

EXHIBIT A
PA 14-02 Proposed Code Amendments Table

#	Code Section	Page	Existing Code Language	Issue/Rational	Recommended Amendment
1	16.06.020.C	269	A majority of members of the Commission shall constitute a quorum. A majority vote of those members, not less than a quorum, present at an open meeting of the Commission shall be necessary to legally act on any matter before the Commission. The Commission may make and alter rules of procedure consistent with the laws of the State of Oregon, the City Charter, and City ordinances.	<ol style="list-style-type: none"> 1. Eliminates the use of "shall" per advice of legal counsel. 2. Clarifies language to state that a majority vote of a quorum is necessary to legally act on a matter before the Commission. 	A majority of members of the Commission those members, not less than <u>shall</u> constitute a quorum. A majority vote of is shall be necessary to legally act on any matter before the Commission. The Commission may make and alter rules of procedure consistent with the laws of the State of Oregon, the City Charter, and City ordinances.
2a	16.10.020	272	Accessory Building/Use: A subordinate building or use which is customarily incidental to that of the principal use or building located on the same property.	<ol style="list-style-type: none"> 1. Relocates definition for "Accessory Building" to the definition section, Section 16.10.020. 2. Provides distinct definitions for "Accessory Building" and "Accessory Use". 	Accessory Building/Use: <u>A structure that is incidental and subordinate to the main use of property, is located on the same lot as the main use, and is freestanding or is joined to the primary structure solely by non-habitable space as defined by the State Building Code.</u> A subordinate building or use which is customarily incidental to that of the principal use or building located on the same property. Accessory Use: <u>A use or activity that is subordinate and incidental to the primary use of the property. A property may have more than one accessory use.</u>
2b	16.50.010.A	362	Definition Accessory Building or Structure: A structure whose use is incidental and subordinate to the main use of property, is located on the same lot as the main use, and is freestanding or is joined to the primary structure solely by non-habitable space as defined by the State Building Code.		Reserved Definition Accessory Building or Structure: A structure whose use is incidental and subordinate to the main use of property, is located on the same lot as the main use, and is freestanding or is joined to the primary structure solely by non-habitable space as defined by the State Building Code.
3	16.10.020	277	<p>Historic Resource: A building, structure, object, site, or district which meets the significance and integrity criteria for designation as a landmark. Resource types are further described as:</p> <p>Object: A construction which is primarily artistic or commemorative in nature and not normally movable or part of a building or structure, e.g., statue, fountain, milepost, monument, sign, etc.</p> <p>A. Site: The location of a significant event, use, or occupation which may include associated standing, ruined, or underground features, e.g., battlefield, shipwreck, campsite, cemetery, natural feature, garden, food-gathering area, etc.</p> <p>B. District: A geographically defined area possessing a significant concentration of buildings, structures, objects, and/or sites which are unified historically by plan or physical development, e.g., downtown, residential, neighborhood, military reservation, ranch complex, etc.</p> <p>C. Primary, Secondary, & Contributing: Historic ranking in descending order based on four scoring criteria for surveyed properties — historical, architectural, use considerations, and physical and site characteristics.</p>	Corrects a scrivener's error.	<p>Historic Resource: A building, structure, object, site, or district which meets the significance and integrity criteria for designation as a landmark. Resource types are further described as:</p> <p><u>A. Object:</u> A construction which is primarily artistic or commemorative in nature and not normally movable or part of a building or structure, e.g., statue, fountain, milepost, monument, sign, etc.</p> <p><u>AB. Site:</u> The location of a significant event, use, or occupation which may include associated standing, ruined, or underground features, e.g., battlefield, shipwreck, campsite, cemetery, natural feature, garden, food-gathering area, etc.</p> <p><u>BC. District:</u> A geographically defined area possessing a significant concentration of buildings, structures, objects, and/or sites which are unified historically by plan or physical development, e.g., downtown, residential, neighborhood, military reservation, ranch complex, etc.</p> <p><u>CD. Primary, Secondary, & Contributing:</u> Historic ranking in descending order based on four scoring criteria for surveyed properties — historical, architectural, use considerations, and physical and site characteristics.</p>
4	16.10.020	282	Right-of-Way: The area between boundary lines of a street or other easement.	Updates the definition to more accurately define the term.	Right-of-Way: <u>An interest in real property typically acquired by reservation, dedication, prescription, or condemnation and intended for the placement of transportation and utility facilities and infrastructure or similar public use.</u> The area between boundary lines of a street or other easement.

#	Code Section	Page	Existing Code Language	Issue/Rational	Recommended Amendment
5	16.10.020	283	<p>Solid Waste Facility:</p> <p>A. Conditionally Exempt Small Quantity Collection Facility: A facility that receives, sorts, temporarily stores, controls, and processes for safe transport hazardous waste from conditionally exempt generators, as that term is defined in ORS 465.003.</p> <p>B. Demolition Landfill: A land disposal site for receiving, sorting and disposing only land clearing debris, including vegetation and dirt, building construction and demolition debris and inert materials, and similar substances.</p> <p>C. Household Hazardous Waste Depot: A facility for receiving, sorting, processing and temporarily storing household hazardous waste and for preparing that waste for safe transport to facilities authorized to receive, process, or dispose of such materials pursuant to federal or state law.</p> <p>D. Limited Purpose Landfill: A land disposal site for the receiving, sorting and disposing of solid waste material, including but not limited to asbestos, treated petroleum, contaminated soil, construction, land clearing and demolition debris, wood, treated sludge from industrial processes, or other special waste material other than unseparated municipal solid waste.</p> <p>E. Resource Recovery Facility: A facility for receiving, temporarily storing and processing solid waste to obtain useful material or energy.</p> <p>F. Mixed Construction and Demolition Debris Recycling Facility: A facility that receives, temporarily stores, processes, and recovers recyclable material from mixed construction and demolition debris for reuse, sale, or further processing.</p> <p>G. Solid Waste Composting Facility: A facility that receives, temporarily stores and processes solid waste by decomposing the organic portions of the waste by biological means to produce useful products, including, but not limited to, compost, mulch and soil amendments.</p> <p>H. Monofill: A land disposal site for receiving, sorting and disposing only one type of solid waste material or class of solid waste materials for burial, such as a facility which accepts only asbestos.</p> <p>I. Municipal Solid Waste Depot: A facility where sealed containers are received, stored up to seventy two (72) hours, staged, and/or transferred from one mode of transportation to another.</p> <p>J. Small Scale Specialized Incinerator: A facility that receives, processes, temporarily stores, and burns a solid waste product as an accessory use to a permitted use, including incinerators for disposal of infectious wastes as part of a medical facility, but not including mass burn solid waste incinerators, refuse-derived fuel technologies, human or animal remains crematorium, or any energy recovery process that burns unseparated municipal solid waste.</p> <p>K. Solid Waste Facilities: Any facility or use defined in this Section of this Code.</p> <p>L. Solid Waste Transfer Station: A facility that receives, processed, temporarily stores and prepares solid waste for transport to a final disposal site, with or without material recovery prior to transfer.</p> <p>M. Treatment and Storage Facility: A facility subject to regulation under the Resource Conservation and Recovery Act. 42 USC Sections 6901-6987, for receiving, sorting, treating, and/or temporarily storing hazardous waste, and for processing such waste for safe transport to facilities authorized to receive, treat, or dispose of such materials pursuant to federal or state law. Treatment and storage facilities do not include facilities for on-site disposal of hazardous waste.</p> <p>N. Wood Waste Recycling Facility: A facility that receives, temporarily stores and processes untreated wood, which does not contain pressure treated or wood preservative treated wood, in the form of scrap lumber, timbers, or natural wood debris, including logs, limbs, and tree trunks, for reuse, fuel, fuel pellets, or fireplace logs.</p> <p>O. Yard Debris Depot: A facility that receives yard debris for temporary storage, awaiting transport to a processing facility.</p> <p>P. Yard Debris Processing Facility: A facility that receives, temporarily stores and processes yard debris into a soil amendment, mulch or other useful product through grinding and/or controlled biological decomposition.</p>	<p>Reformat subordinate items to be consistent with other entries (e.g. "Lot" and "Lot of Record" on pg. 279).</p>	<p>Solid Waste Facility:</p> <p>A. Conditionally Exempt Small Quantity Collection Facility: A facility that receives, sorts, temporarily stores, controls, and processes for safe transport hazardous waste from conditionally exempt generators, as that term is defined in ORS 465.003.</p> <p>B. Demolition Landfill: A land disposal site for receiving, sorting and disposing only land clearing debris, including vegetation and dirt, building construction and demolition debris and inert materials, and similar substances.</p> <p>C. Household Hazardous Waste Depot: A facility for receiving, sorting, processing and temporarily storing household hazardous waste and for preparing that waste for safe transport to facilities authorized to receive, process, or dispose of such materials pursuant to federal or state law.</p> <p>D. Limited Purpose Landfill: A land disposal site for the receiving, sorting and disposing of solid waste material, including but not limited to asbestos, treated petroleum, contaminated soil, construction, land clearing and demolition debris, wood, treated sludge from industrial processes, or other special waste material other than unseparated municipal solid waste.</p> <p>E. Resource Recovery Facility: A facility for receiving, temporarily storing and processing solid waste to obtain useful material or energy.</p> <p>F. Mixed Construction and Demolition Debris Recycling Facility: A facility that receives, temporarily stores, processes, and recovers recyclable material from mixed construction and demolition debris for reuse, sale, or further processing.</p> <p>G. Solid Waste Composting Facility: A facility that receives, temporarily stores and processes solid waste by decomposing the organic portions of the waste by biological means to produce useful products, including, but not limited to, compost, mulch and soil amendments.</p> <p>H. Monofill: A land disposal site for receiving, sorting and disposing only one type of solid waste material or class of solid waste materials for burial, such as a facility which accepts only asbestos.</p> <p>I. Municipal Solid Waste Depot: A facility where sealed containers are received, stored up to seventy two (72) hours, staged, and/or transferred from one mode of transportation to another.</p> <p>J. Small Scale Specialized Incinerator: A facility that receives, processes, temporarily stores, and burns a solid waste product as an accessory use to a permitted use, including incinerators for disposal of infectious wastes as part of a medical facility, but not including mass burn solid waste incinerators, refuse-derived fuel technologies, human or animal remains crematorium, or any energy recovery process that burns unseparated municipal solid waste.</p> <p>K. Solid Waste Facilities: Any facility or use defined in this Section of this Code.</p> <p>L. Solid Waste Transfer Station: A facility that receives, processed, temporarily stores and prepares solid waste for transport to a final disposal site, with or without material recovery prior to transfer.</p> <p>M. Treatment and Storage Facility: A facility subject to regulation under the Resource Conservation and Recovery Act. 42 USC Sections 6901-6987, for receiving, sorting, treating, and/or temporarily storing hazardous waste, and for processing such waste for safe transport to facilities authorized to receive, treat, or dispose of such materials pursuant to federal or state law. Treatment and storage facilities do not include facilities for on-site disposal of hazardous waste.</p> <p>N. Wood Waste Recycling Facility: A facility that receives, temporarily stores and processes untreated wood, which does not contain pressure treated or wood preservative treated wood, in the form of scrap lumber, timbers, or natural wood debris, including logs, limbs, and tree trunks, for reuse, fuel, fuel pellets, or fireplace logs.</p> <p>O. Yard Debris Depot: A facility that receives yard debris for temporary storage, awaiting transport to a processing facility.</p> <p>P. 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6a	16.10.020	286	<p>Transportation Facilities and Improvements: The physical improvements used to move people and goods from one place to another; i.e., streets, sidewalks, pathways, bike lanes, airports, transit stations and bus stops, etc.). Transportation improvements include the following:</p> <ol style="list-style-type: none"> 1. Normal operation, maintenance repair, and preservation activities of existing transportation facilities. 2. Design and installation of culverts, pathways, multi-use paths or trails, sidewalks, bike lanes, medians, fencing, guardrails, lighting, curbs, gutters, shoulders, parking areas, and similar types of improvements within the existing right-of-way. 3. Projects identified in the adopted Transportation System Plan not requiring future land use review and approval. 4. Landscaping as part of a transportation facility. 5. Emergency measures necessary for the safety and protection of property. 6. Street or road construction as part of an approved land use application. 7. Transportation projects that are not designated improvements in the Transportation System Plan requires a site plan review and conditional use permit. 8. Transportation projects that are not planned, designed, and constructed as part of an approved land use application requires a site plan review and conditional use permit. 	<ol style="list-style-type: none"> 1. Provides a distinct definition for "Transportation Facilities" and "Transportation Improvements". 2. Corrects a scrivener's error: eliminates an extra ")." 3. Eliminates the regulatory portion of the definition as they are already included in Chapter 16.66. 4. Clarifies language to require a Conditional Use Permit for any Transportation Facility or Improvement that is not designated in the TSP or reviewed and approved with a land use application. 5. Eliminates the use of "shall" per advice of legal counsel. 	<p>Transportation Facilities and Improvements: The physical improvements used to move people and goods from one place to another; i.e., streets, sidewalks, pathways, bike lanes, airports, transit stations and bus stops, etc.).</p> <p>Transportation Improvements: Transportation improvements include the following:</p> <ol style="list-style-type: none"> <u>A</u>1. Normal operation, maintenance repair, and preservation activities of existing transportation facilities. <u>B</u>2. Design and installation of culverts, pathways, multi-use paths or trails, sidewalks, bike lanes, medians, fencing, guardrails, lighting, curbs, gutters, shoulders, parking areas, and similar types of improvements within the existing right-of-way. <u>C</u>3. Projects identified in the adopted Transportation System Plan not requiring future land use review and approval. <u>D</u>4. Landscaping as part of a transportation facility. <u>E</u>5. Emergency measures necessary for the safety and protection of property. <u>F</u>6. Street or road construction as part of an approved land use application. 7. Transportation projects that are not designated improvements in the Transportation System Plan requires a site plan review and conditional use permit. 8. Transportation projects that are not planned, designed, and constructed as part of an approved land use application requires a site plan review and conditional use permit. 																
6b	16.66.010.B	377	Construction of Transportation Facilities and Improvements that are (1) not designated in the adopted City of Sherwood Transportation System Plan (TSP), and are (2) not designed and constructed as part of an approved subdivision or partition subject to site plan shall be subject to Conditional Use review.		<p>Construction of A Conditional Use Permit is required for Transportation Facilities and Improvements that are:</p> <p>(1.) a Not designated in the adopted City of Sherwood Transportation System Plan (TSP); or, and are</p> <p>(2.) a Not designed and constructed as part of an approved land use application subdivision or partition subject to site plan shall be subject to Conditional Use review.</p>																
7	16.12.010.D	289	The MDRH zoning 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.	<ol style="list-style-type: none"> 1. Corrects a scrivener's error; a comma is missing. 2. Eliminates the use of "shall" per advice of legal counsel. 	The MDRH zoning 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 <u>are</u> exempt from the minimum density requirement.																
8	16.12.030	292-293	Residential Land Use Development Standards Table (see attached)	Corrects table footnote formatting; restarts footnote numbering with each table.	See Attachment A: Residential Land Use Development Standards Table Legislative Edits. Note: No substantive changes are proposed; amendment is limited to renumbering the table footnotes.																
9	16.31.020.C	319	Any use not otherwise listed that can be shown to be consistent or associated with the uses permitted outright or conditionally in the commercial zones or contribute to the achievement of the objectives of the commercial zones may be permitted outright or conditionally, utilizing the provisions of Chapter 16.88.	Corrects a scrivener's error; the section is speaking to industrial zones, not commercial.	Any use not otherwise listed that can be shown to be consistent or associated with the uses permitted outright or conditionally in the commercial <u>industrial</u> zones or contribute to the achievement of the objectives of the commercial <u>industrial</u> zones may be permitted outright or conditionally, utilizing the provisions of Chapter 16.88.																
10	16.31.020 - Use Table	320	<table border="1"> <thead> <tr> <th>Uses</th> <th>LI</th> <th>GI</th> <th>EI¹</th> </tr> </thead> <tbody> <tr> <td> <ul style="list-style-type: none"> Incidental retail sales or display/showroom directly associated with a permitted use and limited to a maximum of 10% of the total floor area of the business.⁷ </td> <td>C</td> <td>C</td> <td>P</td> </tr> </tbody> </table> <p>¹ See special criteria for the EI zone, 16.31.030 and the Tonquin Employment Area (TEA), 16.31.040.</p> <p>⁷ Limited in size to five thousand (5,000) square feet in a single outlet and no more than twenty thousand (20,000) square feet in multiple outlets in the same development project.</p>	Uses	LI	GI	EI ¹	<ul style="list-style-type: none"> Incidental retail sales or display/showroom directly associated with a permitted use and limited to a maximum of 10% of the total floor area of the business.⁷ 	C	C	P	Allows incidental retail sales or display/showroom uses in the Light Industrial (LI) and General Industrial (GI) zones, similar to what is allowed in the Employment Industrial (EI) zone. Incidental sales is limited to 5,000 square feet (for a single outlet) and 20,000 square feet (for a multi-outlet development).	<table border="1"> <thead> <tr> <th>Uses</th> <th>LI</th> <th>GI</th> <th>EI¹</th> </tr> </thead> <tbody> <tr> <td> <ul style="list-style-type: none"> Incidental retail sales or display/showroom directly associated with a permitted use and limited to a maximum of 10% of the total floor area of the business.⁷ </td> <td><u>PG</u></td> <td><u>PG</u></td> <td>P</td> </tr> </tbody> </table> <p>¹ See special criteria for the EI zone, 16.31.030 and the Tonquin Employment Area (TEA), 16.31.040.</p> <p>⁷ Limited in size to five thousand (5,000) square feet in a single outlet and no more than twenty thousand (20,000) square feet in multiple outlets in the same development project.</p>	Uses	LI	GI	EI ¹	<ul style="list-style-type: none"> Incidental retail sales or display/showroom directly associated with a permitted use and limited to a maximum of 10% of the total floor area of the business.⁷ 	<u>PG</u>	<u>PG</u>	P
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11	16.40.020.B.5	341	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.	<ol style="list-style-type: none"> 1. Corrects a scrivener's error: the correct reference is Chapter 16.120, not 16.122. 2. Eliminates the use of "shall" per advice of legal counsel. 	If the PUD involves the subdivision of land, the proposal shall <u>must</u> also include a preliminary subdivision plat and meet all requirements of Chapter 16. 122 <u>120</u> . The preliminary subdivision shall <u>will</u> be processed concurrently with the PUD.																
12	16.40.030.B	343	If the PUD involves the subdivision of land, a final plat shall be prepared and submitted for final approval, pursuant to Chapter 16.124.	<ol style="list-style-type: none"> 1. Corrects a scrivener's error: the correct reference is Chapter 16.120, not 16.124. 2. Eliminates the use of "shall" per advice of legal counsel. 	If the PUD involves the subdivision of land, a final plat shall <u>must</u> be prepared and submitted for final approval, pursuant to Chapter 16. 120 <u>124</u> .																

#	Code Section	Page	Existing Code Language	Issue/Rational	Recommended Amendment
13	16.40.040.A.1	343-344	<p>A. 1. Phasing</p> <p>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.</p> <p>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.</p> <p>2. Failure to Complete</p> <p>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.</p> <p>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.</p> <p>B. Changes in Approved Plans</p> <p>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.</p> <p>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.</p> <p>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.</p>	<p>1. Corrects numbering error; "A. 1. Phasing", is inconsistent with the Code numbering format.</p> <p>2. Eliminates the use of "shall" per advice of legal counsel.</p>	<p>A. 1. Phasing</p> <p>a<u>1.</u> The City may require that development be done in phases, if public facilities and services are not adequate to serve the entire development immediately.</p> <p>b<u>2.</u> Any PUD which requires more than twenty four (24) months to complete shall<u>must</u> 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.</p> <p>2<u>B.</u> Failure to Complete</p> <p>a<u>1.</u> 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<u>will</u> determine whether or not the PUD's continuation, in whole or in part, is in the public interest.</p> <p>b<u>2.</u> If continuation is found not to be in the public interest, the Commission shall<u>will</u> 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.</p> <p>B<u>C.</u> Changes in Approved Plans</p> <p>1. Major Changes Proposed major changes in a Final Development Plan shall be<u>are</u> considered the same as a new application, and shall be<u>are</u> made in accordance with the procedures specified in this Chapter.</p> <p>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.</p> <p>C<u>D.</u> 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.</p>
14	16.40.050.C.1	344	<p>Density</p> <p>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.</p>	<p>1. Revises reference to be consistent with similar references in the code.</p> <p>2. Eliminates the use of "shall" per advice of legal counsel.</p>	<p>Density</p> <p>The number of dwelling units permitted in a Residential PUD shall be<u>is</u> the same as that allowed in the underlying zoning district, except as provided in Subsections 16.40.040.D and 16.40.050.C.2(C)(2), below or 16.40.040.C above.</p>
15	16.40.060.C.6	346	<p>Density Transfer</p> <p>Where the proposed PUD includes lands within the base floodplain, a density transfer may be allowed in accordance with Section 16.142.040.</p>	<p>Corrects the reference from Section 16.142.040 to 16.40.050.C.2.</p>	<p>Density Transfer</p> <p>Where the proposed PUD includes lands within the base floodplain, a density transfer may be allowed in accordance with Section 16.40.050.C.2<u>142.040.</u></p>

#	Code Section	Page	Existing Code Language	Issue/Rational	Recommended Amendment
16a	16.58.020.B	370	<p>Definition:</p> <ol style="list-style-type: none"> 1. Fence: A freestanding structure that provides a barrier between properties or different uses on the same property and is generally used to provide privacy and security. A fence may be open, solid, wood, metal, wire, masonry or other materials and includes lattice or other decorative toppers. 2. Wall: A solid structural barrier that is not intended to alter the grade. 3. Retaining wall: A solid barrier that provides a barrier to the movement of earth, stone or water and is used to alter the grade. 4. Sound wall: An exterior wall designed to protect sensitive land uses including parks, residential zones and institutional public zones from noise generated by roadways, railways, commercial and industrial noise sources. 5. Landscape feature: A trellis, arbor or other decorative feature that is attached to or incorporated within the fence. 6. Hedges: A line of closely spaced vegetation specifically planted and trained in such a way as to form a barrier to mark the boundary of an area or visually screen an area. 		<p>ReservedDefinition:</p> <ol style="list-style-type: none"> 1. Fence: A freestanding structure that provides a barrier between properties or different uses on the same property and is generally used to provide privacy and security. A fence may be open, solid, wood, metal, wire, masonry or other materials and includes lattice or other decorative toppers. 2. Wall: A solid structural barrier that is not intended to alter the grade. 3. Retaining wall: A solid barrier that provides a barrier to the movement of earth, stone or water and is used to alter the grade. 4. Sound wall: An exterior wall designed to protect sensitive land uses including parks, residential zones and institutional public zones from noise generated by roadways, railways, commercial and industrial noise sources. 5. Landscape feature: A trellis, arbor or other decorative feature that is attached to or incorporated within the fence. 6. Hedges: A line of closely spaced vegetation specifically planted and trained in such a way as to form a barrier to mark the boundary of an area or visually screen an area.
16b	16.10.020	276	Fence: Any open or closed structure used to enclose any lot or parcel of ground, and usually constructed of wire, wood, brick, cement block, or stone.	Relocates all definitions to the definitions section of code.	Fence: A freestanding structure that provides a barrier between properties or different uses on the same property and is generally used to provide privacy and security. A fence may be open or solid and is usually constructed of wood, metal, wire, brick, cement block, stone, vinyl, or composite materials. Any open or closed structure used to enclose any lot or parcel of ground, and usually constructed of wire, wood, brick, cement block, or stone.
16c	16.10.020	287	None		Wall: A solid structural barrier that is not intended to alter the grade and is not considered a Retaining Wall or Sound Wall.
16d	16.10.020	282	Retaining Wall: A structure constructed of stone, concrete, steel or other material designed to retain or restrain earth or rock.		Retaining Wall: A structure-solid barrier constructed of stone, concrete, steel or other material designed to retain or restrain earth, or rock, or water and is used to alter the grade.
16e	16.10.020	284	None		Sound Wall: An exterior wall designed to protect sensitive land uses including parks, residential zones and institutional public zones from noise generated by roadways, railways, commercial and industrial noise sources.
16f	16.10.020	278	None		Landscape Feature: A trellis, arbor or other decorative feature that is attached to or incorporated within the fence.
16g	16.10.020	277	None		Hedges: A line of closely spaced vegetation specifically planted and trained in such a way as to form a barrier to mark the boundary of an area or visually screen an area.
17	16.58.020.F	371	<p>General Conditions—All Fences:</p> <ol style="list-style-type: none"> 1. In all cases, the following standards apply: <ol style="list-style-type: none"> a. Fences must be structurally sound and maintained in good repair. A fence may not be propped up in any way from the exterior side. b. Chain link fencing is not allowed in any required residential front yard setback. c. The finished side of the fence must face the street or the neighboring property. This shall not preclude finished sides on both sides. d. Buffering: If a proposed development is adjacent to a dissimilar use such as commercial use adjacent to a residential use, or development adjacent to an existing farming operation, a buffer plan that includes, but is not limited to, setbacks, fencing, landscaping, and maintenance via a homeowner's association or managing company shall be submitted and approved as part of the preliminary plat or site plan review process per Section 16.90.020 and Chapter 16.122 e. In the event of a conflict between this section and the clear vision standards of Section 16.58.010, the standards in section 16.58.010 prevail. f. Fences and walls shall not be located within or over a public utility easement without an approved right-of-way permit. g. The height of a fence or wall is measured from the actual adjoining level of finished grade measured six (6) inches from the fence. In the event the ground is sloped, the lowest grade within six (6) inches of the fence shall be used to measure the height. 		<ol style="list-style-type: none"> 1. Eliminate Section 16.58.020.F.1 as it is unnecessary and renumber the conditions. 2. Corrects a scrivener's error: the words "Section" should be capitalized; and inserts "a" where appropriate. 3. Eliminates the use of "shall" per advice of legal counsel.

#	Code Section	Page	Existing Code Language	Issue/Rational	Recommended Amendment
18	16.58.020.F	371-372	<p>Back</p> <p>8 Ft</p> <p>22 Ft</p> <p>11 Ft</p> <p>Fence</p> <p>Sidewalk (If no sidewalk exists, measure 6 Ft from roadside)</p> <p>FENCE SIZE</p> <p>6 Ft</p> <p>3 1/2 Ft</p> <p>Back</p> <p>8 Ft</p> <p>5 Ft</p> <p>Fence</p> <p>Sidewalk (If no sidewalk exists, measure 6 Ft from roadside)</p> <p>FENCE SIZE</p> <p>6 Ft</p> <p>3 1/2 Ft</p>	Removes two diagrams as their purpose is unclear.	<p>Back</p> <p>8 Ft</p> <p>22 Ft</p> <p>11 Ft</p> <p>Fence</p> <p>Sidewalk (If no sidewalk exists, measure 6 Ft from roadside)</p> <p>FENCE SIZE</p> <p>6 Ft</p> <p>3 1/2 Ft</p> <p>Back</p> <p>8 Ft</p> <p>5 Ft</p> <p>Fence</p> <p>Sidewalk (If no sidewalk exists, measure 6 Ft from roadside)</p> <p>FENCE SIZE</p> <p>6 Ft</p> <p>3 1/2 Ft</p>
19	16.60.030.B	373	Where a side or rear yard is not required, and a primary structure is not erected directly on the property line, it shall be set back at least three (3) feet.	<ol style="list-style-type: none"> 1. Clarifies the word "it". 2. Eliminates the use of "shall" per advice of legal counsel. 	Where a side or rear yard is not required, and a primary structure is not erected directly on the property line, it a primary structure shall must be set back at least three (3) feet.
20	16.60.040.A and 16.60.040.B	373	If a lot or the aggregate of contiguous lots or parcels recorded, or platted, prior to the effective date of this Code, has an area or dimension which does not meet the requirements of this Code, the lot of aggregate lots may be put to a use permitted outright, subject to the other requirements of the zone in which the property is located, except that a residential use shall be limited to a single-family dwelling, or to the number of dwelling units consistent with the density requirements of the zone. However, no dwelling shall be built on a lot with less area than thirty-two hundred (3,200) square feet, except as provided in Chapter 16.68 (Infill Development).	<ol style="list-style-type: none"> 1. Adds "or parcel" to clarify the intent of the code to apply to a lot or a parcel. 2. Corrects a scrivener's error; "of" should be "or". 3. Cleans up use of commas to clarify intent. 4. Relocates the exception for residential use to the "Exceptions" section. 5. Eliminates the use of "shall" per advice of legal counsel. 6. Corrects Chapter title, "Infill Development". 	<p>If a lot or parcel, or the aggregate of contiguous lots or parcels, recorded, or platted, prior to the effective date of this Code, has an area or dimension which does not meet the requirements of this Code, the lot of or aggregate lots may be put to a use permitted outright, subject to the other requirements of the zone in which the property is located, except that a residential use shall be limited to a single-family dwelling, or to the number of dwelling units consistent with the density requirements of the zone. However, no dwelling shall be built on a lot with less area than thirty-two hundred (3,200) square feet, except as provided in Chapter 16.68 (Infill Development).</p> <p>B. Exceptions</p> <ol style="list-style-type: none"> 1. Residential uses are limited to a single-family dwelling, or to the number of dwelling units consistent with the density requirements of the zone. However, a dwelling cannot be built on a lot with less area than thirty-two hundred (3,200) square feet, except as provided in Chapter 16.68. 2. Yard requirements of the underlying zone may be modified for infill developments as provided in Chapter 16.68 (Infill Development).

#	Code Section	Page	Existing Code Language	Issue/Rational	Recommended Amendment
21	16.70.020.B	383	Applicants of Type III, IV and V applications are required to hold a meeting, at a public location for with adjacent property owners and recognized neighborhood organizations that are within 1,000 feet of the subject application, prior to submitting their application to the City. Affidavits of mailing, sign-in sheets and a summary of the meeting notes shall be included with the application when submitted. Applicants for Type II land use action are encouraged, but not required to hold a neighborhood meeting.	1. Corrects a scrivener's error; the "with" in the first sentence is not needed. 2. Eliminates the use of "shall" per advice of legal counsel.	Applicants of Type III, IV and V applications are required to hold a meeting, at a public location for with adjacent property owners and recognized neighborhood organizations that are within 1,000 feet of the subject application, prior to submitting their application to the City. Affidavits of mailing, sign-in sheets and a summary of the meeting notes shall <u>must</u> be included with the application when submitted. Applicants for Type II land use action are encouraged, but not required to hold a neighborhood meeting.
22	16.70.030.C.1.e	384	Vicinity Map showing the City limits and the Urban Growth Boundary.	Defines a useable scale for the Vicinity Map.	Vicinity Map showing <u>a minimum radius of 500 feet around the property and the closest intersection of two Principal Arterial, Arterial, Collector or Neighborhood roads</u> the City limits and the Urban Growth Boundary.
23	16.70.030.C.1.f	384	A narrative explaining the proposal in detail and a response to the Required Findings for Land use Review for the land use approval(s) being sought.	Corrects a scrivener's error; the word "Use" should be capitalized.	A narrative explaining the proposal in detail and a response to the Required Findings for Land use <u>Use</u> Review for the land use approval(s) being sought.
24	16.72.010.A.2.c	388	"Fast-track" Site Plan review, defined as those site plan applications which propose less than 15,000 square feet of floor area, parking or seating capacity of public, institutional, commercial or industrial use permitted by the underlying zone, or up to a total of 20% increase in floor area, parking or seating capacity for a land use or structure subject to conditional use permit, except as follows: auditoriums, theaters, stadiums, and those applications subject to Section 16.72.010.4, below.	1. Corrects the reference from 16.72.010.4 to 16.72.010.A.4. 2. Corrects a scrivener's error: "conditional use permit" should be capitalized.	"Fast-track" Site Plan review, defined as those site plan applications which propose less than 15,000 square feet of floor area, parking or seating capacity of public, institutional, commercial or industrial use permitted by the underlying zone, or up to a total of 20% increase in floor area, parking or seating capacity for a land use or structure subject to <u>a</u> e <u>C</u> onditional u <u>U</u> se p <u>P</u> ermit, except as follows: auditoriums, theaters, stadiums, and those applications subject to Section 16.72.010. <u>A.4</u> , below .
25	16.72.010.A.2.d	388	"Design Upgraded" Site Plan review, defined as those site plan applications which propose between 15,001 and 40,000 square feet of floor area, parking or seating capacity and which propose a minimum of eighty percent (80%) of the total possible points of design criteria in the "Commercial Design Review Matrix" found in Section 16.90.020.4.G.4.	Corrects the reference from 16.90.020.4.G.4 to 16.90.020.D.6.d.	"Design Upgraded" Site Plan review, defined as those site plan applications which propose between 15,001 and 40,000 square feet of floor area, parking or seating capacity and which propose a minimum of eighty percent (80%) of the total possible points of design criteria in the "Commercial Design Review Matrix" found in Section 16.90.020. <u>D.6.d</u> 4.G.4 .
26	16.72.010.A.2.e	388	Industrial "Design Upgraded" projects, defined as those site plan applications which propose between 15,001 and 60,000 square feet of floor area, parking or seating capacity and which meet all of the criteria in 16.90.020.4.H.1.	Corrects the reference from 16.90.020.4.H.1 to 16.90.020.D.7.b.	Industrial "Design Upgraded" projects, defined as those site plan applications which propose between 15,001 and 60,000 square feet of floor area, parking or seating capacity and which meet all of the criteria in <u>Section</u> 16.90.020. <u>D.7.b</u> 4.H.1 .
27	16.72.010.A.3.b	388	Site Plan Review — between 15,001 and 40,000 square feet of floor area, parking or seating capacity except those within the Old Town Overlay District, per Section 16.72.010.4, below.	Corrects the reference from 16.72.010.4 to 16.72.010.A.4.	Site Plan Review — between 15,001 and 40,000 square feet of floor area, parking or seating capacity except those within the Old Town Overlay District, per Section 16.72.010. <u>A.4</u> , below .
28	16.72.010.A.4.d	388	Site Plans subject to Section 16.90.020.4.G.6.	Corrects the reference from 16.90.020.4.G.6 to 16.90.020.D.6.f.	Site Plans subject to Section 16.90. <u>020.D.6.f</u> 020.4.G.6 .
29	16.72.020.A.4.e	388	Industrial Site Plans subject to Section 16.90.020.4.H.2.	Corrects the reference from 16.90.020.4.H.2 to 16.90.020.D.7.b.	Industrial Site Plans subject to Section 16.90. <u>020.D.7.b</u> 020.4.H.2 .
30	16.72.020.B.2	390	Signage shall be posted on the subject property fourteen (14) calendar days in advance of the staff decision on Type II applications and twenty (20) calendar days in advance of the hearing before the Hearing Authority for Type III, IV and V applications.	1. Eliminates the use of "shall" per advice of legal counsel. 2. The term "initial" is added in front of hearing to formalize the fact that the 20 day notice is only required prior to the initial hearing. If an item is continued during a public hearing, the hearing authority can direct staff to provide additional notice if it is warranted.	Signage shall <u>must</u> be posted on the subject property fourteen (14) calendar days in advance of the staff decision on Type II applications and twenty (20) calendar days in advance of the <u>initial</u> hearing before the Hearing Authority for Type III, IV and V applications.
31	16.80.010 and 16.80.030.A	399-400	16.80.010 - Initiation of Amendments An amendment to the City Zoning Map or text of the Comprehensive Plan may be initiated by the Council, Commission, or an owner of property within the City. 16.80.030 - Review Criteria A. Text Amendment An amendment to the text of the Comprehensive Plan shall be based upon a need for such an amendment as identified by the Council or the Commission. Such an amendment shall be consistent with the intent of the adopted Sherwood Comprehensive Plan, and with all other provisions of the Plan, the Transportation System Plan and this Code, and with any applicable State or City statutes and regulations, including this Section.	1. Clarifies the intent that amendments to the either the Comprehensive Plan or the Zoning and Community Development Code are processed in accordance with Chapter 16.80. 2. Eliminates the use of "shall" per advice of legal counsel.	16.80.010 - Initiation of Amendments An amendment to the City Zoning Map, or the text of the Comprehensive Plan, <u>or the text of the Zoning and Community Development Code</u> may be initiated by the Council, Commission, or an owner of property within the City. 16.80.030 - Review Criteria A. Text Amendment An amendment to the text of the Comprehensive Plan <u>or the Zoning and Community Development Code</u> shall <u>must</u> be based upon a need for such an amendment as identified by the Council or the Commission. Such an amendment shall <u>must</u> be consistent with the intent of the adopted Sherwood Comprehensive Plan, and with all other provisions of the Plan, the Transportation System Plan and this Code, and with any applicable State or City statutes and regulations, including this Section.

#	Code Section	Page	Existing Code Language	Issue/Rational	Recommended Amendment
32	16.82.020.C.7 – 16.82.020.C.9	402- 403	<p>7. For a proposed conditional use permit in the Neighborhood Commercial (NC), Office Commercial (OC), Office Retail (OR), Retail Commercial (RC), General Commercial (GC), Light Industrial (LI), and General Industrial (GI) zones, except in the Old Town Overlay Zone, the proposed use shall satisfy the requirements of Section 16.108.070 Highway 99W Capacity Allocation Program, unless excluded herein.</p> <p>8. For wireless communication facilities, no conditional use permit shall be granted unless the following additional criteria is found:</p> <p>a. The applicant shall demonstrate to the satisfaction of the City that the wireless communication facility cannot be located in an IP zone due to the coverage needs of the applicant.</p> <p>b. The proposed wireless communication facility is designed to accommodate co-location or it can be shown that the facility cannot feasibly accommodate co-location.</p> <p>c. The applicant shall demonstrate a justification for the proposed height of the tower or antenna and an evaluation of alternative designs which might result in lower heights.</p> <p>d. The proposed wireless communication facility is not located within one-thousand (1,000) feet of an existing wireless facility or that the proposed wireless communication facility cannot feasibly be located on an existing wireless communication facility.</p> <p>e. The proposed wireless communication facility is located a minimum of three-hundred (300) feet from residentially zoned properties.</p> <p>9. The following criteria apply to transportation facilities and improvements subject to Conditional use approval (in addition to criteria 1-7) per 16.66. These are improvements and facilities that are (1) not designated in the adopted City of Sherwood Transportation System Plan (TSP), and are (2) not designed and constructed as part of an approved subdivision or partition subject to site plan review.</p> <p>a. The project preserves or improves the safety and function of the facility through access management, traffic calming, or other design features.</p> <p>b. The project includes provisions for bicycle and pedestrian access and circulation consistent with the Comprehensive Plan, the requirements of this Code, and the TSP.</p> <p>c. Proposal inconsistent with TSP: If the City determines that the proposed use or activity or its design is inconsistent with the TSP, then the applicant shall apply for and obtain a plan and/or zoning amendment prior to or in conjunction with conditional use permit approval.</p> <p>d. State transportation system facility or improvement projects: The Oregon Department of Transportation (ODOT) shall provide a narrative statement with the application demonstrating compliance with all of the criteria and standards in Section 1-7 and 9.a.-9.d. Where applicable, an Environmental Impact Statement or Environmental Assessment may be used to address one or more of these criteria.</p>	<p>1. Section 16.82.020.C.7 is deleted because the Highway 99W Capacity Allocation Program has been eliminated.</p> <p>2. Remaining items are renumbered.</p> <p>3. Eliminates the use of "shall" per advice of legal counsel.</p> <p>4. Clarifies intent of the additional criteria for transportation facilities and improvements.</p> <p>5. Corrects scrivener's errors: "conditional use permit" should be capitalized; "Chapter" should be inserted before "16.66".</p> <p>6. Revises Section 16.82.020.C.8 to be consistent with the proposed language in Section 16.66.010.B (Item 7A).</p> <p>7. Corrects reference to renumbered sections of code.</p>	<p>7. For a proposed conditional use permit in the Neighborhood Commercial (NC), Office Commercial (OC), Office Retail (OR), Retail Commercial (RC), General Commercial (GC), Light Industrial (LI), and General Industrial (GI) zones, except in the Old Town Overlay Zone, the proposed use shall satisfy the requirements of Section 16.108.070 Highway 99W Capacity Allocation Program, unless excluded herein.</p> <p>7.8. For wireless communication facilities, no eConditional uUse pPermit shall will be granted unless the following additional criteria is found:</p> <p>a. The applicant shall demonstrate to the satisfaction of the City that the wireless communication facility cannot be located in an IP zone due to the coverage needs of the applicant.</p> <p>b. The proposed wireless communication facility is designed to accommodate co-location or it can be shown that the facility cannot feasibly accommodate co-location.</p> <p>c. The applicant shall demonstrate a justification for the proposed height of the tower or antenna and an evaluation of alternative designs which might result in lower heights.</p> <p>d. The proposed wireless communication facility is not located within one-thousand (1,000) feet of an existing wireless facility or that the proposed wireless communication facility cannot feasibly be located on an existing wireless communication facility.</p> <p>e. The proposed wireless communication facility is located a minimum of three-hundred (300) feet from residentially zoned properties.</p> <p>8.9. The following additional criteria apply to transportation facilities and improvements subject to Conditional uUse approval (in addition to criteria 1-7) per Chapter 16.66. These are improvements and facilities that are (1) not designated in the adopted City of Sherwood Transportation System Plan (TSP), and are (2) not designed and constructed as part of an approved land use applicationsubdivision or partition subject to site plan review.</p> <p>a. The project preserves or improves the safety and function of the facility through access management, traffic calming, or other design features.</p> <p>b. The project includes provisions for bicycle and pedestrian access and circulation consistent with the Comprehensive Plan, the requirements of this Code, and the TSP.</p> <p>c. Proposal inconsistent with TSP: If the City determines that the proposed use or activity or its design is inconsistent with the TSP, then the applicant shall is required to apply for and obtain a plan and/or zoning amendment prior to or in conjunction with eConditional uUse pPermit approval.</p> <p>d. State transportation system facility or improvement projects: The Oregon Department of Transportation (ODOT) shall must provide a narrative statement with the application demonstrating compliance with all of the criteria and standards in Sections 16.82.020.C.1-67 and 98.a.-89.d. Where applicable, an Environmental Impact Statement or Environmental Assessment may be used to address one or more of these criteria.</p>
33	16.84.030.A.1.d	406	A 5% reduction in other Code standards or dimensions not otherwise specifically identified in this section and not applicable at the time of the subdivision or partition approval.	Clarifies code language to cover proposed increases and decreases to Code standards.	A 5% reduction-increase or decrease in other Code standards or dimensions not otherwise specifically identified in this section and not applicable at the time of the subdivision or partition approval.
34	16.84.030.B.1.e	406	A 20% or less reduction in other Code standards or dimensions not otherwise specifically identified in this section.	Clarifies code language to cover proposed increases and decreases to Code standards.	A 20% or less reduction-increase or decrease in other Code standards or dimensions not otherwise specifically identified in this section.

#	Code Section	Page	Existing Code Language	Issue/Rational	Recommended Amendment
35	16.90.010	408.12	<p>16.90.010 - Purpose</p> <p>A. Generally This Division is intended to establish a process and define a set of development standards to guide physical development in the City consistent with the Community Development Plan and this Code.</p> <p>B. Objectives Site planning review is intended to:</p> <ol style="list-style-type: none"> 1. Encourage development that is compatible with the existing natural and manmade environment, existing community activity patterns, and community identity. 2. Minimize or eliminate adverse visual, aesthetic or environmental effects caused by the design and location of new development, including but not limited to effects from: <ol style="list-style-type: none"> a. The scale, mass, height, areas, appearance and architectural design of buildings and other development structures and features. b. Vehicular and pedestrian ways and parking areas. c. Existing or proposed alteration of natural topographic features, vegetation and water-ways. 	Eliminates 16.90.010.A as it appears to be the purpose of the Community Design Division (Division V), rather than the Site Planning Chapter (16.90).	<p>16.90.010 - Purpose</p> <p>A. Generally This Division is intended to establish a process and define a set of development standards to guide physical development in the City consistent with the Community Development Plan and this Code.</p> <p>B. Objectives Site planning review is intended to:</p> <p>A.4. Encourage development that is compatible with the existing natural and manmade environment, existing community activity patterns, and community identity.</p> <p>B.2. Minimize or eliminate adverse visual, aesthetic or environmental effects caused by the design and location of new development, including but not limited to effects from:</p> <ol style="list-style-type: none"> 1a. The scale, mass, height, areas, appearance and architectural design of buildings and other development structures and features. 2b. Vehicular and pedestrian ways and parking areas. 3e. Existing or proposed alteration of natural topographic features, vegetation and water-ways.
36	16.90.020.A	408.12	<p>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</p>	<ol style="list-style-type: none"> 1. Eliminates the use of "shall" per advice of legal counsel. 2. Eliminates requirements for Site Plan review for a sign. 3. Corrects a scrivener's error; a missing punctuation at the end of the sentence. 	<p>Site Plan Review Required Site Plan review shall beis 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</p>
37	16.90.020 – 16.90.030	408.12 -412	Sections 16.90.020 (Site Plan Review) and 16.90.030 (Site Plan Modifications and Revocation) (see attached)	<ol style="list-style-type: none"> 1. Eliminates the use of "shall" per advice of legal counsel. 2. Corrects scrivener's errors: removes the extra comma at the end of item 16.90.020.B.2; corrects the plural/singular tense in 16.90.020.D.7.a.(5). 3. Corrects an error made when the publisher inserted Section 16.90.030, Site Plan Modifications and Revocation within Section 16.90.020 between 16.90.020.B and 16.90.020.C. 4. Removes reference to the Highway 99W Capacity Allocation Program as this program has been eliminated (Section 16.90.030.D.5) and renumbers the remaining items. 5. Corrects references to code sections. 6. Creates an actual matrix for the Commercial Design Review Matrix criteria in 16.90.030.D.7.d. 7. Revises the text of 16.90.030.A.1.b.(2) to clarify that adding a conditional use to approved Type II project is reviewed using a Type III procedure as the intent of this item is not to change an original Type IV procedure to a Type III by adding a conditional use. 	<p>See Attachment B: Sections 16.90.020 and 16.90.030 Legislative Edits. Note: No substantive changes are proposed: corrects errors; removes reference to the Highway 99W Capacity Allowance Program because it has been eliminated; clarifies code language and reformats the Commercial Design Review Matrix requirements into a matrix.</p>
38	16.92.020.A.3.b	413	Existing trees may be used to meet the standards of this chapter, as described in C.2. below.	Revises reference to be consistent with similar references in the code.	Existing trees may be used to meet the standards of this chapter, as described in Section 16.92.020.C.2. below.

#	Code Section	Page	Existing Code Language	Issue/Rational	Recommended Amendment
39	16.94.020.A	421-423	Single, two-family and manufactured home on a lot ³ ; Minimum Parking Standard = 1 per dwelling unit ³ If the street on which the house has direct access is less than twenty-eight (28) feet wide, two (2) off-street parking spaces are required per single-family residential dwelling unit. (includes single-family detached or attached, two-family dwellings or a manufactured home on an individual lot)	Clarifies intent of footnote 3 by adding a requirement for two (2) off-street parking spaces for single, two-family and manufactured home on a lot if the street on which the house has direct access does not permit on-street parking.	Single, two-family and manufactured home on a lot ³ ; Minimum Parking Standard = 1 per dwelling unit ³ If the street on which the house has direct access <u>does not permit on-street parking or</u> is less than twenty-eight (28) feet wide, two (2) off-street parking spaces are required per single-family residential dwelling unit. (includes single-family detached or attached, two-family dwellings or a manufactured home on an individual lot).
40	16.102.040.B.2	445	Each portable sign shall be a maximum of six (6) square feet per sign face. A business that wishes to place a portable sign on the sidewalk in front of someone else's property must receive written permission from the property owner of the property where the sign is placed. Signs shall be sited per Section 16.102.040.	1. Eliminates the use of "shall" per advice of legal counsel. 2. Amends the section to be consistent with the most recent code amendments that allows portable signs within Old Town could be a maximum of (7) square feet as it pertains to an A-frame sign.	Each portable sign shall <u>can</u> be a maximum of seven (7) <u>six (6)</u> square feet per sign face. A business that wishes to place a portable sign on the sidewalk in front of someone else's property must receive written permission from the property owner of the property where the sign is placed. Signs shall <u>must</u> be sited per Section 16.102.040.
41	16.106.040.C	457	Future Extension Where necessary to access or permit future subdivision or development of adjoining land, streets shall extend to the boundary of the proposed development and provide the required roadway width. Dead-end streets less than 100' in length shall comply with the Engineering Design Manual. A durable sign shall be installed at the applicant's expense. The sign shall notify the public of the intent to construct future streets. The sign shall read as follows: "This road will be extended with future development. For more information contact the City of Sherwood at 503-625-4202."	1. Eliminates the use of "shall" per advice of legal counsel. 2. Updates code to direct concerned citizens to contact the City of Sherwood Engineering Department as opposed to a general phone number.	Future Extension Where necessary to access or permit future subdivision or development of adjoining land, streets shall <u>must</u> extend to the boundary of the proposed development and provide the required roadway width. Dead-end streets less than 100' in length shall <u>must</u> comply with the Engineering Design Manual. A durable sign shall <u>must</u> be installed at the applicant's expense. The sign shall <u>is required to</u> notify the public of the intent to construct future streets. The sign shall <u>must</u> read as follows: "This road will be extended with future development. For more information contact the City of Sherwood at 503-625-4202 <u>Engineering Department.</u> "
42	16.106.040.H	460	Buffering of Major Streets Where a development abuts Highway 99W, or an existing or proposed principal arterial, arterial or collector street, or neighborhood route, adequate protection for residential properties shall be provided and through and local traffic shall be separated and traffic conflicts minimized. In addition, visual corridors pursuant to Section 16.142.030, and all applicable access provisions of Chapter 16.96, shall be met. Buffering may be achieved by: parallel access streets, lots of extra depth abutting the major street with frontage along another street, or other treatment suitable to meet the objectives of this Code.	1. Eliminates the use of "shall" per advice of legal counsel. 2. Clarifies code language by adding commas. 3. Corrects the reference from 16.142.030 to 16.142.040.	Buffering of Major Streets Where a development abuts Highway 99W, or an existing or proposed principal arterial, arterial or collector street, or neighborhood route, adequate protection for residential properties shall <u>must</u> be provided, and through and local traffic shall be separated, and traffic conflicts minimized. In addition, visual corridors pursuant to Section 16.142. 040 <u>030</u> , and all applicable access provisions of Chapter 16.96, shall <u>are to</u> be met. Buffering may be achieved by: parallel access streets, lots of extra depth abutting the major street with frontage along another street, or other treatment suitable to meet the objectives of this Code.
43	16.120.040.I	470.12	A minimum of five percent (5%) open space has been provided per § 16.44.B.8 (Townhome-Standards) or §16.142.020 (Parks, Open Spaces and Trees-Single-Family Residential Subdivisions), if applicable	1. Replaces the symbol "\$" with the word "Section". 2. Corrects the reference from Section 16.142.020 to 16.142.030.	A minimum of five percent (5%) open space has been provided per § <u>Section</u> 16.44.B.8 (Townhome-Standards) or § <u>Section</u> 16.142. 030 <u>020</u> (Parks, Open Spaces and Trees-Single-Family Residential Subdivisions), if applicable
44	16.120.060.B	470.14	Performance Security The subdivider shall provide monetary assurance of full and faithful performance in the form of a bond, cash, or other security acceptable to the City in an amount equal to one hundred percent (100%) of the estimated cost of the improvements.	1. Eliminates the use of "shall" per advice of legal counsel. 2. Updates code to more accurately reflect the cost of realizing and administering financial securities. It should be noted that the City does not typically have to pull a bond or other type of financial security on construction projects, but it does happen.	Performance Security The subdivider shall <u>is required to</u> provide monetary assurance of full and faithful performance in the form of a bond, cash, or other security acceptable to the City in an amount equal to one hundred twenty-five <u>percent (125</u> 00 <u>%)</u> of the estimated cost of the improvements.
45	16.134.040.A	470.25	Provided land is not required to be dedicated as per this Section, Greenways, a conditional use permit (CUP) shall be approved before any use, construction, fill, or alteration of a floodplain, floodway, or watercourse, or any other development begins within any FP zone, except as provided in this Section, Permitted Uses.	1. Revises reference to be consistent with similar references in the code. 2. Corrects a scrivener's error: "conditional use permit" should be capitalized. 3. Eliminates the use of "shall" per advice of legal counsel.	Provided land is not required to be dedicated as per this Section 16.134.030 , Greenways , a conditional use permit (CUP) shall be approved <u>is required</u> before any use, construction, fill, or alteration of a floodplain, floodway, or watercourse, or any other development begins within any FP zone, except as provided in this Section 16.134.050 , Permitted Uses .
46	16.134.050	470.26	In the FP zone the following uses are permitted outright, and do not require a CUP, provided that floodway flow, or floodplain capacity, will not be impeded, as determined by the City, and when greenway dedication is not required as per this Section, Greenways:	Revises reference to be consistent with similar references in the code.	In the FP zone the following uses are permitted outright, and do not require a CUP, provided that floodway flow, or floodplain capacity, will not be impeded, as determined by the City, and when greenway dedication is not required as per this Section 16.134.030 , Greenways .

#	Code Section	Page	Existing Code Language	Issue/Rational	Recommended Amendment
47	16.134.050.C	470.26	Public streets and appurtenant structures, and above and underground utilities, subject to the provisions of this Section, Floodplain Development and Floodplain Structures.	Revises reference to be consistent with similar references in the code.	Public streets and appurtenant structures, and above and underground utilities, subject to the provisions of this Sections <u>16.134.080 and 16.134.090</u> , Floodplain Development and Floodplain Structures .
48	16.134.070.F	470.26	Any use, activity, or encroachment located in the floodway, including fill, new construction, improvements to existing developments, or other development, except as otherwise allowed by this Section, Permitted Uses, and unless certification by a Registered Engineer or Architect is provided demonstrating that the use, activity, or encroachment shall not result in any increase to flood levels during the occurrence of the base flood discharge.	1. Revises reference to be consistent with similar references in the code. 2. Eliminates the use of "shall" per advice of legal counsel.	Any use, activity, or encroachment located in the floodway, including fill, new construction, improvements to existing developments, or other development, except as otherwise allowed by this Section <u>16.134.050</u> , Permitted Uses , and unless certification by a Registered Engineer or Architect is provided demonstrating that the use, activity, or encroachment shall <u>will</u> not result in any increase to flood levels during the occurrence of the base flood discharge.
49	16.134.080.A.5	470.28	Subdivisions and Partitions All proposed subdivisions or partitions including land within an FP zone shall establish the boundaries of the base flood by survey and shall dedicate said land as per this Section, Greenways. The balance of the land and development shall:	1. Eliminates the use of "shall" per advice of legal counsel. 2. Revises reference to be consistent with similar references in the code.	Subdivisions and Partitions All proposed subdivisions or partitions including land within an FP zone shall <u>must</u> establish the boundaries of the base flood by survey and shall -dedicate said land as per this -Section <u>16.134.050</u> , Greenways . The balance of the land and development shall <u>must</u> :
50	16.134.090.A.2	470.28	The lowest floor elevation of a structure designed for human occupancy shall be at least one and one-half (1½) feet above the base flood elevation and the building site shall comply with the provisions of subsection A of Floodplain Development.	1. Eliminates the use of "shall" per advice of legal counsel. 2. Revises reference to be consistent with similar references in the code.	The lowest floor elevation of a structure designed for human occupancy shall <u>must</u> be at least one and one-half (1½) feet above the base flood elevation and the building site shall <u>must</u> comply with the provisions of <u>Section 16.134.080.A</u> subsection A of Floodplain Development .
51	16.134.090.D.1.d	470.29	Nonresidential structures that are elevated and not flood proofed, must meet the same standards for space below the lowest floor as per subsection C2 of Floodplain Structures.	1. Corrects a scrivener's error: deletes the comma after "proofed". 2. Revises reference to be consistent with similar references in the code.	Nonresidential structures that are elevated and not flood proofed, must meet the same standards for space below the lowest floor as per s <u>Subsection 16.134.090.C.2</u> of Floodplain Structures .
52	16.134.100.A	470.29	Dimensional standards or developments in the FP zone shall be the same as in the underlying zoning district, except as provided in this Section, Additional Requirements.	1. Eliminates the use of "shall" per advice of legal counsel. 2. Revises reference to be consistent with similar references in the code.	Dimensional standards or developments in the FP zone shall be <u>are</u> the same as in the underlying zoning district, except as provided in this -Section <u>16.134.100</u> , Additional Requirements .

Attachment A: Residential Land Use Development Standards Legislative Edits

Section 16.12.030

C. Development Standards per Residential Zone

Development Standard by Residential Zone-	VLDR	VLDR-PUD	LDR	MDRL	MDRH	HDR
Minimum Lot areas:(in square ft.)						
• Single-Family Detached	40,000	10,000	7,000	5,000	5,000	5,000
• Single Family Attached	40,000	10,000	7,000	5,000	4,000	4,000
• Two or Multi-Family: for the first 2 units	X	X	X	10,000	8,000	8,000
• Multi-Family: each additional unit after first 2	X	X	X	X	3,200	1,500
Minimum Lot width at front property line: (in feet)	25	25	25	25	25	25
Minimum Lot width at building line ¹⁶ : (in feet)						
• Single-Family	None	None	60	50	50	50
• Two-Family	X	X	X	60	60	60
• Multi-family	X	X	X	X	60	60
Lot Depth	None	None	80	80	80	80
Maximum Height ²⁷ (in feet)	30 or 2 stories	35 or 2.5 stories	40 or 3 stories			
• Amateur Radio Tower	70	70	70	70	70	70
• Chimneys, Solar or Wind Devices, Radio and TV aerials ³⁸	50	50	50	50	55	60
Setbacks (in feet)						
• Front yard ⁴⁹	20	20	20	14	14	14
• Face of garage	20	20	20	20	20	20
• Interior side yard						
• Single-Family Detached	5	5	5	5	5	5
• Single-Family Attached	20	20	20	10	5	5
• Two Family	X	X	X	5	5	5
• Multi-Family						
• 18 ft. or less in height	X	X	X	X	5	5
• Between 18-24 ft. in height	X	X	X	X	7	7
• If over 24 ft. in height	X	X	X	X	§ 16.68 Infill	§ 16.68 Infill
• Corner lot street side						
• Single Family or Two Family	20	20	20	15	15	15
• Multi-Family	X	X	X	X	20	30
• Rear yard	20	20	20	20	20	20

¹⁶ Minimum lot width at the building line on cul-de-sac lots may be less than that required in this Code if a lesser width is necessary to provide for a minimum rear yard.

²⁷ Maximum height is the lesser of feet or stories.

³⁸ 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 (Chimneys, Spires, Antennas and Similar Structures).

⁴⁹ Reductions in front yard setbacks for architectural features as described in 16.50.050 are not permitted in the MDRL, MDRH, or HDR zoning districts.

Attachment B: Sections 16.90.020 and 16.90.030 Legislative Edits

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 that does not meet the criteria of a minor or major modification, 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 terms "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~~

(Ord. No. 2012-003, § 2, 5-1-2012; Ord. No. 2011-011, § 1, 10-4-2011)

Editor's note—Ord. No. 2011-011, § 1, adopted October 4, 2011, amended the Code by, in effect, repealing former § 16.90.020, and adding new §§ 16.90.020 and 16.90.030. Former § 16.90.020 pertained to site plan review, and derived from Ord. 86-851; Ord. 91-922; Ord. 98-1053; Ord. 2003-1148; Ord. 2005-009; Ord. 2006-021; Ord. No. 2009-005, adopted June 2, 2009; Ord. No. 2010-05, adopted April 6, 2010; Ord. No. 2010-06, adopted April 6, 2010; and Ord. No. 2010-015, adopted October 5, 2010.

~~16.90.030 – Site Plan Modifications and Revocation~~

~~A. Modifications to Approved Site Plans~~

~~1. Major Modifications to Approved Site Plans~~

~~a. Defined. The review authority shall determine that a major modification(s) review is required if one or more of the changes listed below are proposed:~~

- ~~(1) A change in land use (i.e. residential to commercial, commercial to industrial, etc.);~~
- ~~(2) An increase in density by more than ten (10) percent, provided the resulting density does not exceed that allowed by the land use district;~~
- ~~(3) A change in setbacks or lot coverage by more than 10 percent, provided the resulting setback or lot coverage does not exceed that allowed by the land use district;~~
- ~~(4) A change in the type and/or location of access ways, drives or parking areas negatively affecting off-site traffic or increasing Average Daily Trips (ADT) by more than 100;~~
- ~~(5) An increase in the floor area or height proposed for non-residential use by more than 10 percent;~~
- ~~(6) A reduction of more than 10 percent of the area reserved for common open space; or~~
- ~~(7) Change to a condition of approval that was specifically applied to this approval (i.e. not a "standard condition"), or a change similar to items (1) (2) as determined by the Review Authority.~~

~~b. Approval Criteria. An applicant may request a major modification as follows:~~

- ~~(1) Upon the review authority determining that the proposed modification is a major modification, the applicant shall submit an application form, filing fee and narrative, and a site plan using the same plan format as in the original approval. The review authority may require other relevant information, as necessary, to evaluate the request.~~
- ~~(2) The application shall be subject to the same review procedure (Type II, III or IV), decision making body, and approval criteria used for the initial project approval, except that adding a conditional use to an approved project shall be reviewed using a Type III procedure.~~
- ~~(3) The scope of review shall be limited to the modification request and does not open the entire site up for additional review unless impacted by the proposed modification. For example, a request to modify a parking lot shall require site design review only for the proposed parking lot and any changes to associated access, circulation, pathways, lighting, trees, and landscaping.~~

~~(4) Notice shall be provided in accordance with Chapter 16.72.020~~

~~(5) The decision maker shall approve, deny, or approve with conditions an application for major modification based on written findings of the criteria.~~

~~2. Minor Modifications to Approved Site Plans~~

~~a. A Minor Modification is any modification to a land use decision or approved development plan that is not within the description of a major modification as provided, above.~~

~~b. Minor Modification Review Procedure. An application for approval of a minor modification shall be reviewed by the review authority using a Type I review procedure under Section 16.72.010.A. Minor modifications shall involve only clear and objective code standards.~~

~~c. Minor Modification Applications. An application for minor modification shall include an application form, filing fee and narrative, updated Clean Water Services (CWS) Service Provider Letter or equivalent acknowledgement from CWS, and a site plan using the same plan format as in the original approval if possible. The review authority may require other relevant information, as necessary, to evaluate the request.~~

~~d. Minor Modification Approval Criteria. The review authority shall approve, deny, or approve with conditions an application for minor modification based on written findings that the modification is in compliance with all applicable requirements of the Development Code and conditions of approval on the original decision, and the modification is not a major modification as above.~~

~~B. Revocation~~

~~Any departure from approved plans shall be cause for revocation of applicable building and occupancy permits. Furthermore if, in the City's determination, a condition or conditions of site plan approval are not or cannot be satisfied, the site plan approval, or building and occupancy permits, shall be revoked.~~

~~C. Reserved~~

~~D. Required Findings~~

~~No site plan approval shall will be granted unless each of the following is found:~~

- ~~1. The proposed development meets applicable zoning district standards and design standards in Division II, and all provisions of Divisions V, VI, VIII and IX.~~
- ~~2. The proposed development can be adequately served by services conforming to the Community Development Plan, including but not limited to water, sanitary facilities, storm water, solid waste, parks and open space, public safety, electric power, and communications.~~
- ~~3. Covenants, agreements, and other specific documents are adequate, in the City's determination, to assure an acceptable method of ownership, management, and maintenance of structures, landscaping, and other on-site features.~~
- ~~4. The proposed development preserves significant natural features to the maximum extent feasible, including but not limited to natural drainage ways, wetlands, trees, vegetation (including but not limited to environmentally sensitive lands), scenic views, and topographical features, and conforms to the applicable provisions of Division VIII of this Code and Chapter 5 of the Community Development Code.~~
- ~~5. For a proposed site plan in the Neighborhood Commercial (NC), Office Commercial (OC), Office Retail (OR), Retail Commercial (RC), General Commercial (GC), Light Industrial (LI), and General Industrial (GI) zones, except in the Old Town Overlay Zone, the proposed use shall satisfy the requirements of Section 16.108.070 Highway 99W Capacity Allocation Program, unless excluded herein.~~
- ~~56. For developments that are likely to generate more than 400 average daily trips (ADTs), or at the discretion of the City Engineer, the applicant shall must provide adequate information, such as a traffic impact analysis or traffic counts, to demonstrate the level of impact to the surrounding street system. The developer shall be is required to mitigate for impacts attributable to the project. The determination of impact or effect and the scope of the impact study shall must be coordinated with the provider of the affected transportation facility.~~
- ~~67. The proposed commercial, multi-family, institutional or mixed-use development is oriented to the pedestrian and bicycle, and to existing and planned transit facilities. Urban design standards shall include the following:
 - ~~a. Primary, front entrances shall be are located and oriented to the street, and have significant articulation and treatment, via facades, porticos, arcades, porches, portal, forecourt, or stoop to identify the entrance for pedestrians. Additional entrance/exit points for buildings, such as a postern, are allowed from secondary streets or parking areas.~~
 - ~~b. Buildings shall be are located adjacent to and flush to the street, subject to landscape corridor and setback standards of the underlying zone.~~
 - ~~c. The architecture of buildings shall be are oriented to the pedestrian and designed for the long term and be adaptable to other uses. Aluminum, vinyl, and T-111 siding shall be are prohibited. Street facing elevations shall have windows, transparent fenestration, and divisions to break up the mass of any window. Roll up and sliding doors are acceptable. Awnings that provide a minimum 3 feet of shelter from rain shall are required be installed unless other architectural elements are provided for similar protection, such as an arcade.~~
 - ~~d. As an alternative to the above standards in Section 16.90.020.D.6.7a-7c, the following Commercial Design Review Matrix may be applied to any commercial, multi-family, institutional or mixed use~~~~

development (this matrix may not be utilized for developments within the Old Town Overlay). A development must propose a minimum of 60 percent of the total possible points to be eligible for exemption from the standards in Section 16.90.020.D.6.7a—7c above. In addition, a development proposing between 15,001 and 40,000 square feet of floor area, parking or seating capacity and proposing a minimum of 80 percent of the total possible points from the matrix below may be reviewed as a Type II administrative review, per the standards of Section 16.72.010.A.2.

COMMERCIAL DESIGN REVIEW MATRIX

Design Criteria	Possible Points				
	0	1	2	3	4
Building Design (21 Total Points Possible; Minimum 12 Points Required)					
These standards may be applied to individual buildings or developments with multiple buildings.					
Materials¹	Concrete, artificial materials (artificial or "spray" stucco, etc.)	Cultured stone, brick, stone, decorative patterned masonry, wood	A mixture of at least two (2) materials (i.e. to break up vertical façade)	A mixture of at least three (3) materials (i.e. to break up vertical façade)	A mixture of at least three (3) of the following materials: brick, stone, cultured stone, decorative patterned masonry, wood
Roof Form²	Flat (no cornice) or single-pitch (no variation)	Distinctive from existing adjacent structures (not applicable to expansion of same building) or either variation in pitch or flat roof with cornice treatment	Distinctive from existing adjacent structures (not applicable to expansion of same building) and either variation in pitch or flat roof with cornice treatment	--	--
Glazing³	0-20% glazing on street-facing side(s)	>20% glazing on at least one street-facing side (inactive, display or façade windows)	>20% glazing on all street-facing sides (inactive, display or façade windows)	>20% glazing on at least one street-facing side (active glazing - actual windows)	>20% glazing on all street-facing sides (active glazing - actual windows)
Fenestration on street-facing elevation(s)	One distinct "bay" with no vertical building elements	Multiple "bays" with one or more "bay" exceeding 30 feet in width	Vertical building elements with no "bay" exceeding 30 feet in width	Vertical building elements with no "bay" exceeding 20 feet in width	--
Entrance Articulation	No weather protection provided	Weather protection provided via awning, porch, etc.	--	Weather protection provided via awning, porch, etc. and pedestrian amenities such as benches, tables and chairs, etc. provided near the entrance but not covered	Weather protection provided via awning, porch, etc. and pedestrian amenities such as benches, tables and chairs, etc. provided near the entrance and covered
Structure Size⁴ to discourage "big box" style development	Greater than 80,000 square feet	60,000 - 79,999 square feet	40,000 - 59,999 square feet	20,000 - 39,999 square feet	Less than 20,000 square feet

¹ No aluminum or T-111 siding permitted.

² Pictures and/or artistic renderings must be submitted for review by the Planning Commission if metal roofs are proposed.

³ Two (2) points if there is only one street-facing side and it is >20% glazing with inactive windows.

⁴ If multiple buildings are proposed, average the building sizes in the development.

<u>Design Criteria</u>	<u>Possible Points</u>				
	<u>0</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>
Building Location and Orientation (6 Total Points Possible; Minimum 3 Points Required)					
<u>Location</u> ⁵	Building(s) not flush to any right-of-way (including required PUE adjacent to ROW, setbacks or visual corridor) (i.e. parking or drive aisle intervening)	Building(s) located flush to right-of-way on at least one side (with the exception of required setbacks, easements or visual corridors)	Buildings flush to all possible right-of-way (with the exception of required setbacks, easements or visual corridors) (i.e. "built to the corner")	--	--
<u>Orientation</u>	Single-building site primary entrance oriented to parking lot	--	Single-building site primary entrance oriented to the pedestrian (i.e. entrance is adjacent to public sidewalk or adjacent to plaza area connected to public sidewalk and does not cross a parking area)	--	--
	Multiple building site primary entrance to anchor tenant or primary entrance to development oriented to parking lot	--	Multiple building site primary entrance to anchor tenant or primary entrance to development oriented to the pedestrian	--	--
<u>Secondary Public Entrance</u> ⁶			Secondary public pedestrian entrance provided adjacent to public sidewalk or adjacent to plaza area connected to public sidewalk		
Parking and Loading Areas (13 Total Points Possible; Minimum 7 Points Required)					
<u>Location of Parking</u>	Greater than 50 percent of required parking is located between any building and a public street	25-50 percent of required parking is located between any building and a public street	Less than 25 percent of required parking is located between any building and a public street	No parking is located between any building and a public street	--
<u>Loading Areas</u>	Visible from public street and not screened	Visible from public street and screened	Not visible from public street	--	--
<u>Vegetation</u>	At least one "landscaped" island every 13-15 parking spaces in a row	At least one "landscaped" island every 10-12 parking spaces in a row	At least one "landscaped" island every 8-9 parking spaces in a row	At least one "landscaped" island every 6-7 parking spaces in a row	--
<u>Number of Parking Spaces</u> ⁷	>120%	101-120%	100%	<100% (i.e. joint use or multiple reduction) (1 bonus)	--
<u>Parking Surface</u>	Impervious	Some pervious paving (10-25%)	Partially pervious paving (26-50%)	Mostly pervious paving (>50%)	--

⁵ If multiple buildings are proposed in one development, one point is awarded if one or more buildings are located adjacent to one or more rights-of-way and two points are awarded if there is at least one building adjacent to each right-of-way.

⁶ If primary entrance is oriented to the pedestrian, the project is automatically given these points without need for a second entrance.

⁷ Percent of minimum required.

<u>Design Criteria</u>	<u>Possible Points</u>				
	<u>0</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>
<u>Landscaping</u> (24 Total Point Possible; Minimum 14 Points Required)					
<u>Tree Retention</u> ⁸	<u>Less than 50% of existing trees on-site retained</u>	<u>51-60% of existing trees on-site retained</u>	<u>61-70% of existing trees on-site retained</u>	<u>71-80% of existing trees on-site retained</u>	<u>81-100% of existing trees on-site retained</u>
<u>Mitigation Trees</u> ⁹	<u>Trees mitigated off-site or fee-in-lieu</u>	<u>25-50% of trees mitigated on-site</u>	<u>51-75% of trees mitigated on-site</u>	<u>76-100% of trees mitigated on-site</u>	--
<u>Landscaping Trees</u> ¹⁰	<u>Less than one tree for every 500 square feet of landscaping</u>	<u>1 tree for every 500 square feet of landscaping</u>	<u>2 trees for every 500 square feet of landscaping</u>	<u>3 trees for every 500 square feet of landscaping</u>	<u>4 trees for every 500 square feet of landscaping</u>
<u>Landscaped Areas</u>	<u>Greater than 35% of landscaped areas are less than 100 square feet in size</u>	<u>Less than 25% of landscaped areas are less than 100 square feet in size</u>	<u>No landscaped areas are less than 100 square feet in size</u>	--	--
<u>Landscaping Trees greater than 3-inch Caliper</u>	<u><25%</u>	<u>25-50%</u>	<u>>50%</u>	--	--
<u>Amount of Grass</u> ^{11,12}	<u>>75% of landscaped areas</u>	<u>50-75% of landscaped areas</u>	<u>25-49% of landscaped areas</u>	<u><25% of landscaped areas</u>	--
<u>Total Amount of Site Landscaping</u> ¹³	<u><10% of gross site</u>	<u>10-15% of gross site</u>	<u>16-20% of gross site</u>	<u>21-25% of gross site</u>	<u>>25% of gross site</u>
<u>Automatic Irrigation</u>	<u>No</u>	<u>Partial</u>	<u>Yes</u>	--	--
<u>Miscellaneous</u> (10 Total Points Possible; Minimum 5 Points Required)					
<u>Equipment Screening (roof)</u>	<u>Equipment not screened</u>	<u>Equipment partially screened</u>	<u>Equipment fully screened</u>	<u>Equipment fully screened by materials matching building architecture/finish</u>	--
<u>Fences and Walls</u> ¹⁴	<u>Standard fencing and wall materials (i.e. wood fences, CMU walls, etc.)</u>	--	<u>Fencing and wall materials match building materials</u>	--	--
<u>On-Site Pedestrian Amenities Not Adjacent to Building Entrances</u>	<u>No</u>	<u>Yes; 1 per building</u>	<u>Yes; more than 1 per building</u>	--	--
<u>Open Space Provided for Public Use</u>	<u>No</u>	<u>Yes; <500 square feet</u>	<u>Yes; 500-1,000 square feet</u>	<u>Yes; >1,000 square feet</u>	--
<u>Green Building Certification</u>				<u>LEED, Earth Advantage, etc. (Bonus)</u>	

~~(1) Building Design (21 Total Points Possible, Minimum 12 Points Required). Note: These standards may be applied to individual buildings or developments with multiple buildings.~~

~~(a) Materials: Concrete, artificial materials (artificial or "spray" stucco, etc) = 0; cultured stone, brick, stone, decorative-patterned masonry, wood = 1; a mixture of at least 2 materials (i.e. to break up vertical facade) = 2; a mixture of at least 3 materials (i.e. to break up vertical facade) = 3; a~~

⁸ Based on tree inventory submitted with development application).

⁹ When no mitigation is required, the project receives zero points.

¹⁰ In addition to mitigated trees on-site, does not include Water Quality Facility Plantings.

¹¹ Shrubs and drought resistant ground cover are better.

¹² Schools automatically receive the full 3 points and are not penalized for amount of grass.

¹³ Includes visual corridor.

¹⁴ Including retaining walls.

- mixture of at least 3 of the following materials: brick, stone, cultured stone, decorative-patterned masonry, wood = 4. Note: No aluminum or T-111 siding permitted.
- (b) ~~Roof Form: Flat (no cornice) or single-pitch (no variation) = 0; distinctive from existing adjacent structures (not applicable to expansion of same building) or either variation in pitch or flat roof with cornice treatment = 1; distinctive from existing adjacent structures (not applicable to expansion of same building) and either variation in pitch or flat roof with cornice treatment = 2. Note: Pictures and/or artistic renderings must be submitted for review by the planning commission if metal roofs are proposed.~~
- (c) ~~Glazing: 0—20% glazing on street-facing side(s) = 0; >20% glazing on at least one street-facing side (inactive, display or facade windows) = 1; >20% glazing on all street-facing sides (inactive, display or facade windows) = 2 (2 points if there is only one street-facing side and it is >20% glazing with inactive windows); >20% glazing on at least one street-facing side (active glazing—actual windows) = 3; >20% glazing on all street-facing sides (active glazing—actual windows) = 4.~~
- (d) ~~Fenestration (on street-facing elevation(s): One distinct "bay" with no vertical building elements = 0; multiple "bays" with one or more "bay" exceeding 30 feet in width = 1; vertical building elements with no "bay" exceeding 30 feet in width = 2; vertical building elements with no "bay" exceeding 20 feet in width = 3.~~
- (e) ~~Entrance Articulation: No weather protection provided = 0; weather protection provided via awning, porch, etc. = 1; weather protection provided via awning, porch, etc. and pedestrian amenities such as benches, tables and chairs, etc. provided near the entrance but not covered = 3; weather protection provided via awning, porch, etc. and pedestrian amenities such as benches, tables and chairs, etc. provided near the entrance and covered = 4.~~
- (f) ~~Structure Size: To discourage "big box" style development. Greater than 80,000 square feet = 0; 60,000—79,999 square feet = 1; 40,000 = 59,999 square feet = 2; 20,000—39,999 = 3; less than 20,000 square feet = 4. (Note: If multiple buildings are proposed, average the building sizes in the development)~~
- (2) ~~Building Location and Orientation (6 Total Points Possible, Minimum 3 Points Required):~~
- (a) ~~Location: Building(s) not flush to any right-of-way (including required PUE adjacent to ROW, setbacks or visual corridor) (i.e. parking or drive aisle intervening) = 0; building(s) located flush to right-of-way on at least one side (with the exception of required setbacks, easements or visual corridors) = 1; building(s) flush to all possible rights-of-way (with the exception of required setbacks, easements or visual corridors) (i.e. "built to the corner") = 2. Note: If multiple buildings are proposed in one development, one point is awarded if one or more buildings are located adjacent to one or more rights-of-way and two points are awarded if there is at least one building adjacent to each right-of-way.~~
- (b) ~~Orientation: Single building site primary entrance oriented to parking lot = 0; single building site primary entrance oriented to the pedestrian (i.e. entrance is adjacent to public sidewalk or adjacent to plaza area connected to public sidewalk and does not cross a parking area) = 2; multiple building site primary entrance to anchor tenant or primary entrance to development oriented to parking lot = 0; multiple building site primary entrance to anchor tenant or primary entrance to development oriented to the pedestrian = 2.~~
- (c) ~~Secondary public entrance: Secondary public pedestrian entrance provided adjacent to public sidewalk or adjacent to plaza area connected to public sidewalk = 2 (Note: if primary entrance is oriented to the pedestrian, the project is automatically given these points without need for a second entrance).~~
- (3) ~~Parking and Loading Areas (13 Total Points Possible, Minimum 7 Points Required):~~
- (a) ~~Location of Parking: Greater than 50 percent of required parking is located between any building and a public street = 0; 25 to 50 percent of required parking is located between any building and a public street = 1; less than 25 percent of required parking is located between any building and a public street = 2; no parking is located between any building and a public street = 3.~~
- (b) ~~Loading Areas: Visible from public street and not screened = 0; visible from public street and screened = 1; not visible from public street = 2.~~
- (c) ~~Vegetation: At least one "landscaped" island every 13—15 parking spaces in a row = 0; at least one landscaped "island" every 10—12 parking spaces in a row = 1; at least one landscaped "island" every 8—9 parking spaces in a row = 2; at least one landscaped island every 6—7 parking spaces in a row = 3.~~
- (d) ~~Number of Parking Spaces (% of minimum required): >120% = 0; 101—120% = 1; 100% = 2; <100% (i.e. joint use or multiple use reduction) = 1 bonus point.~~
- (e) ~~Parking surface: Impervious = 0; some pervious paving (10—25%) = 1; partially pervious (26—50%) = 2; mostly pervious (>50%) = 3.~~
- (4) ~~Landscaping (24 Total Points Possible, Minimum 14 Points Required):~~

- ~~(a) Tree Retention (based on tree inventory submitted with development application): Less than 50% of existing trees on-site retained = 0; 51—60% of existing trees on-site retained = 1; 61—70% of existing trees on-site retained = 2; 71—80% of existing trees on-site retained = 3; 81—100% of existing trees on-site retained = 4.~~
 - ~~(b) Mitigation trees: Trees mitigated off-site or fee-in-lieu = 0; 25—50% of trees mitigated on-site = 1; 51—75% of trees mitigated on-site = 2; 76—100% of trees mitigated on-site = 3. Note: When no mitigation is required, the project receives zero points.~~
 - ~~(c) Landscaping trees (in addition to mitigated trees on-site, does not include Water Quality Facility Plantings): Less than one tree for every 500 square feet of landscaping = 0; 1 tree for every 500 square feet of landscaping = 1; 2 trees for every 500 square feet of landscaping = 2; 3 trees for every 500 square feet of landscaping = 3; 4 trees for every 500 square feet of landscaping = 4.~~
 - ~~(d) Landscaped areas: Greater than 25% of landscaped areas are less than 100 square feet in size = 0; less than 25% of landscaped areas are less than 100 square feet in size = 1; no landscaped areas are less than 100 square feet in size = 2.~~
 - ~~(e) Landscaping trees greater than 3" caliper: <25% = 0; 25—50% = 1; >50% = 2.~~
 - ~~(f) Amount of Grass (shrubs and drought resistant ground cover are better): >75% of landscaped areas = 0; 50—75% of landscaped areas = 1; 25—49% of landscaped areas = 2; <25% of landscaped areas = 3. Note: Schools automatically receive the full 3 points and are not penalized for amount of grass.~~
 - ~~(g) Total amount of site landscaping (including visual corridor): <10% of gross site = 0; 10—15% of gross site = 1; 16—20% of gross site = 2; 21—25% of gross site = 3; >25% of gross site = 4.~~
 - ~~(h) Automatic Irrigation: No = 0; partial = 1; yes = 2.~~
 - ~~(5) Miscellaneous (10 Total Points Possible, Minimum 5 Points Required).~~
 - ~~(a) Equipment Screening (roof): Equipment not screened = 0; equipment partially screened = 1; equipment fully screened = 2; equipment fully screened by materials matching building architecture/finishing = 3.~~
 - ~~(b) Fences and Walls (including retaining walls): Standard fencing and wall materials (i.e. wood fences, CMU walls, etc) = 0; fencing and wall materials match building materials = 2.~~
 - ~~(c) On-site pedestrian amenities not adjacent to building entrances (benches, tables, plazas, water fountains, etc): No = 0; yes (1 per building) = 1; yes (more than 1 per building) = 2.~~
 - ~~(d) Open Space provided for Public Use: No = 0; yes (<500 square feet) = 1; yes (500—1,000 square feet) = 2; yes (>1,000 square feet) = 3.~~
 - ~~(e) Green building certification (LEED, Earth Advantage, etc.) = 3 bonus points.~~
 - e. As an alternative to the ~~above~~ standards in Sections 16.90.020.D.6.7a—7c, the Old Town Design Standards (Chapter 16.162) may be applied to achieve this performance measure.
 - f. As an alternative to the ~~above~~ standards in Sections 16.90.020.D.6.7a.—7e, an applicant may opt to have a design review hearing before the Planning Commission to demonstrate how the proposed development meets or exceeds the objectives in Section 16.90.010.B of this Code. This design review hearing will be processed as a Type IV review with public notice and a public hearing.
- 7.8. Industrial developments provide employment opportunities for citizens of Sherwood and the region as a whole. The proposed industrial development is designed to enhance areas visible from arterial and collector streets by reducing the "bulk" appearance of large buildings. Industrial design standards ~~shall~~ include the following:
- a. Portions of the proposed industrial development within 200 feet of an arterial or collector street and visible to the arterial or collector (i.e. not behind another building) ~~must~~shall meet any four of the following six design criteria:
 - (1) A minimum 15% window glazing for all frontages facing an arterial or collector.
 - (2) A minimum of two (2) building materials used to break up vertical facade street facing frontages (no T-111 or aluminum siding).
 - (3) Maximum thirty-five (35) foot setback for all parts of the building from the property line separating the site from all arterial or collector streets (required visual corridor falls within this maximum setback area).
 - (4) Parking is located to the side or rear of the building when viewed from the arterial or collector.
 - (5) Loading areas are located to the side or rear of the building when viewed from the arterial or collector. If ~~the a~~ loading area ~~are is~~ visible from an arterial or collector, ~~they it~~ must be screened with vegetation or a screen made of materials matching the building materials.
 - (6) All roof-mounted equipment is screened with materials complimentary to the building design materials.
 - b. As an alternative to Section 16.90.020.D.7.8.a ~~above~~, an applicant may opt to have a design review hearing before the Planning Commission to demonstrate how the proposed development meets or exceeds the applicable industrial design objectives below (this design review hearing will be processed as a Type IV review):
 - (1) Provide high-value industrial projects that result in benefits to the community, consumers and developers.

- (2) Provide diversified and innovative working environments that take into consideration community needs and activity patterns.
- (3) Support the City's goals of economic development.
- (4) Complement and enhance projects previously developed under the industrial design standards identified in Section 16.90.020.D.7.4.H.
- (5) Enhance the appearance of industrial developments visible from arterials and collectors, particularly those considered "entrances" to Sherwood, including but not limited to: Highway 99W, Tualatin-Sherwood Road and Oregon Street.
- (6) Reduce the "bulk" appearance of large industrial buildings as viewed from the public street by applying exterior features such as architectural articulation, windows and landscaping.
- (7) Protect natural resources and encourage integration of natural resources into site design (including access to natural resources and open space amenities by the employees of the site and the community as a whole).

E. Approvals

The application ~~shall be~~ reviewed pursuant to Chapter 16.72 and action taken to approve, approve with conditions, or deny the application for site plan review. Conditions may be imposed by the Review Authority if necessary to fulfill the requirements of the adopted Comprehensive Plan, Transportation System Plan or the Zoning and Community Development Code. The action ~~must~~ include appropriate findings of fact as required by Section 16.90.020. The action may be appealed to the Council in accordance with Chapter 16.76.

F. Time Limits

Site plan approvals ~~shall be~~ void after two (2) years unless construction on the site has begun, as determined by the City. The City may extend site plan approvals for an additional period not to exceed one (1) year, upon written request from the applicant showing adequate cause for such extension, and payment of an extension application fee as per Section 16.74.010. ~~For~~ site plan approvals granted on or after January 1, 2007 through December 31, 2009, the approval ~~shall be~~ extended until December 31, 2013.

(Ord. No. 2012-003, § 2, 5-1-2012; Ord. No. 2011-011, § 1, 10-4-2011)

Editor's note— Ord. No. 2011-011, § 1, adopted October 4, 2011, amended the Code by, in effect, repealing former § 16.90.020, and adding new §§ 16.90.020 and 16.90.030. Former § 16.90.020 pertained to site plan review, and derived from Ord. 86-851; Ord. 91-922; Ord. 98-1053; Ord. 2003-1148; Ord. 2005-009; Ord. 2006-021; Ord. No. 2009-005, adopted June 2, 2009; Ord. No. 2010-05, adopted April 6, 2010; Ord. No. 2010-06, adopted April 6, 2010; and Ord. No. 2010-015, adopted October 5, 2010.

16.90.030 - Site Plan Modifications and Revocation

A. Modifications to Approved Site Plans

1. Major Modifications to Approved Site Plans

a. Defined. A major modification review is required if one or more of the changes listed below are proposed:

- (1) A change in land use (i.e. residential to commercial, commercial to industrial, etc.);
- (2) An increase in density by more than ten (10) percent, provided the resulting density does not exceed that allowed by the land use district;
- (3) A change in setbacks or lot coverage by more than ten (10) percent, provided the resulting setback or lot coverage does not exceed that allowed by the land use district;
- (4) A change in the type and/or location of access-ways, drives or parking areas negatively affecting off-site traffic or increasing Average Daily Trips (ADT) by more than 100;
- (5) An increase in the floor area or height proposed for non-residential use by more than ten (10) percent;
- (6) A reduction of more than ten (10) percent of the area reserved for common open space; or
- (7) Change to a condition of approval that was specifically applied to this approval (i.e. not a "standard condition"), or a change similar to items identified in Section 16.90.030.A.1.a.(1)-(2) as determined by the Review Authority.

b. Approval Criteria. An applicant may request a major modification as follows:

- (1) Upon the review authority determining that the proposed modification is a major modification, the applicant must submit an application form, filing fee and narrative, and a site plan using the same plan format as in the original approval. The review authority may require other relevant information, as necessary, to evaluate the request.
- (2) The application is subject to the same review procedure (Type II, III or IV), decision making body, and approval criteria used for the initial project approval, except that adding a Conditional Use to an approved Type II project is reviewed using a Type III procedure.
- (3) The scope of review is limited to the modification request and does not open the entire site up for additional review unless impacted by the proposed modification. For example, a request to modify a parking lot requires site design review only for the proposed parking lot and any changes to associated access, circulation, pathways, lighting, trees, and landscaping.
- (4) Notice must be provided in accordance with Chapter 16.72.020
- (5) The decision maker approves, denies, or approves with conditions an application for major modification based on written findings of the criteria.

2. Minor Modifications to Approved Site Plans

- a. A Minor Modification is any modification to a land use decision or approved development plan that is not within the description of a major modification.
- b. Minor Modification Review Procedure. An application for approval of a minor modification is reviewed by the review authority using a Type I review procedure under Section 16.72.010.A. Minor modifications involve only clear and objective code standards.
- c. Minor Modification Applications. An application for minor modification must include an application form, filing fee and narrative, updated Clean Water Services (CWS) Service Provider Letter or equivalent acknowledgement from CWS, and a site plan using the same plan format as in the original approval if possible. The review authority may require other relevant information, as necessary, to evaluate the request.
- d. Minor Modification Approval Criteria. The review authority approves, denies, or approves with conditions an application for minor modification based on written findings that the modification is in compliance with all applicable requirements of the Development Code and conditions of approval on the original decision, and the modification is not a major modification.

B. Revocation

Any departure from an approved plan is cause for revocation of applicable building and occupancy permits. Furthermore if, in the City's determination, a condition or conditions of site plan approval are not or cannot be satisfied, the site plan approval, or building and occupancy permits, will be revoked.