40 to 44 years	1,858	10.2%
45 to 49 years	1,400	7.7%
50 to 54 years	1,065	5.9%
55 to 59 years	801	4.4%
60 to 64 years	651	3.6%
65 to 69 years	421	2.3%
70 to 74 years	275	1.5%
75 to 79 years	210	1.2%
80 to 84 years	151	0.8%
85 years and over	183	1.0%
Total population	18,194	100.0%
Median age (years)	34.3	

Source: 2010 US Census Data

The racial characteristics of the City of Sherwood are shown in Table 8, below. The majority of people (88.3%) in Sherwood identify themselves as white and the second largest group (5.2%) that people identify with is Asian.

Table 8 - Racial Characteristics

Race	Population	Percent
White	16,732	88.3%
Black or African American	252	1.3%
American Indian and Alaska Native	235	1.2%
Asian	989	5.2%
Native Hawaiian and Other Pacific Islander	149	0.8%
Some Other Race	585	3.1%
Total	18,942	100.0%

Source: 2010 US Census Data

The US Census chooses to describe Hispanic or Latino demographics in a table separate from the other races. This data is shown below in Table 9, and is simply another representation of the racial characteristics of the Area. The majority of people who identify themselves as Hispanic or Latino are of Mexican origin (5.4%).

Table 9 - Racial Characteristics (Hispanic or Latino)

Race	Population	Percent
Mexican	983	5.4%
Puerto Rican	46	0.3%
Cuban	45	0.2%
Other Hispanic or Latino [5]	205	1.1%
Not Hispanic or Latino	16,915	93.0%
Total population	18,194	100.0%

Source: 2010 US Census Data

Economic Conditions

Taxable Value of Property Within the Area

The estimated 2011/2012 total assessed value of the real property in the Area is \$251,690,670. The total assessed value, including all real, personal, manufactured, and utility properties, is \$290,300,463. The frozen base is \$115,300,444. The excess value of the Sherwood Urban Renewal Area is \$175,000,019.¹ The total assessed value of the City of Sherwood is \$1,518,340,179².

Building to Land Value Ratio

An analysis of property values can be used to evaluate the economic condition of real estate investments in a given area. The relationship of a property's improvement value (the value of buildings and other improvements to the property) to its land value is generally an accurate indicator of the condition of real estate investments. This relationship is referred to as the "Improvement to Land Ratio", or "I:L." The values used are real market values. In urban renewal areas, the I:L may be used to measure the intensity of development or the extent to which an area has achieved its short- and long-term development objectives. A healthy condition of real estate investment in the Area would be 4:1 or more.

¹ Excess value is the "incremental value" over the frozen base in an urban renewal area

² Data from Washington County Assessor's 2011-12 tax roll summary

Table 10, below, “I:L Ratio of Parcels in the Area”, shows the improvement to land ratios for taxable properties within the Area. Approximately 58% of the acreage in the Area (730 parcels) has an improvement ratio below 1.5. Only 5.27% of the acreage (eight parcels) meets the I:L ratio of 4.0. The I:L ratios for improved properties in the Area are very low. Additionally, the Area contains 82.01 acres of undeveloped land.

Table 10 - I:L Ratio of Parcels in the Area

I:L Ratio	Parcels	Acreage	% of Total Acreage
Not Taxable	59	97.87	20.66%
No Improvements	58	82.01	17.31%
Condos	234	0.00	0.00%
0.01 - 0.50	77	58.41	12.33%
0.51 - 1.00	406	86.96	18.35%
1.01 - 1.50	189	47.09	9.94%
1.51 - 2.00	22	42.79	9.03%
2.01 - 3.00	13	22.61	4.77%
3.01 - 4.00	2	11.05	2.33%
4.01 - 5.00	2	4.95	1.04%
>5.0	6	20.04	4.23%
Total*	1068	473.78	100.00%

Source: raw data from Washington County Assessor

**This total does not include 291 leasing interests because there is no land value listed*

Impact on Municipal Services

The fiscal impact of tax increment financing on taxing districts that levy taxes within the Area (affected taxing districts) is described in the Section on Impact of Tax Increment Financing of this Report. This subsection discusses the fiscal impacts resulting from potential increases in demand for municipal services.

The projects being considered for future use of urban renewal are primarily transportation projects. The use of urban renewal funding for these projects allows the city to match other funding sources to actually construct the improvements. It also allows the city to tap a different funding source than the City of Sherwood’s general funds to make these improvements.

It is anticipated that these improvements will catalyze development on the adjacent undeveloped and underdeveloped parcels. This development will require city services, but will also generate systems development charges and revenues from the use of utilities in the Area. As the development will be new construction, it will be up to current building code, and will aid in any fire-protection needs.

These impacts will be countered by providing major transportation funding for vital connections to Sherwood and major parcels of undeveloped and underdeveloped land. This land will provide future jobs to the Sherwood area, and future increased tax base for all taxing jurisdictions.

REASONS FOR SELECTION OF EACH URBAN RENEWAL AREA IN THE PLAN

The reason for selecting the area has not changed with this amendment. The documented reason for selections was to cure blight within the area.

THE RELATIONSHIP BETWEEN URBAN RENEWAL PROJECTS AND THE EXISTING CONDITIONS IN THE URBAN RENEWAL AREA

The projects identified for the Area are shown in Table 11, below, and the table is followed by descriptions of the projects and how they relate to the existing conditions in the Area:

Table 11 - Projects to be Completed Using URA Funds

Project	Estimated Cost
Infrastructure	
Complete Community Center Construction	1,949,530
Downtown Streetscapes Phase 2	2,950,000
Oregon Street Improvements	3,290,000
Alley Improvements in Old Town	500,000
Lincoln Street Improvements - Willamette to Division Street	734,000
Century Drive Extension	500,000
Cedar Creek Trail	300,000
Sub-Total Infrastructure	10,223,530
Property Acquisition	500,000
Façade Grants	200,000
Main Street Program	100,000
Parking Study	50,000
Sidewalk Improvements in Old Town	100,000
URA Administration	1,200,000
Traffic Re-routing Study and Plans for Old Town	175,000
Redevelopment of Public Land into Parking Lots	371,000
Sub-total Other Projects	2,696,000
Total	12,919,530

Source: City of Sherwood

Report Accompanying Amendment No. 15 to the Sherwood Urban Renewal Plan

Sherwood Community Center

The Sherwood Community Center is one of three projects included in the Cannery Project, which is under construction. The Streets and Plaza projects have been completed, and the Sherwood Community Center, the third project has been designed and ready to bid for construction in 2012. Staff estimates the amount listed as the remaining maximum indebtedness needed to complete the project.

Downtown Streetscapes Phase 2

This project will reconstruct Railroad Street between Pine Street and Main Street, and Washington Street between Railroad Street and 1st Street to match Cannery Street development. It will also include the installation of new utility infrastructure.

Existing Conditions: These roads do not have improvements that bring them to the same level as roads in the surrounding area. Additionally, they have large amounts of cracking and patching, and are, in places, missing key ingredients to a pedestrian friendly downtown, including sidewalks.

Oregon Street Improvements

This project will reconstruct Oregon Street between Lincoln Street and a roundabout at Murdock to full TSP standards. It also includes the option to construct a regional trail.

Existing Conditions: Oregon Street will be enhanced to the level that it can function as an appropriate gateway to downtown Sherwood.

Lincoln Street Improvements – Willamette to Division Street

This project will rehabilitate the Lincoln Street pavement section between Willamette Street and Division Street. The URA funded portion of the project will not bring the road fully up to TSP standards for residential street sections.

Existing Conditions: Lincoln Street is dilapidated and requires resurfacing. This project will improve the road and bring it back up to a serviceable condition.

Century Drive Extension

This project constructs an extension of Century Drive between Adams Avenue and Tualatin-Sherwood Road. This three-lane road extension is classified as a collector and will conform to the TSP street standards. The road will provide improved access to industrial properties.

Existing Conditions: Currently, this portion of the Langer property lacks sufficient road access, and this issue has proven to be a barrier to development.

Cedar Creek Trail

This project will provide URA funds, which will match a \$5.2 million Metro Regional Flexible Funds Grant, to develop a regional trail system through Sherwood. The trail system will promote non-automotive transportation within the URA area and downtown Sherwood as a whole, and will support both pedestrian and bicycle traffic.

Existing Conditions: Sidewalks, parks, and some trails currently exist within the URA, but they do not provide adequate connections from the surrounding communities to downtown Sherwood.

Property Acquisition

The Agency desires to continue to acquire properties within the Area.

Existing Conditions: There are properties within the Area that are presently privately or publicly owned that the Agency may wish to acquire in the future. (Any acquisition must be done through a Plan amendment that specifies those properties to be acquired.)

Façade Grants

The Agency has a Façade Grant Program that provides grants to property owners within the Area.

Existing Conditions: There is an existing Façade Grant Program that will need future, continued funding.

Main Street Program

The Main Street Program supports efforts to improve Old Town, the “Main Street” of the Area. These funds will only be used for capital improvements or other eligible urban renewal expenditures.

Existing Conditions: The Main Street Program, which supports Old Town, is in operation and works on projects in Old Town. The group may, from time to time, identify projects that will assist in upgrading the Area.

Parking Study

A parking study for Old Town is desired to evaluate future parking needs and project future improvements to address those needs.

Existing Conditions: There are parking needs in Old Town that need to be analyzed and addressed.

Alley Improvements in Old Town

The Agency desires to make improvements to the alleys in Old Town. The alleys are currently gravel and underground utilities are near the surface. The URA plans to relocate the utilities and pave the alleys to improve pedestrian flow.

Existing Conditions: There are alleys in Old Town that are blighting conditions in the Area and need to be improved.

Sidewalk Improvements in Old Town

The Agency desires to make improvements to the sidewalks in Old Town, where needed.

Existing Conditions: There are sidewalks in Old Town that are blighting conditions in the Area and need to be improved.

Traffic Rerouting Study and Plans for Old Town

The Old Town area requires analysis of the traffic patterns and their impacts.

Existing Conditions: There is significant traffic in the Old Town area that impacts the area. A study will allow the Agency and City to address these issues.

Redevelopment of Public Lands into Parking Lots

There are publicly owned lands that could be used as parking lots to help facilitate parking in the Area.

Existing Conditions: These publicly owned lands are not presently used as parking lots, but have the potential to address parking issues in the Area.

URA Administration Costs

Administrative Costs are incurred to implement the Urban Renewal Plan.

Existing Conditions: The City currently bills urban renewal administrative costs to the Agency.

THE ESTIMATED TOTAL COST OF EACH PROJECT AND THE SOURCES OF MONEYS TO PAY SUCH COSTS

The costs of the projects are shown in Table 12 below. The sources of funds are tax increment revenues. The Cedar Creek Trail will be a match to other local funds.

Table 12 - Estimated Cost of Projects

Project	Estimated Cost
Infrastructure	
Complete Community Center Construction	1,949,530
Downtown Streetscapes Phase 2	2,950,000
Oregon Street Improvements	3,290,000
Alley Improvements in Old Town	500,000
Lincoln Street Improvements - Willamette to Division Street	734,000
Century Drive Extension	500,000
Cedar Creek Trail	300,000
Sub-Total Infrastructure	10,223,530
Property Acquisition	500,000
Façade Grants	200,000
Main Street Program	100,000
Parking Study	50,000
Sidewalk Improvements in Old Town	100,000
URA Administration	1,200,000
Traffic Re-routing Study and Plans for Old Town	175,000
Redevelopment of Public Land into Parking Lots	371,000
Sub-total Other Projects	2,696,000
Total	12,919,530

Source: City of Sherwood

THE ANTICIPATED COMPLETION DATE FOR EACH PROJECT

The project schedule is shown in Table 13. The infrastructure projects will be scheduled as shown. The other projects will be ongoing and will be completed as directed by the Agency.

Table 13 - Anticipated Completion Dates

Project	Anticipated Completion Date
Infrastructure	
Sherwood Community Center	October 2012
Downtown Streetscapes Phase 2	October 2012
Oregon Street Improvements	October 2013
Lincoln Street Improvements - Willamette to Division Street	October 2017
Century Drive Extension	October 2012
Cedar Creek Trail	October 2015

Source: City of Sherwood

AMOUNT OF INCREASED MAXIMUM INDEBTEDNESS ALLOWED

ORS 457.220(4)(a) and (b) state that an urban renewal plan’s indebtedness may be increased, but is limited to the aggregate of all amendments under this subsection, and may not exceed 20% of the plan’s initial maximum indebtedness, as adjusted by the index used in the plan to compute future costs of projects that will be financed under the plan. The computation for the Sherwood Urban Renewal Plan is shown below. The initial maximum indebtedness was \$35,347,600. The adjustment factor in the Plan was 3%. Therefore, the Plan’s maximum indebtedness may be increased by \$9,785,869 to a new maximum indebtedness of \$45,133,469.

Table 14 - Potential Maximum Indebtedness Increase Per Year of Operation

Year	Adjustment Factor	Maximum Indebtedness
Adopted Aug 29, 2000	Initial MI	\$35,347,600
2001, Year 1	3%	36,408,028
2002, Year 2	3%	37,500,269
2003, Year 3	3%	38,625,277
2004, Year 4	3%	39,784,035
2005, Year 5	3%	40,977,556
2006, Year 6	3%	42,206,883
2007, Year 7	3%	43,473,089
2008, Year 8	3%	44,777,282
2009, Year 9	3%	46,120,601
2010, Year 10	3%	47,504,219
2011, Year 11	3%	48,929,345
20% of Year 11		9,785,869
New Maximum Indebtedness		\$45,133,469

THE ESTIMATED AMOUNT OF TAX INCREMENT REVENUES REQUIRED AND THE ANTICIPATED YEAR IN WHICH INDEBTEDNESS WILL BE RETIRED

Table 15 shows the tax increment revenues and their allocation to loan repayments, reimbursements, debt service, and debt service reserve funds. The Area also reaches the point where revenue sharing is required to begin, as implemented by the State in ORS 457.470, and this is further described in the section of this report on Impacts to Taxing Jurisdictions.

It is anticipated that all debt will be retired by FYE 2021 (any outstanding bonds will be defeased). The maximum indebtedness is increased by \$9,785,869 to a new maximum indebtedness of \$45,133,469 (Forty-five million, one hundred thirty three thousand four hundred sixty nine dollars).

The estimated total amount of tax increment revenues required to service the increase in maximum indebtedness of \$9,785,869 is \$19,277,202. This estimate is a conservative estimate of the potential revenue required, as the Area shows some ability to defease loans earlier than the projections below indicate, which would lower the total revenues required. The increased maximum indebtedness extends the urban renewal area by an estimated three years, from FYE 2018 to FYE 2021, even accounting for revenue sharing.

Table 15 - Tax Increment Revenues and Allocations to Debt Service

FYE	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Debt Service											
2003 B of A Loan: Civic Building	\$ 305,590	\$ 300,236									
2003 OECCD Loan	\$ 438,486	\$ 435,853	\$ 437,879	\$ 434,138	\$ 434,738	\$ 434,938	\$ 434,483	\$ 438,353	\$ 436,313	\$ 438,553	\$ 434,828
2004 B of A Loan: Cannery	\$ 39,682	\$ 37,809	\$ 35,983								
2005 B of A Loan: Old School	\$ 56,080	\$ 55,126	\$ 56,112	\$ 55,928	\$ 55,628	\$ 56,212	\$ 55,626	\$ 55,922	\$ 56,048		
2005 B of A Loan: Sports Fields	\$ 24,256	\$ 23,644	\$ 24,032	\$ 24,386	\$ 23,706	\$ 24,026	\$ 25,032	\$ 24,564	\$ 23,782		
2006 B of A Loan: Downtown Streets	\$ 175,396	\$ 175,416	\$ 175,398	\$ 175,396	\$ 175,386	\$ 175,396	\$ 175,395	\$ 175,386	\$ 175,397	\$ 175,398	\$ 43,849
2006 OECCD Loan: Downtown Streets	\$ 483,820	\$ 485,419	\$ 481,619	\$ 482,619	\$ 483,219	\$ 483,419	\$ 483,220	\$ 482,619	\$ 481,619	\$ 484,863	\$ 482,263
2010 B of A Loan	\$ 554,820	\$ 553,346	\$ 551,360	\$ 553,866	\$ 555,606	\$ 551,580	\$ 552,046	\$ 551,746	\$ 555,680	\$ 553,596	\$ 555,768
2012 Loan	\$ -	\$ 650,188	\$ 650,188	\$ 650,188	\$ 650,188	\$ 650,188	\$ 650,188	\$ 650,188	\$ 650,188	\$ 650,188	\$ 650,188
2013 Loan	\$ -	\$ -	\$ 267,774	\$ 267,774	\$ 267,774	\$ 267,774	\$ 267,774	\$ 267,774	\$ 267,774	\$ 267,774	\$ 267,774
Total Debt Service	\$ 2,078,130	\$ 2,717,037	\$ 2,680,345	\$ 2,644,295	\$ 2,646,245	\$ 2,643,533	\$ 2,643,764	\$ 2,646,552	\$ 2,646,801	\$ 2,570,372	\$ 2,434,670
Cumulative Remaining D/S											
Outstanding debt	\$ 27,154,483	\$ 25,076,353	\$ 23,009,504	\$ 21,247,121	\$ 19,520,788	\$ 17,792,505	\$ 16,066,934	\$ 14,341,132	\$ 12,612,542	\$ 10,883,703	\$ 9,231,293
New Debt	\$ 19,277,202	\$ 19,277,202	\$ 18,627,014	\$ 17,709,052	\$ 16,791,090	\$ 15,873,128	\$ 14,955,166	\$ 14,037,204	\$ 13,119,242	\$ 12,201,280	\$ 11,283,318
Total Debt	\$ 46,431,685	\$ 44,353,555	\$ 41,636,518	\$ 38,956,173	\$ 36,311,878	\$ 33,665,633	\$ 31,022,100	\$ 28,378,336	\$ 25,731,784	\$ 23,084,983	\$ 20,514,611
Debt Service Fund											
Beginning Fund Balance	3,718,395.28	\$ 4,962,359	\$ 5,789,338	\$ 6,703,212	\$ 7,711,996	\$ 8,879,151	\$ 10,654,068	\$ 12,428,754	\$ 14,200,652	\$ 15,972,301	\$ 17,820,379
TIF Revenues	\$ 3,322,094	\$ 3,544,016	\$ 3,594,219	\$ 3,653,079	\$ 3,813,400	\$ 4,418,450	\$ 4,418,450	\$ 4,418,450	\$ 4,418,450	\$ 4,418,450	\$ 4,418,450
Total Resources	\$ 7,040,489	\$ 8,506,375	\$ 9,383,557	\$ 10,356,291	\$ 11,525,396	\$ 13,297,601	\$ 15,072,518	\$ 16,847,204	\$ 18,619,102	\$ 20,390,751	\$ 22,238,829
Coverage Ratio	1.60	1.30	1.34	1.38	1.44	1.67	1.67	1.67	1.67	1.72	1.81
Ending Fund Balance	\$ 4,962,359	\$ 5,789,338	\$ 6,703,212	\$ 7,711,996	\$ 8,879,151	\$ 10,654,068	\$ 12,428,754	\$ 14,200,652	\$ 15,972,301	\$ 17,820,379	\$ 19,804,159

Source: ECONorthwest. Revenue sharing begins in FY 2014 and the tax increment revenues to the District are stabilized in FY 2017: see line TIF Revenues

FINANCIAL ANALYSIS OF THE PLAN

The estimated tax increment revenues through FYE 2021, as shown above, are based on projections of the assessed value of development within the Area and the total tax rate that will apply in the Area. The assumptions include new development projects, as identified by the City of Sherwood, and minimum growth rates of 3%, which are increasing in the later years of the projections.

Table 16 shows the projected incremental assessed value, projected tax rates that would produce tax increment revenues, and the annual tax increment revenues (not adjusted for under-collection, penalties, and interest). These projections of increment are the basis for the projections in Table 15. These projections include shared revenue with impacted taxing jurisdictions. The tax rate varies due to impacts from GO Bond rates. Revenue sharing is projected to commence in 2014 and continue throughout the remaining life of the district. In 2018, the revenues to the Agency are capped at \$4,418,450 and all tax revenues above this amount are shared with the taxing jurisdictions.

Table 16 - Projected Incremental Assessed Value, Tax Rates, and Tax Increment Revenues and Revenue Sharing

FYE	Total AV	Frozen Base	Increment	Tax Rate	TIF	TIF for URA	TIF Shared
2012	\$290,643,763	\$115,340,003	\$175,303,760	18.9505	\$3,322,094	3,322,094	-
2013	\$302,354,391	\$115,340,003	\$187,014,388	19.5639	\$3,658,731	3,658,731	-
2014	\$314,416,292	\$115,340,003	\$199,076,289	19.3772	\$3,857,541	3,615,455	242,086
2015	\$326,840,185	\$115,340,003	\$211,500,182	19.1647	\$4,053,338	3,664,405	388,933
2016	\$360,680,214	\$115,340,003	\$245,340,211	17.6951	\$4,341,320	3,736,400	604,920
2017	\$395,027,844	\$115,340,003	\$279,687,841	17.5942	\$4,920,884	3,881,291	1,039,593
2018	\$414,605,993	\$115,340,003	\$299,265,990	17.1419	\$5,129,988	4,418,450	711,538
2019	\$431,364,888	\$115,340,003	\$316,024,885	17.0223	\$5,379,470	4,418,450	961,020
2020	\$448,430,232	\$115,340,003	\$333,090,229	16.9691	\$5,652,241	4,418,450	1,233,791
2021	\$466,084,014	\$115,340,003	\$350,744,011	16.9264	\$5,936,833	4,418,450	1,518,383
2022	\$476,606,334	\$115,340,003	\$361,266,331	16.7157	\$6,038,820	4,418,450	1,620,370
2023	\$487,444,324	\$115,340,003	\$372,104,321	16.7118	\$6,218,533	4,418,450	1,800,083
2024	\$498,607,454	\$115,340,003	\$383,267,451	15.955	\$6,115,032	4,418,450	1,696,582
2025	\$510,105,478	\$115,340,003	\$394,765,475	15.9597	\$6,300,339	4,418,450	1,881,889
2026	\$521,948,442	\$115,340,003	\$406,608,439	15.8915	\$6,461,618	4,418,450	2,043,168
2027	\$534,146,695	\$115,340,003	\$418,806,692	15.7935	\$6,614,423	4,418,450	2,195,973
2028	\$546,710,896	\$115,340,003	\$431,370,893	15.5606	\$6,712,390	4,418,450	2,293,940
2029	\$559,652,023	\$115,340,003	\$444,312,020	15.3447	\$6,817,835	4,418,450	2,399,385
2030	\$572,981,384	\$115,340,003	\$457,641,381	15.2418	\$6,975,278	4,418,450	2,556,828

Source: ECONorthwest

IMPACT OF THE TAX INCREMENT FINANCING

This section describes the impact of tax increment financing of the new maximum indebtedness, both until and after the indebtedness is repaid, upon all entities levying taxes upon property in the urban renewal area.

The impact of tax increment financing on overlapping taxing districts consists primarily of the property tax revenues foregone on permanent rate levies and local option levies as applied to the growth in assessed value in the Area. These projections are for impacts estimated through FYE 2021, and are shown in Table 18, below.

Note that, starting in FY 2014, there is a positive financial benefit to the taxing jurisdictions as a result of the increased maximum indebtedness. Updating the plan to increase the maximum indebtedness forces the plan to comply with the updated revenue sharing trigger, which, for the amended Sherwood Plan, comes into effect in FY 2014. The negative numbers, which begin in 2019, show the impact due to the need to extend the length of the Area as a result of the increase in maximum indebtedness. The Area's TIF revenue is projected to meet the 10% of initial maximum indebtedness trigger stated in the ORS statutes in FY 2014 (10% of \$35,347,600 is \$3,534,760). At that 10% limit, the affected taxing jurisdictions will begin receiving a portion of the tax revenue from increased property values within the Area. The Area's TIF revenue is projected to meet the 12.5% of the initial maximum indebtedness trigger (\$4,418,450) in FY 2016, at which time the tax increment revenues to the Agency from the Area are held stable at that number. After this point, and for the remaining life of the district, the Agency will receive \$4,418,450 of TIF revenue per year, and the impacted taxing jurisdictions receive all TIF revenue above \$4,418,450 that is collected for the remaining life of the district.

The impacts of bonds on the taxing jurisdictions are those impacts made up by slightly increased bond rates to the tax payer, as shown in Table 20.

These revenue sharing requirements only minimally impact the length of time the district will be in operation. An analysis of the tax increment revenues without revenue sharing indicated the Area would be able to defease the debt only one year later with revenue sharing as without.

Tables 18, 19 and 20 show the projected impacts to the taxing districts as a result of this Amendment. The projections show revenue sharing with the districts beginning in 2014, and showing a positive benefit to the taxing districts from 2014-2018. It also shows the impact to the districts in the years 2019-2021. If not for this Amendment,

the Area would not be collecting tax revenues in these years, so the full collection of tax revenues is an impact on taxing districts. These numbers reflect the net effect, as revenue sharing will still distribute excess TIF revenue to taxing districts in these years (the positive of revenue sharing and the negative of division of taxes for tax increment).

The Sherwood School District and the Education Service District are not *directly* affected by the tax increment financing, but the amounts of their taxes divided for the urban renewal plan are shown in the charts. Under current school funding law, property tax revenues are combined with State School Fund revenues to achieve per-student funding targets. Under this system, property taxes foregone because of the use of Tax Increment Financing are replaced, as determined by a funding formula at the State level with State School Fund revenues. The City of Sherwood has enjoyed increased population over the last ten years and increased student populations, as shown on Table 17. Unlike some of the other communities in the Portland metropolitan region, which are experiencing decreased student populations, Sherwood's school population increased by 1.6% last year. These increased populations will increase the revenues received from the State School Fund. Increased populations can be attributed to the focus of the City of Sherwood on making Sherwood a livable city, for which it has been mentioned in numerous surveys. Dedicating effort to maintain a healthy downtown is one variable in a livable city.

Table 17 - Sherwood School District Populations

Year	School Population
2010-11	4,618
2009-10	4,545
2009-09	4,315
2007-08	4,324
2006-07	4,021
2005-06	3,823
2004-05	3,596

Source: Sherwood School District website

Table 18 shows the projected impacts to permanent rate levies of taxing districts as a result of this Amendment. As mentioned above, they reflect the impact of the Amendment only and show positive impacts due to revenue sharing in FY 2014-2018 and the net effect of revenue sharing and the impact of the Amendment in years 2019-2021.

Table 18 - Projected Impact on Taxing District Permanent Rate Levies for New Maximum Indebtedness

Jurisdiction Name	2014	2015	2016	2017	2018	2019	2020	2021
Washington County	\$ 28,088	\$ 45,624	\$ 76,846	\$ 132,821	\$ 93,308	\$ (583,516)	\$ (585,379)	\$ (586,795)
Metro	1,207	1,961	3,302	5,707	4,010	(25,074)	(25,154)	(25,215)
Port of Portland	876	1,423	2,397	4,142	2,910	(18,196)	(18,254)	(18,298)
Portland Community College	3,534	5,739	9,668	16,709	11,738	(73,406)	(73,641)	(73,819)
Northwest ESD	1,922	3,122	5,258	9,087	6,384	(39,922)	(40,049)	(40,146)
Sherwood School District	60,126	97,665	164,506	284,328	199,744	(1,249,126)	(1,253,115)	(1,256,147)
Tualatin Valley Fire and Rescue	19,052	30,947	52,128	90,096	63,294	(395,817)	(397,081)	(398,041)
City of Sherwood	41,199	66,922	112,723	194,828	136,869	(855,930)	(858,664)	(860,741)
Total	\$ 156,004	\$ 253,403	\$ 426,828	\$ 737,718	\$ 518,257	\$ (3,240,987)	\$ (3,251,337)	\$ (3,259,202)

Source: ECONorthwest

Table 19 shows the projected impacts of local option levies of taxing districts as a result of this Amendment. Washington County and Tualatin Valley Fire and Rescue have local option levies. As stated above, these show revenue sharing in years 2014-2018 and the net impact of revenue sharing and impacts from the Amendment in 2019-2021.

Table 19 - Projected Impact on Taxing District Local Option Levies for New Maximum Indebtedness

Jurisdiction Name	2014	2015	2016	2017	2018	2019	2020	2021
Washington County	\$ 7,376	\$ 11,981	\$ 20,183	\$ 34,882	\$ 24,505	\$ (153,246)	\$ (153,736)	\$ (154,108)
Tualatin Valley Fire and Rescue	3,128	5,081	8,556	14,789	10,389	(64,971)	(65,178)	(65,336)
Total	\$ 10,503	\$ 17,062	\$ 28,739	\$ 49,671	\$ 34,894	\$ (218,217)	\$ (218,914)	\$ (219,444)

Source: ECONorthwest

Table 20 shows the projected impacts of bond rates of tax payers as a result of this Amendment. This impact is due to the spreading of GO Bond rates to tax payers to equal the amount which would have been raised from properties in the urban renewal area. In other words, properties within the URA have some property tax revenues diverted from paying GO bonds, to the urban renewal agency. However, jurisdictions still need to pay 100% of their scheduled debt service payment, so the GO bond tax rate is increased, causing taxpayers outside of the URA to contribute more property tax revenues, to offset the loss of tax revenue from properties inside the URA.

These impacts are shown for the years 2014-2021, which are the years the Amendment would impact the taxing districts. From 2014-2018 the impact is a reduction in GO bond rates, which is due to revenue sharing being triggered in 2014. The impacts from 2019-2021 are negative to the tax payer (i.e., increased tax rate, and increased property tax bill). If not for the Amendment, the Area would not be collecting tax revenues during years 2019-2021. Therefore, all impacts in these years are directly resulting from this Amendment.

The bottom lines of the table show what these impacts would be for a property with an assessed value of \$200,000. The impact from 2014-2018 is a reduction in taxes for GO Bonds of \$57.78. The impact from 2019-2021 is an increase in taxes for GO Bonds of \$143.12. The net result of the Amendment is estimated to be is an increase of \$85.34 (spread over an eight year period) to a taxpayer with a house value of \$200,000.

Table 20 - Projected Impact on Bonds for New Maximum Indebtedness

Jurisdiction Name	2014	2015	2016	2017	2018	2019	2020	2021
Washington County	\$0.0000	\$0.0000	\$0.0000	\$0.0000	\$0.0000	\$0.0000	\$0.0000	\$0.0000
Metro	\$0.0000	\$0.0000	\$0.0000	\$0.0000	\$0.0000	\$0.0001	\$0.0001	\$0.0001
Portland Community College	\$0.0000	\$0.0000	-\$0.0001	-\$0.0001	-\$0.0001	\$0.0002	\$0.0002	\$0.0002
Sherwood School District	-\$0.0177	-\$0.0335	-\$0.0538	-\$0.0551	-\$0.0748	\$0.2302	\$0.2189	\$0.2089
Tualatin Valley Fire and Rescue	\$0.0000	-\$0.0001	-\$0.0002	-\$0.0001	-\$0.0002	\$0.0006	\$0.0006	\$0.0005
City of Sherwood	-\$0.0041	-\$0.0076	-\$0.0170	-\$0.0170	-\$0.0072	\$0.0198	\$0.0184	\$0.0169
TriMet	\$0.0000	\$0.0000	\$0.0000	\$0.0000	\$0.0000	\$0.0000	\$0.0000	\$0.0000
Change in GO Bond Rates	-\$0.0219	-\$0.0413	-\$0.0711	-\$0.0723	-\$0.0824	\$0.2510	\$0.2381	\$0.2265
200K house	-\$4.38	-\$8.25	-\$14.21	-\$14.47	-\$16.47	\$50.19	\$47.62	\$45.30
Decrease in taxes from 2014-2018					-57.79			
Increase in taxes from 2019-2021								143.12
Net impact 2014-2021								-85.33

Source: ECONorthwest

The graph below, prepared by ECONorthwest, shows the revenue sharing as a result of this amendment to increase maximum indebtedness. Again, notice that the revenues to the agency are held stable starting in 2018 as a result of meeting a revenue sharing trigger of 12.5%.

Figure 3 - Tax Increment Financing Revenue Sharing

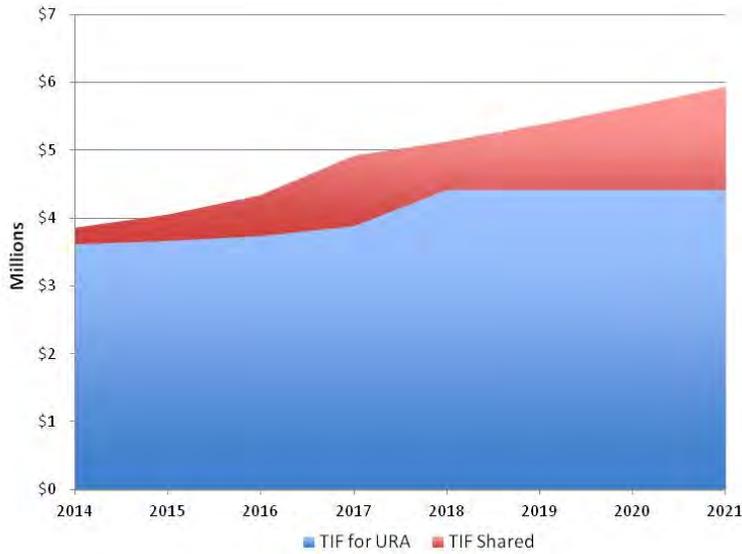


Table 21 shows the projected increased revenue to the taxing jurisdictions at the end of the Urban Renewal Area. These projections are for FYE 2022 and include permanent rates and local option levies. In addition to these revenues, the taxpayers will see a decrease in bond rates as a result of the termination of the district.

Table 21 - Additional Revenues Obtained After Termination of Tax Increment Financing

FYE 2022			
Jurisdiction Name	Tax Revenues	Revenue Sharing	Total Revenues
Washington County	\$ 750,313	\$ 275,161	\$ 1,025,474
Metro	25,536	9,365	34,900
Port of Portland	18,530	6,796	25,326
Portland Community College	74,756	27,415	102,172
Northwest ESD	40,656	14,910	55,566
Sherwood School District	1,272,101	466,515	1,738,617
Tualatin Valley Fire and Rescue	469,263	172,092	641,355
City of Sherwood	871,674	319,667	1,191,341
Total	\$ 3,522,830	\$ 1,291,921	\$ 4,814,751

Source: ECONorthwest

COMPLIANCE WITH STATUTORY LIMITS ON ASSESSED VALUE AND SIZE OF URBAN RENEWAL AREA

There is one existing urban renewal area in the City of Sherwood. State law limits the percentage of both a municipality's total assessed value and the total land area that can be contained in an urban renewal area at the time of its establishment to 25% for municipalities under 50,000 in population. As noted below, the frozen base, including all real, personal, personal manufactured, and utility properties in the Urban Renewal Area, is \$102,540,480. The total assessed value of the City of Sherwood less excess value of the urban renewal area is \$1,343,036,419. This is 11.54% of the total assessed value, well below the 25% maximum. The Urban Renewal Area has 595.84 acres, including right of way, and the City of Sherwood has 2,745 acres; therefore 21.71% of the City's acreage is in an urban renewal area, below the 25% state limit.

Table 22 - Urban Renewal Area Conformance with Assessed Value and Area Limits

Urban Renewal Area	Assessed Value	Acres
Sherwood Urban Renewal Area Frozen Base	\$102,540,480	
Sherwood Urban Renewal Area Acreage		595.84
Total Acreage, City of Sherwood		2,745
Total Assessed Value City of Sherwood *	\$1,343,036,419	
Percent of Sherwood Assessed Value in Urban Renewal Area		11.54%
Percent of Sherwood Acreage in Urban Renewal		21.71%

Source: City of Sherwood, Washington County Assessor

*Less Incremental Assessed Value in Urban Renewal Areas

RELOCATION REPORT

There is no relocation anticipated due to this amendment.

Sylvia Murphy

From: Kurt Kristensen <kurtk@poetspeak.com>
Sent: Saturday, February 04, 2012 9:23 AM
To: Sylvia Murphy
Subject: Urban Renewal Plan Major Amendment

Mr. Mayor and Council Members:

I have testified in front of the Planning commission and elsewhere that I am concerned about the process allowing City council to spend millions of dollars on down-town Sherwood developments without going to a vote of the residents of the City of Sherwood.

On February 21, 2012 you are considering an amendment that will recognize that:

1. You have already spent \$35 million on downtown Sherwood without a single opportunity for voters to express their concern.
2. You are proposing to increase the allowable debt ceiling to \$45 million in order to immediately spend an additional \$10 million on development proposals associated with the new development next to the library and the upgrading of Oregon St.

I do not wish to challenge the complex and disputed system you have used to dedicate funds to down-town Sherwood development, at this time, however, I am strongly suggesting that council recognize the public's concern over large expenditures of tax receipts, and that council refer proposed expenditures under the URA to a public simple majority vote before proceeding.

Urban Renewal Plan Major Amendment – Consistent with requirements for a major amendment to an urban renewal plan, The Planning Commission will review the proposed substantial amendment to the Sherwood Urban Renewal Plan including its relationship to the Comprehensive Plan, and make a recommendation to the Sherwood City Council.

Respectfully,

Kurt Kristensen

Kurt Kristensen - M. Ed.
22520 SW Fair Oaks Ct.
Sherwood, OR 97140-9720
503-625-2340

<http://www.commondreams.org/>

Field House					
Monthly Report January 2011					
<u>January-12</u>	<u>Jan-12</u>		<u>YTD</u>		<u>Jan-11</u>
<u>Usage</u>		People		People	People
	<u>Count</u>	<u>Served*</u>	<u>Count</u>	<u>Served*</u>	<u>Served*</u>
Leagues	9	938	20	3121	390
Rentals	86	2236	550	11854	2860
Other (Classes)			1	5	
[1] Day Use	10	106	55	371	213
Total Usage		3280		15351	3463
<u>Income</u>	<u>Jan-12</u>	<u>YTD</u>			
Rentals	\$5,450	\$27,733			
League fees (indoor)	\$11,088	\$45,938			
Card fees (indoor)	\$430	\$2,501			
Day Use	\$204	\$721			
Merchandise					
Snacks	\$1,023	\$2,967			
Classes		\$175			
Total	\$18,195	\$80,035			
FY 10 11					
<u>Income</u>	<u>Jan-11</u>	<u>YTD</u>			
Rentals	\$6,575	\$31,921			
League fees (indoor)	\$5,940	\$44,617			
Card fees (indoor)	\$417	\$2,686			
Day Use	\$419	\$931			
Merchandise					
Snacks	\$972	\$3,406			
Classes	\$210	\$1,295			
Total Income	\$14,532	\$84,855			

*Estimated number of people served based on all rentals have a different # of people. Along with each team will carry a different # of people on their roster.

Active Rec happenings during the month of January 2012

Youth Basketball played 101 Rec games on Saturdays in all gyms during the month of January.

Youth Basketball also played 44 Classic games during the month on the weekdays at Sherwood Middle School.

Youth basketball held a boys tournament the weekend of January 7th and 8th that brought 42 teams into town from other cities. That tournament played 100 games during the weekend.

Youth basketball held a girls tournament on the 28th and 29th that brought 34 team to Sherwood from other cities, that tournament had 80 games.

Youth soccer has some of their completeive teams practicing at Snyder Park. They will be moving in March once Lacrosse starts.

Respectfully

Lance Gilgan

January 31 2012

Sherwood Public Library – December 2011

	<u>Current Yr</u>	<u>Past Yr</u>	<u>% Change</u>
<u>Check out</u>	30,679	30,691	+0% (Self-checks out of service)

<u>Check in</u>	23,078	23,928	+0%
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- New Library cards 100
- Volunteer hours 173.25 hours (28 volunteers)

Monthly Activities

- Thirty-five Baby, Preschool and Toddler Storytimes (513 children/383 adults = 896 total)
- Two Read-to-the-Dogs programs
- Magazine Monday (free magazine giveaway)
- 12/05-11 Food For Fines Week benefitting Sherwood Helping Hands
- Library workroom door leak repaired by Public Works
- 12/13 Library opened at 1pm so staff could attend the City of Sherwood 2011 Year-End Luncheon
- 12/15 Winter Wonderland Volunteer Celebration
- 12/16 Volunteer Coordinator, Denise Berkshire's, last day with the City of Sherwood
- 12/20 Annual Library Staff Potluck & Gift Exchange
- 12/20 Library Advisory Board Meeting & City Council SWOT/Board Appreciation Dinner
- 12/25-26 Library closed for Christmas holidays
- Friends of the Library provided new purple and green book bags to sell
- Year-end performance evaluations completed for management staff
- Volunteer recruitment and training continues & new volunteers begin shifts
- Library staff attended various regional, City and WCCLS meetings: WUG, Circulation, Policy Group, Youth Services, Adult Summer Reading, Latino Services, Safety Committee & Sherwood Main Street (BOOTS)

Sherwood Public Library – January 2012

	<u>Current Yr</u>	<u>Past Yr</u>	<u>% Change</u>
<u>Check out</u>	34,227	33,326	+2.7% (Self-checks out of service)
<u>Check in</u>	23,588	24,059	-2%

- New Library cards 129
- Volunteer hours 172.4 hours (26 volunteers)

Monthly Activities

- Thirty-one Baby, Preschool and Toddler Storytimes (679 children/478 adults = 1157 total)
- Two Read-to-the-Dogs programs
- Magazine Monday (free magazine giveaway)
- The Library was closed for the New Year's holiday on Sunday & Monday, January 1-2 and for Martin Luther King Jr's Birthday holiday on Monday, January 16
- Delivery of the full set of Federal tax forms was delayed – did not to put them out for the public until all forms were available
- The Neal Harris Memorial collection of classic children's literature was completed and is out on the shelves
- 01/05 Pam North met with representatives from the Sherwood Chamber to discuss future partnership opportunities
- 01/07 Nutritional Hints for Kids OSU Extension Service (17 in attendance)
- 01/11 3M/WCCLS site visit to plan for installation of RFID hardware. Attended by Library, IT and Public Works staff

- 01/12 Oregon Humanities Conversation Program “The Ties that Bind” Wendy Willis (10 in attendance)
- 01/15 Adult Writing Workshop series with Marie Buckley resumes one Sunday a month through May 2012 (9 in attendance)
- 01/18-19 Interviews conducted for Recreation Coordinator position
- 01/20 “Seven Habits” workshop for management staff – sponsored by the City
- 01/20 North attended OLA Public Library Division Board Meeting
- 01/27 All-Library Staff Meeting
- Library staff attended various regional, City and WCCLS meetings: WUG, Circulation, Policy Group, Cataloging, Admission Guidelines, Adult Summer Reading and Safety Committee