

Pre-App. Meeting:	January 5, 2015
App. Submitted:	February 16 2016
App. Complete:	April 14, 2016
120-Day Deadline:	August 11, 2016

Proposal: The applicant proposes to build a warehouse of approximately 9,800 square feet with an attached office of 2,200 square feet on the ground floor with 2,200 square feet of storage above. The total square footage of the building will be 14,200 square feet. The proposal also includes 14 parking spaces and substantial landscaping including landscaping along the entire SW Oregon Street frontage. The frontage will also be improved with a portion of the Cedar Creek Trail. The property is zoned Light Industrial (LI).

I. BACKGROUND

- A. Applicant: Walter T Moon, Architect, LLC
24 Juarez Street
Lake Oswego, OR 97035
- Owner: Randy Killion
11825 SW Katherine St.
Tigard, OR 97227
- B. Location: 2S129DC 00800
- C. Address: 15104 SW Oregon Street
- D. Parcel Size: The site is approximately 2.76 acres.
- E. Existing Development and Site Characteristics: The site is relatively flat and part of the site is paved as it was previously used as a parking lot for the Frontier Leather Company tannery from 1947 until 1988. The site contains some trees which were part of the landscaping within the parking area as well as along the frontage of SW Oregon Street.
- F. Site History: As mentioned previously, the site once was the location of the Frontier Leather Company tannery which closed in 1988. Although the site was once considered to contain hazardous material, it is now be cleaned up and the Oregon Department of Environmental Services (DEQ) has issued a letter of "No Further Action" (NFA) **Exhibit G**
- G. Adjacent Zoning and Land Use: The properties to the northwest and west are zoned Light Industrial PUD (LI PUD) and are being used for mini storage and RV storage. The properties to the Northeast and East are zoned Light Industrial (LI) and are vacant. There is an existing railroad right-of-way abutting the site along the rear property line. The properties to the south, across SW Oregon Street, are zoned Medium Density Residential Low (MDRL) and Low Density Residential (LDR) and are developed with existing single family residential uses.
- H. Review Type: According to § 16.72.010.2c, site plans for development of less than 15,000 square feet of building area are reviewed through a Type II Administrative Review. The size of the proposed building is within these parameters. Any appeal would be heard by the Planning Commission.

- I. Public Notice and Hearing: Notice of the application was mailed to property owners within 1,000 feet, posted on the property and distributed in five locations throughout the City on April 14, 2016 in accordance with § 16.72.020 of the Sherwood Zoning and Development Code (SZDC).
- J. Review Criteria: Sherwood Zoning and Community Development Code Sections 16.31, Industrial Zoning Districts; 16.58, Clear Vision Standards; 16.90 Site Plan Review, 16.92 Landscaping, 16.94 Off Street Parking and Loading, 16.96 On-Site Circulation, VI. Public Infrastructure; and Division VIII. Environmental Resources

II. PUBLIC COMMENTS

Public notice was mailed, posted on the property, and posted in five locations throughout the City on April 14, 2016. Staff has received no comments as of the date of this report.

III. AGENCY COMMENTS

Staff sent e-notice to affected agencies on April 14, 2016. The following is a summary of the comments received. Copies of full comments are included in the record unless otherwise noted.

Sherwood Engineering Department: Craig Christensen, P.E. Engineering Department, submitted comments that will be discussed further within this report. City policy requires that prior to grading, a permit is obtained from the Building Department for all grading on the private portion of the site. The Engineering Department requires a grading permit for all areas graded as part of the public improvements. The Engineering permit for grading of the public improvements is reviewed, approved and released as part of the public improvement plans.

An erosion control plan and permit is required from the City of Sherwood Engineering Department for all public and private improvements. The erosion control permit is reviewed, approved and released as part of the public improvement plans.

Craig's comments are attached as **Exhibit B**.

Pride Disposal Company: Kristen Leichner, Pride Disposal, has indicated that the location of the trash enclosure does not provide adequate access for their trucks. She also has some additional concerns, and they are discussed in her comments, which are attached as **Exhibit C**.

Clean Water Services: Comments were received from Jackie Sue Humphreys on April 28th and are being included as part of this decision and are attached as **Exhibit D**.

Tualatin Fire and Rescue Department (TVF&R): Tom Moody, Deputy Fire Marshall, submitted comments on the proposal. The applicant will be required to meet the general requirements addressed in the comments and as discussed further within this report. These comments are attached as **Exhibit E**.

ODOT: Elise Scolnick, Development Review Planner, submitted comments on this proposal on April 21st. ODOT's comments addressed their concern for illegal trespassing of pedestrians across the abutting railroad tracks. Their concern is noted, and staff has included condition of approval to address their concern. Their comments are attached as **Exhibit F**.

Neither Washington County, Kinder Morgan Energy, NW Natural Gas nor Portland General Electric responded or provided no comments to the request for agency comments by the date of this report.

IV. SITE PLAN REVIEW REQUIRED FINDINGS (16.90 Site Planning)

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.

FINDING: The applicable zoning district standards are discussed above under the "Division II- Land Use and Development" section, and the applicable provisions of Divisions V, VI, VIII, and IX as discussed in detail below.

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: All necessary public services are available to the property. The property has previously been developed, and is across the street from a developed single family residential neighborhood.

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: No covenants, agreements or other documents are specifically required for 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.

FINDING: The area contains no significant natural features on the site and therefore this criterion is not applicable.

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: The applicant has submitted a Traffic Impact Analysis (TIA) for the property which includes the building being reviewed under this application as well as the 2 future buildings proposed for the property. Based on the sizes of the buildings, and the proposed use, the TIA estimates the AM peak trips to be approximately 36 and the PM peak to be 39 and the total development to generate less than 400 trips a day. While no off-site traffic mitigation is required, the project is being required to widen SW Oregon Street to Collector Street standards.

6. Commercial Design Standards

FINDING: The property is zoned Light industrial; therefore, the commercial design standards are 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.

FINDING: The site is adjacent to SW Oregon Street, which is designated as a Collector Street. Therefore this criterion is applicable.

The applicant has submitted plans which feature three exterior cladding materials including a combination of steel siding and two different colors and patterns of wood. These plans meet design criteria 2 above.

Criteria 3 of this Code section is met by having the building located 25 feet back from the front property line, as indicated on sheet C200 of the applicant's submittal.

Criteria 5 of this Code section is met by having the loading area located to the side or rear of the building when viewed from SW Oregon Street as depicted on sheet A1 of the applicant’s submittal.

Criteria 6 of this Code section is met, as there are no roof mounted equipment proposed as part of this development

By meeting 4 of the 6 criterion this section of the Code has been satisfied.

- 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: The proposed driveway, which allows access to SW Oregon Street, is 24 feet wide, so this standard is not applicable.

V. APPLICABLE CODE PROVISIONS

A. Division II– Land Use and Development (Chapter 16.31 INDUSTRIAL LAND USE DISTRICTS)

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 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.**

	INDUSTRIAL		
	LI	GI	EI
Manufacture, compounding, processing, assembling, packaging, treatment, fabrication, wholesaling, warehousing or storage of the following articles or products: <ul style="list-style-type: none"> • Food products, appliances, textiles and fiber products, pottery, glass and previously pulverized clay ceramics, small electronics, communication equipment, instruments, toys, novelties, electronics components, maintenance equipment, vending machines, cosmetics, chemicals and other small products and tools manufactured from previously prepared or semi-finished materials 	P	P	N

FINDING: The applicant proposes to use the building for warehousing of garden tools and other items made off-site and administrative offices associated with the warehousing. Table 16.31.020 indicates that manufacturing, warehousing, and storage of “small products and tools” is an allowed use. The applicant meets this criterion.

16.31.030 Dimensional Standards

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.

Development Standards by Zone	LI
Lot area- Industrial Uses:	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	None
Height	50 feet

FINDING: As identified within the applicant’s narrative and site plan, the proposed building meets or exceeds the minimum requirements for area, width and anticipated setbacks. The site does not abut any residential property and therefore no side or rear yard setbacks are required. The building will be set back 20 feet from the front property line, meeting the front yard setback requirement. The building will be 30 feet in height, which meets the limitations of structures within 100 feet of a residential zone. The applicant meets this criterion.

16.58.010 Clear Vision Areas

- A. A clear vision area shall be maintained on the corners of all property at the intersection of two (2) streets, intersection of a street with a railroad, or intersection of a street with an alley or private driveway.**

- B. A clear vision area shall consist of a triangular area, two (2) sides of which are lot lines measured from the corner intersection of the street lot lines for a distance specified in this regulation; or, where the lot lines have rounded corners, the lot lines extended in a straight line to a point of intersection, and so measured, and the third side of which is a line across the corner of the lot joining the non-intersecting ends of the other two (2) sides.**

- C. A clear vision area shall contain no planting, sight obscuring fence, wall, structure, or temporary or permanent obstruction exceeding two and one-half (2½) feet in height, measured from the top of the curb, or where no curb exists, from the established street center line grade, except that trees exceeding this height may be located in this area, provided all branches and foliage are removed to the height of seven (7) feet above the ground on the sidewalk side and ten (10) feet on the street side.**

The following requirements shall govern clear vision areas:

- 1. In all zones, the minimum distance shall be twenty (20) feet.**

2. In all zones, the minimum distance from corner curb to any driveway shall be twenty-five (25) feet.

3. Where no setbacks are required, buildings may be constructed within the clear vision area.

FINDING: The site is located in the light industrial zone that requires a minimum clear vision distance of 20 feet. The site has access onto SW Oregon Street with a 24 foot wide driveway. The required Clear Vision Area is shown on sheet C200 of the applicant's submittal and indicated that the standards of this section will be met. Therefore, the applicant can meet this criterion.

16.58.020 - Fences, Walls and Hedges

E. Location Non-Residential Zone:

1. Fences up to eight (8) feet high are allowed along front, rear and side property lines, subject to Section 16.58.010. (Clear Vision) and building department requirements.
2. A sound wall is permitted when required as a part of a development review or concurrent with a road improvement project. A sound wall may not be taller than twenty (20) feet.
3. Hedges up to twelve (12) feet tall are allowed, however, when the non-residential zone abuts a residential zone the requirements of section 16.58.030.d.6. shall apply.

F. General Conditions—All Fences:

1. Fences must be structurally sound and maintained in good repair. A fence may not be propped up in any way from the exterior side.
2. Chain link fencing is not allowed in any required residential front yard setback.
3. The finished side of the fence must face the street or the neighboring property. This does not preclude finished sides on both sides.
4. Buffering: If a proposed development is adjacent to a dissimilar use such as a 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 must be submitted and approved as part of the preliminary plat or site plan review process per Section 16.90.020 and Chapter 16.122.
5. 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.
6. Fences and walls cannot be located within or over a public utility easement without an approved right-of-way permit.
7. 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 is used to measure the height.

FINDING: The applicant is not proposing fencing along any property lines. However, comments received from The Oregon Department of Transportation Rail and Public Transit Division (ODOT) who oversees the maintenance and safety of the right of way on behalf of the owner, Portland and Western Railroad SP 16-02 Zenport Industrial Building

recommended a fence of at least 8' tall and comprised of either chain link with a two inch opening or a wrought iron picket fence with 3" slats when it is adjacent to the rail line. This is not a requirement, but a "best practices" recommendation based on general safety concerns. (See Exhibit F, ODOT Comments).

There are several different types of fencing currently along the railroad near City Hall and Cannery Square that are approximately six feet high. Since ODOT is recommending an eight foot high fence, staff finds that a six foot high fence serves as an adequate barrier for pedestrian safety as it has already been installed throughout Old Town and therefore would be consistent with what is existing along the railroad.

Based on the above discussion, the applicant has not met the criterion, but can do so by complying with the following conditions.

CONDITION: Prior to final site plan approval, provide a fence detail on the northern boundary, adjacent to the railroad right-of-way, which indicates that a 6 foot high fence is to be installed.

B. Division V. Community Design

16.92-LANDSCAPING

16.92.010-Landscaping Plan Required

All proposed developments for which a site plan is required pursuant to Section 16.90.020 shall submit a landscaping plan that meets the standards of this Chapter. All areas not occupied by structures, paved roadways, walkways, or patios shall be landscaped or maintained according to an approved site plan.

FINDING: The applicant submitted a landscape plan that shows landscaping adjacent to the buildings, parking areas and along the frontage of SW Oregon Street. Compliance with the landscaping standards will be discussed below. As proposed and conditioned, the applicant can meet the landscaping criterion.

16.92.020 Landscaping Materials

A. Type of Landscaping

Required landscaped areas shall include an appropriate combination of native evergreen or deciduous trees and shrubs, evergreen ground cover, and perennial plantings. Trees to be planted in or adjacent to public rights-of-way shall meet the requirements of this Chapter. Plants may be selected from the City's "Suggested Plant Lists for Required Landscaping Manual" or suitable for the Pacific Northwest climate and verified by a landscape architect or certified landscape professional.

FINDING: The applicant provided a landscape plan, designed by a landscape architect, which shows a combination of evergreen and deciduous trees and shrubs, evergreen ground cover, and perennial plants. The applicant identified the groundcover, shrubs and the exact number of trees to be planted. As proposed, the applicant can meet this criterion.

16.92.030 Site Area Landscaping and Perimeter Screening Standards

A. Perimeter Screening and Buffering

1. Perimeter Screening Separating Residential Zones:

A minimum six-foot high sight-obscuring wooden fence, decorative masonry wall, or evergreen screen, shall be required along property lines separating single and two-family uses from multi-family uses, and along property lines separating residential zones from commercial, institutional/public or industrial zones subject to the provisions of Chapter 16.48.020 (Fences, Walls and Hedges).

FINDING: The site is not located adjacent to residential property and thus this criterion is not applicable.

2. Perimeter Landscaping Buffer

a. A minimum ten (10) foot wide landscaped strip comprised of trees, shrubs and ground cover shall be provided between off-street parking, loading, or vehicular use areas on separate, abutting, or adjacent properties.

FINDING: The landscape plans shows a 10 foot landscape strip along SW Oregon Street which contains a mixture of trees, shrubs and groundcover meeting the standards of this section. However, that area proposed for parking and loading adjacent to the railroad right-of-way and behind the proposed building, is shown as being planted with the “rough seed” which does not meet the standards of this section. The landscape plan will need to be modified in this area to meet the standards, which require trees, shrubs and groundcover. This criterion is not satisfied. By meeting the following condition the applicant can meet this criterion.

CONDITION: The landscape plan shall be modified to show trees, shrubs and groundcover wherever parking, loading or vehicular use areas are adjacent to or abutting other properties.

B. Parking Area Landscaping

3. Required Landscaping

There shall be at least forty-five (45) square feet parking area landscaping for each parking space located on the site. The amount of required plant materials are based on the number of spaces as identified below.

FINDING: The site plan indicates 14 parking spaces will be provided, which would require at least 630 square feet of landscaping. However, an additional 9 spaces will be needed to meet the parking standards of the Code. When adding the additional spaces the landscape plan will need to provide at least 1,035 square feet of additional landscaping to account for the additional spaces. The current landscape plan shows 4 areas of landscaping within the parking area totaling approximately 700 square feet and approximately 9500 square feet of additional landscaping meeting the definition of Parking Area Landscaping. The applicant meets this criterion.

4. Amount and Type of Required Parking Area Landscaping

a. Number of Trees required based on Canopy Factor

Small trees have a canopy factor of less than forty (40), medium trees have a canopy factor from forty (40) to ninety (90), and large trees have a canopy factor greater than ninety (90);

(1) Any combination of the following is required:

- (i) One (1) large tree is required per four (4) parking spaces;**
- (ii) One (1) medium tree is required per three (3) parking spaces; or**
- (iii) One (1) small tree is required per two (2) parking spaces.**
- (iv) At least five (5) percent of the required trees must be evergreen.**

(2) Street trees may be included in the calculation for the number of required trees in the parking area.

b. Shrubs:

(1) Two (2) shrubs are required per each space.

(2) For spaces where the front two (2) feet of parking spaces have been landscaped instead of paved, the standard requires one (1) shrub per space. Shrubs may be evergreen or deciduous.

c. Ground cover plants:

(1) Any remainder in the parking area must be planted with ground cover plants.

(2) The plants selected must be spaced to cover the area within three (3) years. Mulch does not count as ground cover.

FINDING: The applicant provided a list of the plants, location of the plants and size of the containers of the plants to be planted. The plan indicates 5 small deciduous trees, 1 large evergreen tree and 17 large street trees. In addition, 52 shrubs within or adjacent to the parking area will be provided and ground cover is proposed within the remaining landscaped areas. The applicant and landscape plan provide enough detail regarding the quantity of the proposed planting to be compliant with this criterion.

5. Individual Landscape Islands Requirements

a. Individual landscaped areas (islands) shall be at least ninety (90) square feet in area and a minimum width of five (5) feet and shall be curbed to protect the landscaping.

b. Each landscape island shall be planted with at least one (1) tree.

c. Landscape islands shall be evenly spaced throughout the parking area.

d. Landscape islands shall be distributed according to the following:

(1) Residential uses in a residential zone: one (1) island for every eight (8) contiguous parking spaces.

(2) Multi or mixed-uses, institutional and commercial uses: one (1) island for every ten (10) contiguous parking spaces.

(3) Industrial uses: one (1) island for every twelve (12) contiguous parking spaces.

e. Storm water bio-swales may be used in lieu of the parking landscape areas and may be included in the calculation of the required landscaping amount.

FINDING: The applicant's site indicates 4 landscape islands within the parking area, with no more than 7 parking spaces within any single area. Each island contains 1 tree, is at least 90 square feet and a minimum of 5 feet wide. The applicant meets this criterion.

C. Screening of Mechanical Equipment, Outdoor Storage, Service and Delivery Areas

All mechanical equipment, outdoor storage and manufacturing, and service and delivery areas, shall be screened from view from all public streets and any adjacent residential zones. If unfeasible to fully screen due to policies and standards, the applicant shall make efforts to minimize the visual impact of the mechanical equipment.

FINDING: The site is adjacent to a residential zone across SW Oregon Street, so this section is applicable. The applicant does not propose outdoor storage nor does it propose any outdoor mechanical equipment, but it does have a delivery area which does face the residential zone. However, the landscape plan proposes substantial plantings which would screen this area. The applicant meets this criterion.

D. Visual Corridors

Except as allowed by subsection 6. above, new developments shall be required to establish landscaped visual corridors along Highway 99W and other arterial and collector streets, consistent with the Natural Resources and Recreation Plan Map, Appendix C of the Community Development Plan, Part II, and the provisions of Chapter 16.142(Parks, Trees, and Open Space). Properties within the Old Town Overlay are exempt from this standard.

FINDING: The site is adjacent to SW Oregon, which is designated as a Collector. The landscape plan includes plantings which meet the requirements of the Community Development Code for Visual Corridors. The applicant meets this criterion.

16.92.040 Installation and Maintenance Standards

A. Installation

All required landscaping must be in-ground, except when in raised planters that are used to meet minimum Clean Water Services storm water management requirements. Plant materials must be installed to current nursery industry standards. Plant materials must be properly supported to ensure survival. Support devices such as guy wires or stakes must not interfere with vehicular or pedestrian movement.

FINDING: The applicant has shown on the landscape plan how the landscaping will be installed within the general planting notes. It includes the type of soil, soil amendments, and how the plantings shall be planted, staked and finished. The proposed supports do not interfere with vehicular or pedestrian movement. The applicant meets this criterion.

B. Maintenance and Mitigation of Landscaped Areas

- 1. Maintenance of existing non-invasive native vegetation is encouraged within a development and required for portions of the property not being developed.**
- 2. All landscaping shall be maintained in a manner consistent with the intent of the approved landscaping plan.**
- 3. Any required landscaping trees removed must be replanted consistent with the approved landscaping plan and comply with § 16.142, (Parks, Trees and Open Space).**

C. Irrigation

The intent of this standard is to ensure that plants will survive the critical establishment period when they are most vulnerable due to lack of watering. All landscaped areas must provide an irrigation system, as stated in Option 1, 2, or 3.

- 1. Option 1: A permanent built-in irrigation system with an automatic controller installed.**
- 2. Option 2: An irrigation system designed and certified by a licensed landscape architect or other qualified professional as part of the landscape plan, which provides sufficient water to ensure that the plants become established. The system does not have to be permanent if the plants chosen can survive independently once established.**
- 3. Option 3: Irrigation by hand. If the applicant chooses this option, an inspection will be required one (1) year after final inspection to ensure that the landscaping has become established.**

FINDING: The applicant indicated that the plantings will be maintained using Option 1: The installation of a permanent built-in irrigation system with an automatic controller. This criterion can be met with the installation proposed.

16.94 OFF STREET PARKING AND LOADING

16.94.010 - General Requirements

SP 16-02 Zenport Industrial Building

E. Location

3. Vehicle parking is allowed only on improved parking shoulders that meet City standards for public streets, within garages, carports and other structures, or on driveways or parking lots that have been developed in conformance with this code. Specific locations and types of spaces (car pool, compact, etc.) for parking shall be indicated on submitted plans and located to the side or rear of buildings where feasible.

FINDING: The plans show parking along the southeast side of the building, and all dimensions are shown to be in conformance with the Sherwood Zoning and Community Development Code. The applicant meets this criterion.

F. Marking

All parking, loading or maneuvering areas shall be clearly marked and painted. All interior drives and access aisles shall be clearly marked and signed to show the direction of flow and maintain vehicular and pedestrian safety.

FINDING: The applicant provided a parking plan with markings, wheel stops and compact stalls. The applicant showed a two-way drive aisle with 90 degree parking along the northwest side of the drive. The applicant meets this criterion.

G. Surface and Drainage

1. All parking and loading areas shall be improved with a permanent hard surface such as asphalt, concrete or a durable pervious surface. Use of pervious paving material is encouraged and preferred where appropriate considering soils, location, anticipated vehicle usage and other pertinent factors.

FINDING: The applicant proposes to use pavement for the parking and one of the loading areas. The surface of loading area to the rear of the building is proposed to be compacted gravel, but will be paved as part of a future expansion. This criterion is met.

2. Parking and loading areas shall include storm water drainage facilities approved by the City Engineer or Building Official.

FINDING: Currently, a public storm sewer main exists within SW Oregon Street along the subject property frontage. Parking and loading area runoff will be directed into the system. The Engineering Department does not require any additional public storm sewer main extension. Currently no water quality facility exists for the treatment of water runoff for proposed impervious areas to be constructed within the right-of-way nor on the subject property. As a result of these existing circumstances the following conditions of approval will be required:

CONDITION: The proposed development shall connect to the existing storm sewer at a location approved by the Sherwood Engineering Department.

CONDITION: The developer shall construct public storm sewer improvements meeting City of Sherwood Engineering Department approval as needed to accommodate the new public street widening improvements.

H. Repairs

Parking and loading areas shall be kept clean and in good repair. Breaks in paved surfaces shall be repaired. Broken or splintered wheel stops shall be replaced. Painted parking space boundaries and directional symbols shall be maintained in a readable condition.

FINDING: The site will be inspected before the Certificate of Final Occupancy is granted and will need to be in good condition and repair. After that, any necessary repairs would become a Code Compliance issue.

I. Parking and Loading Plan

An off-street parking and loading plan, drawn to scale, shall accompany requests for building permits or site plan approvals, except for single and two-family dwellings, and manufactured homes on residential lots. The plan shall show but not be limited to:

- 1. Delineation of individual parking and loading spaces and dimensions.**
- 2. Circulation areas necessary to serve parking and loading spaces.**
- 3. Location of accesses to streets, alleys and properties to be served, and any curb cuts.**
- 4. Landscaping as required by Chapter 16.92.**
- 5. Grading and drainage facilities.**
- 6. Signing and bumper guard specifications.**
- 7. Bicycle parking facilities as specified in Section 16.94.020.C.**
- 8. Parking lots more than one (1) acre in size shall provide street-like features including curbs, sidewalks, and street trees or planting strips.**

FINDING: The applicant prepared a parking plan that included the striping plan and dimensions. The details of the plan will be discussed further within this report.

16.94.020 - Off-Street Parking Standards

A. Generally

Where square feet are specified, the area measured shall be the gross building floor area primary to the functioning of the proposed use. Where employees are specified, persons counted shall be those working on the premises, including proprietors, during the largest shift at peak season. Fractional space requirements shall be counted as a whole space. The Review Authority may determine alternate off - street parking and loading requirements for a use not specifically listed in this Section based upon the requirements of comparable uses.

**Table 1: Minimum and Maximum Parking Standards
(Metro spaces are based on 1 per 1,000 sq ft of gross leasable area)**

Single, two-family and manufactured home on lot ³	1 per dwelling unit
Multi-family ⁴	1 per unit under 500 sf

	1.25 per 1 bdr 1.5 per 2 bdr 1.75 per 3 bdr
Hotel or motel	1 per room
Boarding house	None
General retail or personal service	4.1 (244 sf)
Vehicle sales, nursery	4.1
Furniture/appliance store	4.1
Tennis racquetball court	1.0
Golf course	None
Sports club/recreation facility	4.3 (233 sf)
General office	2.7 (370 sf)
Bank with drive-thru	4.3 (233 sf)
Eating or drinking establishment	15.3 (65 sf)
Fast food drive-thru	9.9 (101 sf)
Movie theater	0.3 per seat
Day care	None
Elementary and junior high	None
High school and college	0.2 per student + teacher
Places of worship	0.5 per seat
Nursing home	None
Library	None
Industrial	1.6
Warehouse (gross square feet; parking ratios apply to warehouses 150,000 gsf or greater)	0.3

FINDING: Based on the 14,400 square feet in the proposed building it will be necessary to provide 23 parking spaces using the "Industrial" standard of 1.6 spaces per 1000 square feet. The proposed use does not meet size requirements of 150,000 square feet to meet the "Warehouse" standard which would have lowered the parking to 0.3 spaces per 1,000 gross square feet or greater. The applicant proposes to provide 14 spaces. This criterion is not satisfied.

CONDITION: The plans shall be modified to reflect the "Industrial" parking standards of 1.6 parking spaces per 1,000 square feet when applying for permits for this project.

B. Dimensional and General Configuration Standards

1. Dimensions For the purpose of this Chapter, a "parking space" means a stall nine (9) feet in width and twenty (20) feet in length. Up to twenty five (25) percent of required parking spaces may have a minimum dimension of eight (8) feet in width and eighteen (18) feet in length so long as they are signed as compact car stalls.

FINDING: The applicant shows two compact, one ADA space and 11 standard parking spaces. As mentioned previously, the final plans will need to be modified to show a minimum of 23 spaces in order to meet the applicable parking standards for an Industrial use. Based on the 25% allowance for compact stalls the applicant may have up to five compact parking spaces.

2. Layout

Parking space configuration, stall and access aisle size shall be of sufficient width for all vehicle turning and maneuvering. Groups of more than four (4) parking spaces shall be served by a driveway so as to minimize backing movements or other maneuvering within a street, other than an alley. All parking areas shall meet the minimum standards shown in the following table and diagram.

FINDING: The applicant provided site plans showing the individual parking spaces with dimensions that meet the standards identified above and any additional parking installed to meet the standards will also need to meet the standards of this section.

CONDITION: Prior to Final Site Plan Approval the parking layout will be need to be reviewed to assure that the added parking spaces, as well as the ones shown on Sheet C200, meet the standards of Section 16.94.020 (2).

3. Wheel Stops

a. Parking spaces along the boundaries of a parking lot or adjacent to interior landscaped areas or sidewalks shall be provided with a wheel stop at least four (4) inches high, located three (3) feet back from the front of the parking stall as shown in the above diagram.

b. Wheel stops adjacent to landscaping, bio-swales or water quality facilities shall be designed to allow storm water runoff.

FINDING: The applicant has shown wheel stops where they abut a sidewalk. Therefore, the applicant meets this criterion.

C. Bicycle Parking Facilities

1. General Provisions

a. **Applicability.** Bicycle parking spaces shall be provided for new development, changes of use, and major renovations, defined as construction valued at twenty-five (25) percent or more of the assessed value of the existing structure.

b. **Types of Spaces.** Bicycle parking facilities shall be provided in terms of short-term bicycle parking and long-term bicycle parking. Short-term bicycle parking is intended to encourage customers and other visitors to use bicycles by providing a convenient and readily accessible place to park bicycles. Long-term bicycle parking provides employees, students, residents, commuters, and others who generally stay at a site for at least several hours a weather-protected place to park bicycles.

c. **Minimum Number of Spaces.** The required total minimum number of bicycle parking spaces for each use category is shown in Table 4, Minimum Required Bicycle Parking Spaces.

d. **Minimum Number of Long-term Spaces.** If a development is required to provide eight (8) or more required bicycle parking spaces in Table 4, at least twenty-five (25) percent shall be provided as long-term bicycle with a minimum of one (1) long-term bicycle parking space.

e. **Multiple Uses.** When there are two or more primary uses on a site, the required bicycle parking for the site is the sum of the required bicycle parking for the individual primary uses.

FINDING: The applicant provides for two bicycle spaces meeting this criterion.

2. Location and Design.

a. General Provisions

(1) Each space must be at least two (2) feet by six (6) feet in area, be accessible without moving another bicycle, and provide enough space between the rack and any obstructions to use the space properly.

(2) There must be an aisle at least five (5) feet wide behind all required bicycle parking to allow room for bicycle maneuvering. Where the bicycle parking is adjacent to a sidewalk, the maneuvering area may extend into the right-of-way.

(3) Lighting. Bicycle parking shall be at least as well lit as vehicle parking for security.

(4) Reserved Areas. Areas set aside for bicycle parking shall be clearly marked and reserved for bicycle parking only.

(5) Bicycle parking in the Old Town Overlay District can be located on the sidewalk within the right-of-way. A standard inverted "U shaped" or staple design is appropriate. Alternative, creative designs are strongly encouraged.

(6) Hazards. Bicycle parking shall not impede or create a hazard to pedestrians. Parking areas shall be located so as to not conflict with vision clearance standards.

b. Short-term Bicycle Parking

(1) Provide lockers or racks that meet the standards of this section.

(2) Locate inside or outside the building within thirty (30) feet of the main entrance to the building or at least as close as the nearest vehicle parking space, whichever is closer.

c. Long-term Bicycle Parking

(1) Provide racks, storage rooms, or lockers in areas that are secure or monitored (e.g., visible to employees or customers or monitored by security guards).

(2) Locate the outside bicycle parking spaces within one hundred (100) feet of the entrance that will be accessed by the intended users.

(3) All of the spaces shall be covered.

d. Covered Parking (Weather Protection)

(1) When required, covered bicycle parking shall be provided in one (1) of the following ways: inside buildings, under roof overhangs or awnings, in bicycle lockers, or within or under other structures.

(2) Where required covered bicycle parking is not within a building or locker, the cover must be permanent and designed to protect the bicycle from rainfall and provide seven-foot minimum overhead clearance.

(3) Where required bicycle parking is provided in lockers, the lockers shall be securely anchored.

Table 4: Minimum Required Bicycle Parking Spaces

Industrial Categories

Industrial -2 or 1 per 40 spaces, whichever is greater

FINDING: The applicant provides two well-lit bike parking spaces near the front entrance of the building, and visible from SW Oregon Street, making this a suitable location for bike parking.

16.94.030 - Off-Street Loading Standards

A. Minimum Standards

2. The minimum loading area for non-residential uses shall not be less than ten (10) feet in width by twenty-five (25) feet in length and shall have an unobstructed height of fourteen (14) feet.

3. Multiple uses on the same parcel or adjacent parcels may utilize the same loading area if it is shown in the development application that the uses will not have substantially overlapping delivery times.

4. The following additional minimum loading space is required for buildings in excess of twenty thousand (20,000) square feet of gross floor area:

a. Twenty thousand (20,000) to fifty (50,000) sq. ft. - five hundred (500) sq. ft.

b. Fifty (50,000) sq. ft. or more - seven hundred fifty (750) sq. ft.

FINDING: The plans call for 2 loading areas, both at grade. The one proposed along the side of the building, and within the parking area, is striped to distinguish it from the parking. The loading area in the back of the building is not proposed to be striped until further improvements are made and the area is paved. The applicant meets the criterion of this section.

B. Separation of Areas

Any area to be used for the maneuvering of delivery vehicles and the unloading or loading of materials shall be separated from designated off-street parking areas and designed to prevent the encroachment of delivery vehicles onto off-street parking areas or public streets. Off-street parking areas used to fulfill the requirements of this Chapter shall not be used for loading and unloading operations.

FINDING: As mentioned above, the plans call for 2 loading areas, one of which is along the side of the building and within the parking area. However, this loading area will be used for smaller type trucks, such as those used by FedEx or UPS, and any maneuvering should not impede the use of the parking area for employees nor guests. The applicant meets the criterion of this section.

16.96 ONSITE CIRCULATION

16.96.030 - Minimum Non-Residential Standards

Minimum standards for private, on-site circulation improvements in non-residential developments:

Industrial: Improved hard surfaced driveways are required as follows:

Required Parking Spaces	# Driveways	Minimum Width	
		One-Way Pair	Two-Way
1 - 249	1	15 feet	24 feet
250 & above	2	15 feet	24 feet

FINDING: The applicant proposes a 14 onsite parking spaces in this phase of the project, but has been conditioned to add 9 more spaces in order to meet the parking requirements for an Industrial use.

However, even with the additional 9 spaces only one driveway is required. There is one two-way drive of 24 feet wide proposed. The applicant meets this criteria.

3. Surface materials are encouraged to be pervious when appropriate considering soils, anticipated vehicle usage and other pertinent factors.

B. Sidewalks and Curbs

1. A private pathway/sidewalk system extending throughout the development site shall be required to connect to existing development, to public rights-of-way with or without improvements, to parking and storage areas, and to connect all building entrances to one another. The system shall also connect to transit facilities within five hundred (500) feet of the site, future phases of development, and whenever possible to parks and open spaces.

FINDING: There is a sidewalk or walkway that connects with the sidewalk on SW Oregon Street to the front entrance of the building. Therefore, this criterion is met.

16.98.020 - Solid Waste and Recycling Storage

All uses shall provide solid waste and recycling storage receptacles which are adequately sized to accommodate all solid waste generated on site. All solid waste and recycling storage areas and receptacles shall be located out of public view. Solid waste and recycling receptacles for multi-family, commercial, industrial and institutional uses shall be screened by six (6) foot high sight-obscuring fence or masonry wall and shall be easily accessible to collection vehicles.

FINDING: The applicant is proposing a storage area for solid waste and recycling that is to the rear of the building and within a sight obscuring 6 foot black vinyl clad chain link enclosure. Kristin Leichner, of Pride Disposal, has commented on the location and design of the storage area, and her comments and conditions can be found as **Exhibit D** attached to this decision. In order to meet the standards of this section the applicant will need to modify the location and design of their solid waste and recycling storage to meet the standards found in **Exhibit D**.

CONDITION: The applicant must redesign their solid waste and recycling storage area to reflect the standards found in the attached **Exhibit D** prior to obtaining Final Site Plan Approval.

C. Division VI – PUBLIC IMPROVEMENTS **Chapter 16.106 TRANSPORTATION FACILITIES**

16.106.020 Required Improvements

A. Generally

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

FINDING: The subject property is bordered by SW Oregon Street to the south (Collector Status Street). The existing street currently has 2 travel lanes with on-street parking on the south side along the subject property frontage. There exists curb and sidewalk on the south side of SW Oregon Street along the subject property frontage while the north side has neither.

The proposed street section will consist of 41-foot wide curb to curb section from the existing curb on the south side of the street. This section will accommodate a 6-foot wide bike lane on the south side of the

street, two 11-foot wide travel lanes and a 13-foot wide turn lane. Since this section of SW Oregon Street is part of the Ice Age Tonquin trail system, a 12-foot wide multi-use sidewalk will be required with a 5-foot wide landscape strip. Since all of these street improvements will not fit within the existing 35-foot wide half street right-of-way section that is along the subject property street frontage, the applicant will be required to dedicate 1 foot of right-of-way to meet the minimum 36 feet of half street right-of-way width for a collector status street with a 4-foot wide public sidewalk easement to encompass the remaining sidewalk.

CONDITION: The developer shall construct street widening improvements along the subject property frontage such that the proposed street section will have a 41-foot wide curb to curb section from the existing curb on the south side of the street.

CONDITION: The developer shall dedicate 1 foot of additional right-of-way and 4-feet of public sidewalk easement adjacent to the newly dedicated right-of-way prior to final engineering approval.

CONDITION: The developer shall construct a 12-foot wide multi-use sidewalk with a 5-foot wide landscape strip.

CONDITION: The developer shall construct street lighting meeting City of Sherwood standards.

16.110 – SANITARY SEWERS

Sanitary sewers shall be installed to serve all new developments and shall connect to existing sanitary sewer mains. Sanitary Sewers shall be constructed, located, sized and installed at standards consistent 16.110.

FINDING: According to the Engineering Department, a public sanitary sewer main is located along the frontage of SW Oregon Street. The applicant's plans show a proposed connection from the existing lateral to connect with the building.

CONDITION: As a general condition, the development must use the existing sanitary lateral to supply service to the new building.

CONDITION: Prior to Final Occupancy, install the private sanitary sewer in compliance with the current Oregon Plumbing Specialty Code.

16.112– WATER SUPPLY

16.112.010 Required Improvements

Water lines and fire hydrants conforming to City and Fire District standards shall be installed to serve all building sites in a proposed development. All waterlines shall be connected to existing water mains or shall construct new mains appropriately sized and located in accordance with the Water System Master Plan.

FINDING: According to the Engineering comments, there is a public water main existing within SW Oregon Street along the subject property frontage. No public water main extension is required. Adequate service to the proposed site can be met by meeting the conditions found below. By meeting these conditions the criterion can be met.

CONDITION: As a general condition, the proposed development shall use the existing water service to supply domestic, irrigation and fire water to the development as needed unless otherwise approved by the Sherwood Engineering Department.

CONDITION: As a general condition, water flows calculation (domestic, irrigation and fire) shall be provided by the developer.

CONDITION: Prior to Final Occupancy, install a Reduced Pressure Backflow Assembly meeting Sherwood Engineering Department standards if required by Sherwood Public Works.

CONDITION: Prior to Final Occupancy, if on-site fire protection is required, install backflow protection meeting Sherwood Engineering Department standards.

CONDITION: As a general condition, private water lines shall be installed in compliance with the current Oregon Plumbing Specialty Code.

16.114 – STORM WATER

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

FINDING: The Engineering Department has reviewed the proposal and provided the following comments concerning the storm water detention and treatment. Clean Water Services requires a Storm Water Connection Permit. A public storm sewer main exists within SW Oregon Street along the subject property frontage. No public storm sewer main extension is required.

CONDITION: The proposed development shall connect to the existing storm sewer at a location approved by the Sherwood Engineering Department.

CONDITION: The developer shall construct public storm sewer improvements meeting City of Sherwood Engineering Department approval as needed to accommodate the new public street widening improvements.

CONDITION: Water quality treatment of all newly constructed impervious area shall be provided unless otherwise approved by the City of Sherwood and Clean Water Services.

CONDITION: Private water quality facilities shall have a Private Stormwater Facility Access and Maintenance Covenant recorded prior to final engineering approval.

CONDITION: The developer shall submit an Operation and Maintenance plan for all private water quality facilities prior to final engineering approval.

CONDITION: Private storm water runoff within the subject property shall be collected and conveyed in accordance with the current Oregon Plumbing Specialty Code

16.116 FIRE PROTECTION

16.116.010 Required Improvements

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

FINDING: John Wolff, Deputy Fire Marshall from Tualatin Valley Fire and Rescue (TVF&R) reviewed the plans and indicated that they preliminarily approved the project and requirements that would be reviewed at final site plan and building permit approval. The project can meet this criteria with the following conditions.

CONDITION: Prior to Final Site Plan Approval, receive approval of the plans from Tualatin Valley Fire and Rescue.

CONDITION: Prior to Final Occupancy, ensure the site meets all TVF&R requirements.

16.118 PUBLIC AND PRIVATE UTILITIES*

16.118.010 Purpose

Public telecommunication conduits as well as conduits for franchise utilities including, but not limited to, electric power, telephone, natural gas, lighting, and cable television shall be installed to serve all newly created lots and developments in Sherwood.

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.

FINDING: There is a need for a Public Utility Easement (PUE) across the frontage of the property. Therefore, the following condition will be required.

CONDITION: Dedication of an 8 foot wide PUE is required along the right-of-way abutting the subject property prior to final engineering approval.

E. Division VIII. Environmental Resources

16.142.060: STREET TREES

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

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

FINDING: The applicant proposes 17 Flowering Ash street trees to be planted along SW Oregon Street in the 5 foot wide planter strip. The tree is listed in the City's recommended street tree list and is at least six feet tall and 2" diameter. This will be confirmed at the time of final inspection. This criteria will be met when the following condition is satisfied.

CONDITION: Prior to building occupancy, plant the street trees according to the landscape plan.

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:

FINDING: The tree inventory found 6 existing trees on-site and 27 trees off-site, including 20 existing "street" trees which are being replaced. All on-site trees are being impacted by the proposed development and are being removed. The on-site trees were located in what had been a parking area for the previous development and the proposed plan is proposing new trees within the proposed parking lot as well as elsewhere within the new landscaping. Removal of the exiting trees is necessary to accommodate the proposed development, and their removal is being adequately compensated for by the trees proposed within the landscape plan found on sheet L1.0.

3. Required Tree Canopy - Non-Residential and Multi-family Developments

Each net development site shall provide a variety of trees to achieve a minimum total tree canopy of 30 percent. The canopy percentage is based on the expected mature canopy of each tree by using the equation πr^2 to calculate the expected square footage of each tree. The expected mature canopy is counted for each tree even if there is an overlap of multiple tree canopies.

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

	Commercial, Industrial, Institutional Public and Multi-family
Canopy Requirement	30%
Counted Toward the Canopy Requirement	
Street trees included in canopy requirement	No
Landscaping requirements included in canopy requirement	Yes
Existing trees onsite	Yes x2
Planting new trees onsite	Yes

FINDING: The applicant has identified 21,305 square feet of tree canopy on site. The site is 63,870 and the tree canopy covers 33.3% of the site as indicated by sheet L1.0 and is in addition to the street trees proposed. Therefore the applicant meets this criterion.

16.148.010 - Vibrations

All otherwise permitted commercial, industrial, and institutional uses shall not cause discernible vibrations that exceed a peak of 0.002 gravity at the property line of the originating use, except for vibrations that last five (5) minutes or less per day, based on a certification by a professional engineer.

FINDING: It is not anticipated that this development would create high levels of vibration beyond what is expected in an urban area. There are not any expected adverse impacts therefore this standard is met.

16.150.010 – Air Quality

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: It is not anticipated that there will be high levels of air pollution beyond what is expected in an urban area. There are not any expected adverse impacts therefore this standard is met.

16.152.010 - Odors

All otherwise permitted commercial, industrial, and institutional uses shall incorporate the best practicable design and operating measures so that odors produced by the use are not discernible at any point beyond the boundaries of the development site.

FINDING: It is not anticipated that there will be high levels of odor or unusual beyond what is expected in an urban area. There are not any expected adverse impacts therefore this standard is met.

16.154.010 – Heat and Glare

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: The applicant provided a proposed lighting plan, which shows 4 area lights attached to the building along both the side and rear elevations. The photometric plan, found as Appendix item 4, shows that the light from these fixtures will be limited to within 50 feet of the building, and will not cause any glare on adjacent properties. The applicant has met this criterion.

Based upon review of the applicant’s submittal information, review of the code, agency comments and consideration of the applicant’s revised submittal, staff finds that the proposed site plan does not fully comply with the standards but can be conditioned to comply. Therefore, staff Approves the **Zenport Industrial Building (SP 16-02)** by satisfying the following conditions of approval:

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 land use approval shall substantially comply with the submitted preliminary site plans and narrative dated February 16, and April 5, 2016 and prepared by Todd Moon, except as indicated in the following conditions of the Notice of Decision. Additional development or change of use may require a new development application and approval.

3. The developer/owner/applicant is responsible for all costs associated with private/public facility improvements.
4. 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.
5. The continual operation of the property shall comply with the applicable requirements of the Sherwood Zoning and Community Development Code and Municipal Code.
6. 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.
7. One year after final inspection for occupancy, the owner shall contact the Sherwood Planning Department, 503-925-2308 for an inspection of the onsite landscaping to ensure that it is healthy and being maintained.
8. The development must use the existing sanitary lateral to supply service to the new buildings unless otherwise approved by the Sherwood Engineering Department.
9. The proposed development shall use the existing water service to supply domestic, irrigation and fire water to the development as needed unless otherwise approved by the Sherwood Engineering Department.
10. Water flow calculations (domestic, irrigation and fire) shall be provided by the developer.
11. Private water lines shall be installed in compliance with the current Oregon Plumbing Specialty Code.
12. Private storm water runoff within the subject property shall be collected and conveyed in accordance with the current Oregon Plumbing Specialty Code

B. **Prior to Final Site Plan Approval:**

1. Submit a revised landscape plan that has been verified by a landscape professional.
2. Submit site plans that comply with ADA parking standards.
3. Submit plans that show how the loading areas will be separately marked either with signage or striping.
4. Submit plans for the solid waste and recycling storage that meet Pride Disposal standards and Chapter 16.98.020.
5. Receive final approval of the plans from Tualatin Valley Fire and Rescue.
6. The plans shall be modified to reflect the "Industrial" parking standards of 1.6 parking spaces per 1000 square feet when applying for permits for this project. These plans are subject to the standards of Section 16.94.020 of the Community Development Code.

7. The landscape plan shall be modified to show trees, shrubs and groundcover wherever parking, loading or vehicular use areas are adjacent to or abutting other properties
8. The applicant must redesign their solid waste and recycling storage area to reflect the standards found in the attached **Exhibit D**.
9. Provide a fence detail on the northern boundary adjacent to railroad that is no more than six feet tall.

C. Prior to Engineering Approval of the Public Improvement Plans:

1. Private water quality facilities shall have a Private Stormwater Facility Access and Maintenance Covenant recorded prior to final engineering approval.
2. Submit a Clean Water Services Storm Water Connection Permit Authorization that includes the standards identified in the comments submitted by Clean Water Services on April 28, 2016.
3. Construct the improvements or pay the fee in lieu for Sherwood Broadband.
4. The new driveway shall meet Sherwood Engineering Department standards.
5. Dedication of an 8 foot wide PUE is required along the right-of-way abutting the subject property prior to final engineering approval.
6. The proposed development shall connect to the existing storm sewer at a location approved by the Sherwood Engineering Department.
7. The developer shall construct public storm sewer improvements meeting City of Sherwood Engineering Department approval as needed to accommodate the new public street widening improvements.
8. Water quality treatment of all newly constructed impervious area shall be provided unless otherwise approved by the City of Sherwood and Clean Water Services.
9. Private water quality facilities shall have a Private Stormwater Facility Access and Maintenance Covenant recorded prior to final engineering approval.

D. Prior to Building Permit Approval:

1. Receive final approval from Tualatin Valley Fire and Rescue.
2. Receive final site plan approval from the Planning Department.
3. Receive Engineering approval of the public improvement plans.
4. Obtain an Engineering Compliance Agreement or a right-of-way permit.

E. Prior to Final Occupancy:

1. Ensure that the parking and loading areas are kept in good repair, wheel stops in good condition and the painted parking spaces and directional symbols are maintained in a readable condition.

2. Install the private sanitary sewer in compliance with the current Oregon Plumbing Specialty Code.
3. Install a Reduced Pressure Backflow Assembly meeting Sherwood Engineering Department standards if required by Sherwood Public Works.
4. If on-site fire protection is required, install backflow protection meeting Sherwood Engineering Department standards.
5. Ensure that site meets all TVF&R requirements.
6. Plant the street trees according to the landscape plan.
7. The developer shall construct street widening improvements along the subject property frontage such that the proposed street section will have a 41-foot wide curb to curb section from the existing curb on the south side SW Oregon Street.
8. The developer shall dedicate 1 foot of additional right-of-way and 4-feet of public sidewalk easement adjacent to the newly dedicated right-of-way prior to final engineering approval.
9. The developer shall construct a 12-foot wide multi-use sidewalk with a 5-foot wide landscape strip.
10. The developer shall construct street lighting meeting City of Sherwood
11. The Developer shall install a fence along all of the site's northern boundary abutting the railroad frontage that is no more than six feet tall.

VII. Exhibits

- A. Applicant's submittal with narrative and supporting documents February 16 and April 5, 2016.
- B. Engineering Comments submitted by Craig Christensen P.E., Civil Engineer on April 8, 2016
- C. Clean Water Services comments submitted on April 28, 2016
- D. Pride Disposal comments submitted on April 25, 2016
- E. Tualatin Valley Fire and Rescue Department Comments submitted by John Wolff on April 22, 2016
- F. ODOT comments submitted on April 21, 2016.

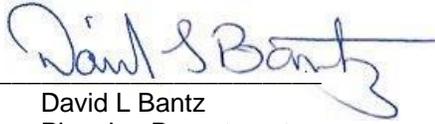
END OF REPORT

VIII. APPEAL

As per Section 16.76.020 of the Sherwood Zoning and Community Development Code (SZCDC), the decision of Staff detailed above will become final 14 days from the date of mailing this decision, unless otherwise appealed. The appeal deadline is **5:00 PM on May 24, 2016**.

STATE OF OREGON)
)
 Washington County)

I, David L Bantz, Associate Planner for the Planning Department, City of Sherwood, State of Oregon in Washington County, do hereby certify that the Notice of Decision on Case File No. SP 16-02, Zenport Industrial Building, was placed in a U.S. Postal receptacle on May 10, 2016.

A handwritten signature in blue ink that reads "David L Bantz". The signature is written in a cursive style with a long horizontal stroke extending to the right.

David L Bantz
Planning Department
City of Sherwood