

Planning Department

Pre-App. Meeting: December 8, 2014
App. Submitted: April 21, 2015
App. Complete: May 6, 2015
120-Day Deadline: September 3, 2015



Connie Randall, Associate Planner

Proposal: The applicant is requesting site plan approval to grade an approximately 6.06 acre site in the Light Industrial (LI) zone to eliminate noxious vegetation and soil stockpiles for the purpose of making the property level and more attractive to potential purchasers, developers, and the general public. The applicant states that all materials removed from the site will be taken to a qualified landfill. No further development is proposed with this application.

I. BACKGROUND

A. Applicant:

Provident Development Group, LLC
8312 W Northview St., Suite 120
Boise, ID 83704

Owners:

Oregon Self Storage Sherwood, LLC
8312 W Northview St., Suite 120
Boise, ID 83704

The Grabowski Family Trust
P.O. Box 5678
Ketchum, ID 83340

B. Location: The property is located on the north side of SW Oregon Street west of SW Murdock Road. The property address is 14843 SW Oregon Street and is identified as tax lots 500, 600, and 700 on Washington County Assessor Map 2S1E29DC.

C. Parcel Size: The subject property is approximately 6.06 gross acres.

D. Existing Development and Site Characteristics:

The site is comprised of three vacant lots. Tax lots 600 and 700 are lots 1 and 2, respectively, of partition plat 2003-030 recorded with Washington County and referenced as City of Sherwood Case No. MLP 02-02. The elevation at the southwest property line is +/- 185 feet and falls to +/- 165 feet at the northeast property line.

E. Site History: The site was annexed into the City prior to 1960 and was part of the former Frontier Leather Company. The site has been part of previous environmental cleanup efforts and was added to the Oregon Department of Environmental Quality (DEQ) Environmental Cleanup Site Information (ECSI) database in January 1995. DEQ issued No Further Action (NFA) determinations for tax lot 500 in November 2004 and tax lots 600 and 700 in October 2005. Because of regulatory changes to hexavalent chromium (CrVI) standards, DEQ conducted soil sampling in September 2014 to collect representative data for an updated risk evaluation. Based on the screening, DEQ concluded that the site

properties are fully protective of human health during occupational use of the property and therefore suitable for commercial or industrial development. Site conditions are not presently suitable for residential development without additional investigation and/or remedial action. DEQ requires No Further Action of the parcels provided 1) they are developed for commercial, light industrial, or industrial use as allowed under site zoning, and 2) if any soil, crushed rock, or other non-organic material is removed from the site property it will be disposed of at an appropriate landfill approved by the DEQ. If organic material generated during clearing and grubbing is to be moved off-site, associated soil should be removed to the extent practical prior to transport (Exhibit F).

- F. Zoning Classification and Comprehensive Plan Designation: The properties are zoned Light Industrial (LI). The purpose of the LI zone is to provide for the manufacturing, processing, assembling, packaging and treatment of products which have been previously prepared from raw materials.
- G. Adjacent Zoning and Land Use: The site is surrounded on the north, east, and west by vacant land zoned LI and Southern Pacific Railroad Right-of-Way. The land south of Oregon Street is zoned Medium Density Residential Low (MDRL) and Low Density Residential (LDR) and is developed with single-family homes.
- H. Review Type: The applicant has requested a Type II "Fast-Track" Site Plan Review and decision made by the Planning Director in accordance with Section 16.72.010.A.2 of the Sherwood Zoning and Community Development Code (SZCDC). An appeal would be heard by City of Sherwood Planning Commission.
- I. Public Notice and Hearing: Notice of the application was mailed to property owners within 1,000 feet of the site, posted on the property and in five locations throughout the City on May 6, 2015 in accordance with Section 16.72.020 of the SZCDC.
- J. Review Criteria: Review of the application will be based on the following chapters and applicable sections of the SZCDC, 16.31 (Industrial Land Use District); 16.90 (Site Planning); 16.118 (Public and Private Utilities); 16.146 (Noise); 16.142 (Parks, Trees and Open Spaces); 16.150 (Air Quality); 16.152 (Odors); and 16.154 (Heat and Glare).

II. PUBLIC COMMENTS

Public notice was mailed, posted on the property and in five locations throughout the City on May 6, 2015. Staff has received one written comment as of the date of this report.

On May 18, 2015, staff received a letter from Carla Bietz expressing concerns about dust control, noise, and site clean-up (Exhibit B). Ms. Bietz specifically requests that extensive dust management be required to limit the amount of dust kicked up into the air. She stated that previous grading projects in the area blanketed the neighborhood with dust all summer, reducing the quality of life and causing allergies and coughing. She requests that grading activities be limited to the hours of 9:00 am to 3:00 pm to minimize the impact of noise on the adjacent neighbors. Further, she is concerned about the amount of dirt and debris spilled onto Oregon Street by large construction trucks and equipment and requests that the street be routinely maintained by street sweepers. Finally, she requests that the contractors thoroughly clean their site and not leave piles of dirt or debris on site on or near the road.

Staff Response: The applicant will be required to control dust emissions in accordance with OAR 340-21-060. In addition, a 1200-C Erosion Control Permit will be required from Clean Water Services as the site is greater than five acres. The City limits private construction activities to the hours of 7:00 am to 7:00 pm Monday – Friday; 8:00 am to 7:00 pm on Saturdays; and 10:00 am to 6:00 pm on Sundays. Additionally, noise limitation and control is required on noise generating devices. Erosion and sediment control is required and inspected by the City throughout the construction period. Tracking sediment onto the roadway is strictly prohibited. With respect to cleaning up the site, the applicant states that is the main purpose of this application, to clean up the site and make it more marketable. A condition has been included to ensure the site is cleaned.

III. AGENCY COMMENTS

Staff sent e-notice to affected agencies on May 15, 2015. The following is a summary of the comments received. Copies of full comments are included in the record unless otherwise noted.

Sherwood Engineering Department: The Sherwood Engineering Department has provided comments that are included in this report and attached as Exhibit C. City policy requires that prior to any grading, a grading and erosion control permit shall be obtained from the Building Department for all grading activities on private property. Final construction plans will need to meet the standards established by the City of Sherwood and Clean Water Services (CWS), in addition to requirements established by other jurisdictional agencies providing land use comments.

Clean Water Services: Clean Water Services provided comments on the proposal that require a Storm Water Connection Permit Authorization. Their comments are attached to this report as Exhibit D.

Tualatin Valley Fire and Rescue: Tualatin Valley Fire and Rescue indicated that they have no objections to this application.

Portland General Electric: Portland General Electric (PGE) provided comments via telephone stating they have no major issues with this proposal. PGE noted that overhead facilities exist along the South and East edges of the project and asked that the applicant be mindful of these facilities.

U.S. Fish and Wildlife Services: U.S. Fish and Wildlife Services (USFWS) staff contacted staff via telephone and e-mail (Exhibit E). Staff indicated that they have been involved with the subject site since the 1990s. They do not have any concerns with the current proposed grading activity. However, they do want staff and the applicant to be aware that any soil, crushed rock, or other non-organic material removed from the site must be disposed of at an appropriate landfill approved by the Oregon Department of Environmental Quality (DEQ) in accordance with the DEQ Soil Testing Results letter dated February 2, 2015 (Exhibit F).

Bonneville Power Administration, Kinder Morgan Energy, ODOT, METRO, NW Natural Gas, Pride Disposal, Sherwood School District, Sherwood Public Works, Tri-Met, and Washington County were all provided with an opportunity to comment, but provided no comments as of the date of this staff report.

IV. SITE PLAN – REQUIRED FINDINGS (SECTION 16.90.020.D)

D. Required Findings

No site plan approval shall 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.**

STAFF ANALYSIS: The applicant is only proposing to grade the site at this time. No other development is proposed, including driveways, buildings, on site storage, or signs. Additional Site Plan review will be required prior to any development of the site. The scope of this review is limited to site grading activities and only the applicable standards are addressed in detail throughout this report: Sections 16.31 Industrial Land Uses Districts, 16.118 (Public and Private Utilities); 16.142 (Parks, Trees and Open Spaces); 16.146 (Noise); 16.150 (Air Quality); 16.152 (Odors); and 16.154 (Heat and Glare).

FINDING: As discussed below, the applicable zoning district standards and provisions can be met as conditioned.

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.**

FINDING: This requirements is not applicable as no physical improvements beyond grading have been proposed with this application and no services are required for a vacant site. Service provision will be evaluated with future development applications.

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.**

FINDING: This requirement is not applicable as no physical improvements beyond grading have been proposed with this application and no covenants, agreements or other documents are required at this time.

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.**

FINDING: The site is part of the former Frontier Leather Company. Apart from trees and vegetation, no significant natural feature are reported to be on the property. The applicant's narrative and site plan indicate that all trees having a diameter of six-inches or greater, measured at breast height, were surveyed. Three trees were identified in the northeast corner of the site. These trees are identified for protection during site grading. Tree protection fencing is shown of the preliminary plans and the applicant's narrative indicates that no work will be conducted within the dripline of said trees. This requirement can be met as conditioned below in Section V.D.

5. For developments that are likely to generate more than 400 average daily trips (ADTs), or at the discretion of the City Engineer, the applicant must provide adequate information, such as a traffic impact analysis (TIA) or traffic counts, to demonstrate the level of impact to the surrounding transportation system. The developer is required to mitigate for impacts attributable to the project, pursuant to TIA requirements in Section 16.106.080 and rough proportionality requirements in Section 16.106.090. The determination of impact or effect and the scope of the impact study must be coordinated with the provider of the affected transportation facility.

FINDING: This requirement is not applicable as no physical improvements beyond grading the site have been proposed and no traffic impact analysis was required. Traffic impacts will be evaluated with future development applications.

6. 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 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 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 are oriented to the pedestrian and designed for the long term and be adaptable to other uses. Aluminum, vinyl, and T-111 siding are prohibited. Street facing elevations 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 are required 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.a-c, 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 standards in Section 16.90.020.D.6.a-c. 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.
 - e. As an alternative to the standards in Sections 16.90.020.D.6.a-c, the Old Town Design Standards (Chapter 16.162) may be applied to achieve this performance measure.
 - f. As an alternative to the standards in Sections 16.90.020.D.6.a-e, 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.

FINDING: The applicant is not proposing commercial, multi-family, institutional or mixed-use development; therefore this criterion is not applicable.

- 7. 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 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 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 a loading area is visible from an arterial or collector, 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.a, 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.**
 - (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).**

FINDING: This requirement is not applicable as the applicant is not proposing physical improvements beyond grading the site. Future development on the site would potentially

include improvements that warrant review and consideration. Industrial design standards will be evaluated with future development applications.

8. **Driveways that are more than twenty-four (24) feet in width shall align with existing streets or planned streets as shown in the Local Street Connectivity Map in the adopted Transportation System Plan (Figure 17), except where prevented by topography, rail lines, freeways, pre-existing development, or leases, easements, or covenants.**

FINDING: This requirement is not applicable as the applicant is not proposing any driveways. Driveways will be evaluated with future development applications.

V. APPLICABLE CODE PROVISIONS

A. Division II - Land Use and Development Chapter 16.31 Industrial Land Use District

16.31.020 - Uses

- A. **The table below identifies the land uses that are permitted outright (P), permitted conditionally (C) and not permitted (N) in the industrial zoning districts. The specific land use categories are described and defined in Chapter 16.88.**
- B. **Uses listed in other sections of this Code, but not within this specific table are prohibited.**
- C. **Any use not otherwise listed that can be shown to be consistent or associated with the uses permitted outright or conditionally in the industrial zones or contribute to the achievement of the objectives of the industrial zones may be permitted outright or conditionally, utilizing the provisions of Chapter 16.88.**
- D. **Additional limitations for specific uses are identified in the footnotes of this table.**

FINDING: This standard is not applicable as no physical improvements beyond the proposed grading is proposed at this time. There are no specific uses proposed at this time either. Use of the property will be evaluated with a future development application.

16.31.030 Industrial Land Use Development Standards

A. Generally

No lot area, setback, yard, landscaped area, open space, off-street parking or loading area, or other site dimension or requirement, existing on, or after, the effective date of this Code shall be reduced below the minimum required by this Code. Nor shall the conveyance of any portion of a lot, for other than a public use or right-of-way, leave a lot or structure on the remainder of said lot with less than minimum Code dimensions, area, setbacks or other requirements, except as permitted by Chapter 16.84 (Variances and Adjustments).

B. Development Standards

Except as otherwise provided, required minimum lot areas and dimensions and setbacks shall be:

Development Standards by Zone	LI
Lot area- Industrial Uses:	10,000 SF
Lot area- Commercial Uses (subject to Section 16.31.050):	10,000 SF
Lot width at front property line:	100 feet
Lot width at building line:	100 feet
Front Yard Setback	20 feet
Side Yard Setback	None
Rear Yard Setback	None
Corner lot street side	20 feet
Height	50 feet

FINDING: This standard is not applicable as no physical improvements beyond grading are proposed at this time. Development standards will be evaluated with a future development application.

B. Division III – Administrative Procedures

16.72.010.A.2 Type II reviews

FINDING: Section 16.72.010.A.2 requires that applications for “Fast-Track” Site Plan review reviewed as a Type II project which is subject to consideration by the Planning Director. Appeals are heard by the Sherwood Planning Commission. These are not actual approval criteria, but rather directions to staff on how to process the application. All procedures have been followed consistent with this Chapter.

16.72.010.A.2.c Type II reviews

"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 a Conditional Use Permit, except as follows: auditoriums, theaters, stadiums, and those applications subject to Section 16.72.010.A.4.

FINDING: The applicant is proposing the grade the property to eliminate noxious vegetation and soil stockpiles to improve the marketability of the site. No other physical development of the site is proposed at this time. Consequently, this action meets the definition for “Fast-Track” Site Plan review.

C. Division VI - Public Infrastructure

Chapter 16.118 Public and Private Utilities

16.118.020 - Standard

- A. Installation of utilities shall be provided in public utility easements and shall be sized, constructed, located and installed consistent with this Code, Chapter 7 of the Community Development Code, and applicable utility company and City standards.**
- B. Public utility easements shall be a minimum of eight (8) feet in width unless a reduced width is specifically exempted by the City Engineer. An eight-foot wide public utility easement (PUE) shall be provided on private property**

along all public street frontages. This standard does not apply to developments within the Old Town Overlay.

- C. Where necessary, in the judgment of the City Manager or his designee, to provide for orderly development of adjacent properties, public and franchise utilities shall be extended through the site to the edge of adjacent property(ies).
- D. Franchise utility conduits shall be installed per the utility design and specification standards of the utility agency.
- E. Public Telecommunication conduits and appurtenances shall be installed per the City of Sherwood telecommunication design standards.
- F. Exceptions: Installation shall not be required if the development does not require any other street improvements. In those instances, the developer shall pay a fee in lieu that will finance installation when street or utility improvements in that location occur.

FINDING: This standard is not applicable as no new improvements and no utilities are proposed at this time. Public and private improvements will be evaluated with future development applications.

D. Division VIII – Environmental Resources

Chapter 16.142 Parks, Trees and Open Spaces

16.142.070 Trees on Property Subject to Certain Land Use Applications

B. Applicability

All applications including a Type II - IV land use review, shall be required to preserve trees or woodlands, as defined by this Section to the maximum extent feasible within the context of the proposed land use plan and relative to other codes, policies, and standards of the City Comprehensive Plan.

C. Inventory

- 1. To assist the City in making its determinations on the retention of trees and woodlands, land use applications including Type II - IV development shall include a tree and woodland inventory and report. The report shall be prepared by a qualified professional and must contain the following information:
 - a. Tree size (in DBH and canopy area)
 - b. Tree species
 - c. The condition of the tree with notes as applicable explaining the assessment
 - d. The location of the tree on the site
 - e. The location of the tree relative to the planned improvements
 - f. Assessment of whether the tree must be removed to accommodate the development
 - g. Recommendations on measures that must be taken to preserve trees during the construction that are not proposed to be removed.

FINDING: The applicant's narrative and site plan indicate that all trees having a diameter of six-inches or greater, measured at breast height, were surveyed. Three trees were identified in the northeast corner of the site. These trees are identified for protection during the site grading. Tree protection fencing is shown on the preliminary plans and the applicant's narrative indicates that no work will be conducted within the dripline of said trees. This standard can be met as conditioned below.

CONDITION: Submit a tree protection plan showing how the trees to be retained will be protected throughout the grading of the site.

CONDITION: Prior to the issuance of the grading permit, the developer shall install tree protection fencing around any trees to be retained on site. The tree protection fencing shall be inspected and deemed appropriate by the arborist as verified in written documentation to be reviewed by the Planning Department.

Chapter 16.146 Noise

16.146.010 - Generally

All otherwise permitted commercial, industrial, and institutional uses in the City shall comply with the noise standards contained in OAR 340-35-035. The City may require proof of compliance with OAR 340-35-035 in the form of copies of all applicable State permits or certification by a professional acoustical engineer that the proposed uses will not cause noise in excess of State standards.

FINDING: The applicant's narrative indicates an intention to observe and comply with all City noise standards in accordance with the grading permit. This standard can be met as conditioned below.

CONDITION: Noise shall be kept at the minimum level possible during construction. The developer shall agree to aggressively ensure that all vehicles working in the development shall have adequate and fully functioning sound suppression devices installed and maintained at all times.

Chapter 16.150 Air Quality

16.146.010 - Generally

All otherwise permitted commercial, industrial, and institutional uses shall comply with applicable State air quality rules and statutes:

- A. All such uses shall comply with standards for dust emissions as per OAR 340-21-060.**
- B. Incinerators, if otherwise permitted by Section 16.140.020, shall comply with the standards set forth in OAR 340-25-850 through 340-25-905.**
- C. Uses for which a State Air Contaminant Discharge Permit is required as per OAR 340-20-140 through 340-20-160 shall comply with the standards of OAR 340-220 through 340-20-276.**

FINDING: The applicant's narrative indicates an intention to observe and comply with all City standards associated with the grading permit. This standard can be met as conditioned below.

CONDITION: Dust shall be controlled within the development during construction and shall not be permitted to drift onto adjacent properties.

Chapter 16.152 Odors

16.152.020 - Standards

The applicant shall submit a narrative explanation of the source, type and frequency of the odorous emissions produced by the proposed commercial, industrial, or institutional use. In evaluating the potential for adverse impacts from odors, the City shall consider the density and characteristics of surrounding populations and uses, the duration of any odorous emissions, and other relevant factors.

FINDING: No odors beyond what would be expected of normal construction activities (i.e. diesel exhaust) are anticipated with the grading of the site. This standard is not applicable.

Chapter 16.154 Heat and Glare

16.152.010 - Generally

Except for exterior lighting, all otherwise permitted commercial, industrial, and institutional uses shall conduct any operations producing excessive heat or glare entirely within enclosed buildings. Exterior lighting shall be directed away from adjoining properties, and the use shall not cause such glare or lights to shine off site in excess of one-half (0.5) foot candle when adjoining properties are zoned for residential uses.

FINDING: This standard is not applicable as no use and no exterior site lighting is proposed with this application.

DECISION

Based upon review of the applicant's submittal information, review of the code, and public and agency comments, staff finds that the proposed subdivision does not fully comply with the standards but can be conditioned, as follows, to comply. Therefore, staff **approves the Oregon Street Grading site plan application subject to the following conditions**. Due to the nature of the request, site plan approval for grading purposes with no associated physical improvements or change in use, a Final Site Plan is not required for this action.

VI. CONDITIONS OF APPROVAL

A. General Conditions

1. Compliance with the Conditions of Approval is the responsibility of the developer or its successor in interest.
2. **This approval is valid for a period of two (2) years from the date of the decision notice.** Extensions may be granted by the City as afforded by the Sherwood Zoning and Community Development Code.
3. Placement of construction trailers or temporary storage containers on the subject property shall require a Temporary Use Permit per Section 16.86 of the SZCDC.
4. This approval does not negate the need to obtain permits, as appropriate from other local, state or federal agencies, even if not specifically required by this decision.
5. Obtain Building Department permits and approval for erosion control and grading on private property and Engineering Department permits and approval for all grading in the public right of way.
6. **Clearing and grubbing activities must comply with the DEQ requirements outlined in the Soil Testing Results letter dated February 2, 2015 (Attachment F).**

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

1. Obtain a 1200C Erosion Control Permit through the Building Department for all the disturbed ground, both on and off site that is in excess of one acre in addition to meeting all CWS Design and Construction Standards. The applicant shall follow the latest requirements from DEQ and CWS for NPDES 1200-C Permit submittals. A copy of the

approved and signed permit shall be provided to the City prior to holding a pre-construction meeting or commencing any construction activity.

2. Submit a tree protection plan showing how the trees to be retained will be protected throughout the grading of the site.
3. Prior to issuance of a grading permit, install tree protection fencing around any trees to be retained on site. The tree protection fencing shall be inspected and deemed appropriate by the arborist as verified in written documentation to be reviewed by the Planning Department.

C. On-going Conditions

1. All rain, storm, and other surface water runoff shall be disposed of in compliance with local ordinances and state rules and regulations, in a manner that will not increase runoff to adjacent properties. The approved points of disposal include storm sewer laterals to a public system or other storm sewer system as approved by the City Engineer.
2. The continual operation of the property shall comply with the applicable requirements of the Sherwood Zoning and Community Development Code.
3. Comply with the Clean Water Services Service Provider Letter throughout the grading of the site.
4. Dust shall be controlled within the development during construction and shall not be permitted to drift onto adjacent properties.
5. Noise shall be kept at the minimum level possible during construction. The developer shall agree to aggressively ensure that all vehicles working in the development shall have adequate and fully functioning sound suppression devices installed and maintained at all times.
6. Construction sites shall be maintained in a clean and sanitary condition at all times. Construction debris, including food and drink waste, shall be restricted from leaving the construction site through proper disposal containers or construction fencing enclosures. Failure to comply with this condition may result in a "Stop Work" order until deficiencies have been corrected to the satisfaction of the Community Development.
7. Future development and use of the site will require City of Sherwood Site Plan approval.

VII. Exhibits

- A. Applicant's submittal with narrative and supporting documents
- B. Letter from Carla Bietz dated May 16, 2015
- C. City of Sherwood Engineering Comments dated May 26, 2015
- D. Letter from CWS dated May 28, 2015
- E. E-mail from Ted Buerger, U.S. Fish and Wildlife Services dated May 29, 2015
- F. Soil Testing Results from Oregon Department of Environmental Quality dated February 2, 2015

The site plan approval is valid for a period of two (2) years from the date of the decision, per Section 16.90.020.