Agenda

City of Sherwood
Oregon
one of the Tualatin River National Wildlife Refuge

City of Sherwood
PLANNING COMMISSION
Sherwood City Hall
22560 SW Pine Street
Sherwood, OR 97140
June 26, 2012 – 7PM

Work Session – 6:00 PM
Town Center Steering Committee update

Transportation connectivity refinement study – Cedar Brook Way/Meinecke/Elwert

Business Meeting – 7:00 PM

1. **Call to Order/Roll Call**
2. **Agenda Review**
3. **Consent Agenda: February 28, 2012 Minutes and March 13, 2012 Minutes**
4. **Council Liaison Announcements**
5. **Staff Announcements**
6. **Community Comments**
7. **Old Business**
   a. Continued Public Hearing – Commercial, Industrial & Public Uses Code Update (PA 12-01)
   The Planning Commission will consider proposed revisions to the Sherwood Zoning and Community Development Code. The proposed changes will update and consolidate Chapters 16.22 Office Commercial, 16.24 Office Retail, 16.26 Neighborhood Commercial, 16.28 Retail Commercial, 16.30 General Commercial, 16.31 Employment Industrial, 16.32 Light Industrial, 16.34 General Industrial, and 16.36 Institutional and Public. Specifically, the proposed changes will include consolidation of the chapters into their respective zone type (i.e. all commercial zones under one chapter), ensure that the vocabulary is consistent throughout the use tables, and will further clarify what uses are permitted outright, conditionally permitted, or prohibited in each zone. Changes will also include the addition of a use classification chapter to aid staff and the public in interpreting and categorizing uses within the code. Where discovered, housekeeping edits to ensure that scribner's errors, and grammar are correct will also be included in the proposal. The Planning Commission will make a recommendation to the City Council who will make the ultimate decision.

8. **New Business**
   a. Public Hearing – Renaissance at Rychlick farm (SUB 12-01/ PA 12-02)
   The applicant is proposing to amend the zoning on a portion of the site from Institutional and Public (I-P) to Medium Density Residential Low (MDRL) and preliminary subdivision approval to divide + 6.57 acres 26 lots for future residential development. The subject property is located south of SW Edy Road and west of SW Bedstraw Street.

9. **Adjourn**

Next Meeting: July 10, 2012

Meeting documents may be found on the City of Sherwood website or by contacting the planning staff at 503-925-2308.

Consent Agenda

City of Sherwood, Oregon
DRAFT Planning Commission Minutes
February 28, 2012

Commission Members Present:

Chair Allen
Commissioner Griffin
Commissioner Cary
Commissioner Walker
Commissioner Clifford

Staff:

Julia Hajduk, Planning Manager
Michelle Miller, Associate Planner
Brad Kilby, Senior Planner

Commission Members Absent:
Commissioner Copfer
Commissioner Albert

Council Liaison – Councilor Clark

1. **Call to Order/Roll Call** – Chair Allen called the meeting to order.

2. **Agenda Review** – The agenda consists of a continued Public Hearing PA 11-05 Parking Lot Landscape and Configuration and a new business item PA 11-07 Temporary and Portable Sign Code Clean-Up. In light of the number of people present for the public hearing regarding the sign code clean-up, Chair Allen changed the format of this meeting and will hear the new business first.

3. **Consent Agenda** – the consent agenda items include Planning Commission minutes from January 10th and January 24th, 2012. Commissioner Griffin clarified the question he had asked on page 3 of the January 24, 2012 meeting was about the URA administration costs. Commissioner Griffith made a motion to adopt the consent agenda. Commissioner Walker seconded the motion. A vote was taken, all were in favor. The consent agenda passed.

4. **City Council Comments** – Councilor Clark reported that at there was a great turn out for the City Council meeting and they were able to get through 2 of the 3 agenda items in their 5.5 hour meeting. One item discussed was the Denali PUD that the Planning Commission had forwarded to Council. the City Attorney recommended that staff work more on the resolution to apply it to the code, so Council could vote on it at a later meeting. The other item discussed was to increase maximum indebtedness and was passed unanimously.

5. **Staff Announcements** – Julia had no staff announcements at this time.

6. **Community Comments** – Rachelle Gillespie 14850 SW Smock Street, Sherwood OR wanted to comment on proposed light rail coming to Sherwood. Generally she and her husband are against allowing light rail in Sherwood. She has lived in other areas that have allowed light rail and feels there are significant dangers and concerns that come to a community with the train system. She would like to ask that the statistics be reviewed at such

time the light rail projects are reviewed.

7. **New Business** – PA 11-07 Temporary and Portable Sign Code Clean-Up. Commissioner Griffith declared that he is a business owner in Old Town and whether or not that should preclude him from making a decision on the hearing was discussed. Per Julia and the City's Attorney; as part of the Code Clean-up it was determined that in legislative matters, as long as decisions are made with all the businesses best interest and not just a commission member's they can all participate.
Brad presented information in addition to the Staff Report. The attempt is being made to make the code language clear, objective and understood by all and to fix any discrepancies or deficiencies with regard to visual clutter or enforcement issues in the language. Staff started with a work group comprised of a variety of contributors including: staff, code compliance officers, business owners, temporary and portable sign applicants, citizens that have filed complaints as well as people that have had enforcement action against them. Public outreach has also been a priority with this project including several public work session, mailers being sent to all commercial and industrial property owners and a public open house. Information was also sent to the Portland Metro Association of Realtors, the Sherwood School District, the Sherwood Chamber of Commerce and the Commercial Association of Realtor. The amendment focus primarily on portable signs, banner signs and temporary signs. One of the goals is to separate the code into two sections; permanent signage under Chapter 16.100 and temporary, portable, and banner signage under 16.102. Brad continued by giving dimensions and details of proposed allowed signs. He also reviewed comments received from citizens and organizations.
Commissioner Griffin asked questions with hypothetical situations to try to understand what would be allowed.

Gary Surgeon, 733 Sw 2nd Ave., Suite 200, Portland OR 97204. Mr. Surgeon is with Commercial Realty Advisors. His main concern is the size of the commercial temporary signs. He believes it is an industry standard to us a full sheet of plywood, which come 4' x 8'. Limiting the sign to a 4'x 6' would mean creating 2' of wasted wood material for each sign. The art work and marketing materials are all geared to use a 4' x 8' pieces of material.

Robert James Claus, 22211 SW Pacific Hwy, Sherwood OR 97140. Mr. Claus stated that he intends to take this code to LUBA. He does not believe the sign code is time, place and manner or content neutral, name plates are not defined. He notes that memorial signs and tablets, names of buildings, dates of erection when cut into masonry surface are unlimited, yet a name plate is limited to one square foot. He does not feel this is not content neutrality. He submitted information to the Commission for their review. He feels this all part of a giant effort to restrain trade.

Matt Grady 19767 SW 72nd Ave., Suite 100, Tualatin OR 97062 submitted a letter with four points of interest. Mr. Grady suggests differentiating in the definition section between canopies and awnings. He recommends allowing the sign size of 6 sq. ft. rather than limiting signs to 4 sq. ft. He feels that allowing projecting sign as well as a free standing signs on a property suits tenants needs better and should be allowed. He also sees the practicality of allowing spacing closer than 20 feet between signs and provided some examples of layering signs.

Jeffrey Zimel 21840 SW Fuller Drive, Tualatin OR representing Mercury Development (at one time one of the largest strip center developers in Oregon.) Mr. Zimel reiterated the

opinion voiced earlier by Gary Surgeon that developer standard sign size be allowed to remain 4' x 8'. In his 38 years with the company they have never used a sign size other than 4' x 8". Eugene Stewart PO Box 534, Sherwood OR 97140 defended the placement of the Loaves and Fishes by saying it has to be in the public right of way, it is a public street that is used to access the location and it is usually sitting on the sidewalk. He asked in general what the purpose of a good sign is and if all the signs will have to look alike. He would like to see some latitude in the sign style to encourage creativity, so the signs do what they are intended to do.

Chair Allen closed the public testimony portion of the meeting and referred to Brad for any final staff comments.

Commissioner Clifford asked about determining "right-of-way". Brad gave two examples of generally how to determine "right-of-way" both with a planter strip and without.

Chair Allen asked for clarification of a question that was raised during public testimony regarding "carving" a date vs. a name or other lettering into a building and the legality of that. Brad will have to refer to City's legal counsel.

During deliberation Chair Allen reviewed the list of items he had been tracking for discussion which included: comments from St. Paul Lutheran Church, the question of signs allowed per store front vs. per footage, the awning size issue, and 4x8 plywood signs vs. smaller sign requirements as well as the input from the residential Realtors. Discussion among the Commissioners included the idea of "planning permits" for temporary Realtor signs, possibly at no cost, but providing an opportunity to discuss with the sign holders what the regulations on placement will be. It was also discussed what the City Council direction was to the Commission which was basically fewer and smaller signs and improving/reducing visual clutter.

Councilor Clark reiterated what the City Council's concerns are include business's coming in from out of town, littering the city with signs for their painting company or whatever they may be selling and then never returning to retrieve the signs. She went on to say that the Council does not want to limit signs like Sherwood youth sports or local church event types of signs, or to prevent commerce in the city, but they do want a more concise application of the rules and times and dates that signs are allowed to be displayed.

Chair Allen recommended continuing meeting and having Brad come back with proposed changes suggested by Planning Commission, prior to sending the code to City Council. Chair Allen reviewed his list of issues again. Commissioner's agreed with the list. Brad suggested continuing to a date certain, which would be March 13th, 2012. Commissioner Griffin made a motion to continue PA-11-07. Commissoner Walker seconded motion. All were in favor, tha motion passed.

Chair Allen re-opened the public hearing PA 11-05 Parking Lot Landscape and Configuration. Michelle presented the Staff Report. Michelle recapped the Plan Amendments progress so far by saying; on January 24th the Planning Commission held a public hearing on plan amendments for landscaping, parking, loading and on-site circulation. After reviewing written and oral testimony the Commission directed staff to evaluate the proposed amendments and prepare a visual representation of how the proposed standards would apply to certain sites within the City and address citizen comments given previously. Staff met

with Matt Grady and his Landscape Architect team and Keith Jones from HHPR, whom have both submitted comments for review. Minor revisions and reorganization of language within the chapters have been done. Staff has also prepared an Arial depiction of how the standards would apply to certain areas. The goals set include: increasing the amount of overall landscaping on sites to break up some of the wide expanses of pavement. Improve the overall quality of the landscape area to make them more visually appealing, as well as creating a better environment for pedestrians.

Also the City's plan needed to be in compliance with the METRO Functional Plan. Michelle explained what aspects are reviewed with a Land Use application regarding landscaping; perimeter landscaping, visual corridor landscaping, street trees and parking area landscaping.

She then described the proposed changes to the standards including: the amount of required landscaping being based on the number of parking spaces rather than a set percentage of landscaping on the site. Increasing the size of the landscaping island from 64 sq ft to 90 sq ft. and that the entire island be landscaped with shrubs, ground cover and a least one tree.

Michelle gave examples of types of trees that would be allowed. Credit will be given for preserving existing trees.

Using photos of the Albertson's Shopping Center as examples of how the code changes would affect the visual aspect of the landscaping.

Discussion between the Commission and Michelle regarding sizes and number of trees on a site continued. Tom Pessemier addressed the tree count issue by saying if Albertson's had 225 parking spaces with the proposed code changes, if the trees were split roughly between large and medium trees, they would need approximately 66 trees and currently they have 32. The site was chosen as an example because Planning Commission had identified that area as one they liked. Trying to obtain the desired canopy would require additional numbers of trees.

Michelle continued by listing the proposed changes for parking lot changes: clearer definitions for reducing the required number of parking spaces, new provisions for visitor parking in multi-family developments, new parking requirements for warehouses, reducing the number of parking required for churches, garages would be included in the off-street parking requirements, wheel-stops would not be required if there is additional landscaping or paving, inserting a table for the dimensional standards for angled parking stalls, bicycle parking requirements are modified to allowed uncovered bike parking where appropriate, and insuring that parking areas over one acre in size include pedestrian connections between the buildings.

Chair Allen opened the meeting for public testimony

Robert James Claus, 22211 SW Pacific Hwy, Sherwood OR 97140. In Mr. Claus's testimony he stated that with this plan, will be destroying $5.00 a square foot in the retail areas. He feels if the City is going to be spending money on this issue, they should be spending it on planning the refuge instead. He believes that by requiring the trees being planted in retail areas, the property values are being lowered by destroying the visibility component. He is not suggesting no landscaping, but believes a series of options exist. He believes that the property values in Sherwood are dropping faster than in other towns due to

raising taxes and fees and doing nothing to protect one of the principle assets of Sherwood that is the wildlife refuge system and riparian corridor. He would like to be allowed to use the visual corridor and be allowed to protect those corridors and the wildlife in them.

Matt Grady 19767 SW 72nd Avenue, Tualatin OR 97062. Mr. Grady referred to a letter he has submitted after looking at the proposed changes again and speaking with Staff. He feels they have a better understanding of perimeter landscaping vs. interior landscaping which changed their opinion from their first letter. They would like to see that street trees be included in the tree count and that the definition of site area be changed to exclude the building footprint square feet in the area calculation. They also think the landscape manual should be more available to the public. They would also like to see some type of exclusion clause for trees under power-line easements. Screening of mechanical equipment is another issue they would like to see addressed and a definition added would be helpful. He also feels it would be helpful if zone A and zone B are identified in the parking standards. Lastly, van pool spaces are difficult to police and there is much mis-use of parking spaces. It was suggested that there be language that would allow the applicants to work with staff regarding acceptable ground mechanical equipment screening without needing to return to the Planning Commission.

Chair Allen closed public testimony and referred back to Michelle. Discussion was had about tying a definition to a specific date.

Chair Allen re-capped the issues he sees at this point: including the three issues raised by the Gramor letter from February 28th, there are two additional issues raised in testimony around power lines and retaining walls as well as the big question of the number of trees. With that in mind he asked if the Commission wanted to see this come back or if they felt they could address those issues now and make a decision. It was decided to continue the conversation now and make a decision.

First question : is the number of trees too many as written. The majority of Commissioners feel the number of required trees is acceptable.
Should street trees be included in the total tree count: The majority feels they should not be included in the tree count.
Regarding the tree and landscape manual availability it should be linked and referenced and is more of a communication issue than a code issue.
It was agreed that Michelle's proposed language regarding the ground level mechanical screening was acceptable.
A footnote will be added to the document regarding the definition of zones A and B.
Regarding power line easements there could be an eligible adjustment available.
It was determined that addressing retaining walls specifically in the code is not necessary and will be reviewed on a case by case basis.

Commissioner Clifford made a motion to recommend approval by City Council of PA 11-05 with modifications reviewed in discussion. Commissioner Walker seconded the motion. In discussion Commissioner Cary noted he was not in agreement with the number of the trees. A vote was taken. Commissioners Walker, Griffin, Clifford and Chair Allen were in favor, Commissioner Cary was not. The motion carried.

Chair Allen closed the meeting.

City of Sherwood, Oregon
DRAFT Planning Commission Minutes
March 13, 2012

Commission Members Present:

Chair Allen
Commissioner Walker
Commissioner Cary
Commissioner Copfer
Commissioner Clifford

Staff:

Julia Hajduk, Planning Manager
Michelle Miller, Associate Planner
Brad Kilby, Senior Planner

Commission Members Absent:
Commissioner Copfer
Commissioner Griffin
Commissioner Albert
Council Liaison – Councilor Clark

1. **Call to Order/Roll Call** – Chair Allen called the meeting to order.

2. **Agenda Review** – no changes were made to the meeting agenda

3. **Consent Agenda** – None

4. **City Council Comments** – Councilor Clark reported that the City Council has had two meetings since the last Planning Commission meeting. Included as part of one of those meetings the Council recognized the Sherwood Girls Soccer team as undefeated State Champions. Also, in Executive session they continued the process of interview candidates for the City Manager's position. Other business included hearing the Denali PUD which the Council passed including 6 lots and a public hearing allowing Amateur Radio Towers, which was passed unanimously allowing Amateur Radio Towers in the city.

5. **Staff Announcements** – Julia explained that in a recent work session with Council in which they discussed doing a TSP amendment for the Cedar Brook Way area to help clarify the connections in that area and the functional classification.

6. **Community Comments –** Eugene Stewart PO Box 534, Sherwood OR 97140. Wanted to request that during the code clean-up process, citizen involvement be addressed. He feels there is not enough time for citizens to testify and that there is not enough give and take between citizens and staff. He encourages the Planning Commission to follow the citizen involvement plan.

   In response to Mr. Stewart's testimony Chair Allen spoke to the Commission and explained to them or reminded them, that during the code clean-up process we have expanded the notice area requirements to something far beyond what is required by state law, we have changed the signage to make them visible, as well as having significantly expanded electronic tools used to disseminate information. The commission has made a great attempt to include changes

gathered from public feedback when it has been provided. While he understands Mr. Stewarts point he feels the Commission has made great attempts to encourage public involvement.

7. **Old Business – Continuation of PA 11-07 Temporary and portable signs.** Chair Allen reviewed where the project is in the process and referred to Brad for Staff comments

Brad reviewed the list of eight items that had been of concern at the previous meeting:

Mr. Claus voiced concerns regarding to memorial signage. Brad worked with the city's legal counsel and any content related provisions and those have been amended.

In response to comments from Mr. Grady the projecting storefront sign spacing has been eliminated.

They have amended the awning sign size from 4 sq. ft. to 6 sq. ft.

They have amended the temporary sign sizes that were provided by the Portland Metro Association of Realtors, allowing the commercial sign size to 4' x 8" with ½ of foot clearance from the ground.

They considered 3 issues raised by Darryl Winnan the government affairs official from the Portland Metro Association of Realtors; and are still proposing requiring permits for signs in the public right-of-way and have revised the owner notification they he had suggested.

As requested by the representative for the St. Paul Lutheran Church the number of event signs allowed annually is suggested to be raised from 3 to 6; however the limitation on banner sizes was upheld.

Discussion regarding ODOT and Washington County maintained roads and what enforcement is allowed was had between Brad and the Commission. The City can enforce codes on private property along those roads, but not in the right of way.

At this point Chair Allen as if anyone of the Commissioners needs to disclose any actual or potential conflicts of interest, bias or expart' contact.

Commissioner Cary stated that as a business owner in Sherwood he may want to use a temporary or portable sign, but that will have no influence on his decision today.

Commissioner Copfer made a motion that the Commission forward a recommendation for approval by the City Council for PA11-07 Temporary and Portable signs based on the applicant testimony, public testimony and the analysis, findings and conditions in the staff report as revised.

Commissioner Walker seconded the motion.

A vote was taken; all members present were in favor, the motion passed.

Chair Allen adjourned the meeting.

Old Business

City of Sherwood
Oregon
Home of the Tualatin River National Wildlife Refuge

MEMORANDUM

City of Sherwood
22560 SW Pine St.
Sherwood, OR 97140
Tel 503-625-5522
Fax 503-625-5524
www.sherwoodoregon.gov

Mayor
Keith Mays

Council President
Dave Grant

Councilors
Linda Henderson
Robyn Folsom
Bill Butterfield
Matt Langer
Krisanna Clark

City Manager Pro Tem
Tom Pessemier

2009 Top Ten Selection

2007 18th Best Place to Live

Sherwood 2006 All-America City Finalist

DATE: June 18, 2012

TO: Sherwood City Planning Commission

FROM: Planning Department

SUBJECT: Commercial, Industrial, and Public and Institutional Uses

The purpose of this memorandum is to summarize the discussion from your May 22nd hearing on PA 12-01 Commercial/Industrial/Institutional and Public Uses. As you may remember there were three members of the public who requested that the hearing be continued. The Planning Commission elected to continue the hearing until June 12, 2012 to allow the public additional time to consider the proposed amendments given that the Calendar on the City's website inadvertently showed that the hearing had been cancelled. On June 12, 2012 the public hearing was opened and continued to June 26, 2012 because there was not a quorum.

The Planning Commission had discussed four items that needed to be clarified including:

- Differentiation between small scale vs. large scale power generation facilities
- A definition of "Recreational Vehicle Park"
- A definition of "household pet"
- A check of footnotes to ensure that they show up on the same page where the footnote is listed

In June of 2011, in a memo, Planning Staff proposed defining "small-scale power generation facility" and "large-scale power generation facility". Small-scale energy facilities would be defined as "a facility, such as a solar panel, that produces energy but that is generally not visible from neighboring properties, with the exception of facilities attached to a building that do not exceed the height limits of the underlying zone and do not exceed the building height by more than 25%. For example, solar panels on the roof of a 24-foot-tall home could not exceed 6 feet in height". Large-scale facilities would be defined as "a facility that produces energy and exceeds the thresholds of a 'small-scale energy facility'".

Staff would propose to define "Recreational Vehicle Park," as, "A unit of land under single ownership upon which two (2) or more recreational vehicle and/or campsites are located, established or maintained for public occupancy in recreational vehicles or camping units as temporary living quarters for travel, recreation or vacation purposes."

There was a desire to define, "household pet." There is not a common planning definition of a household pet, but some common themes in cities with a definition include animals such as cats, dogs, small birds and rodents that are generally domesticated and purchased at a pet store. Some go on to say that household pets do not include animals that are used to produce farm products. Staff does not recommend any one idea over another and feels that it should be a community decision given the recent discussion in the city regarding chickens.

Should the Planning Commission have any additional questions, staff will consider and discuss them with the Commission during the public hearing. It should be noted that as of the date of this memo, there has not been any additional public testimony submitted to staff, and there is no additional materials from staff other than this cover memo.

New Business

CITY OF SHERWOOD
Staff Report

Date: June 18, 2012
File No: SUB 12-01/ PA 12-02
Renaissance at Rychlick Farm

TO: PLANNING COMMISSION

Pre-App. Meeting:	December 12, 2011
App. Submitted:	March 30, 2012
App. Withdrawn	May 31, 2012
App. Resubmitted	May 31, 2012
App. Complete:	June 1, 2012
120-Day Deadline:	September 29, 2012
Hearing Date:	June 26, 2012

FROM: PLANNING DEPARTMENT

Brad Kilby, Senior Planner

Proposal: The applicant has requested subdivision approval in order to divide a 6.57 acre site into 26 lots and four tracts. The proposed lots range in size from 5,000 square feet up to 12,013 square feet. Tract A is set aside for water quality and detention. Tract B is set aside for the protection of the vegetated corridor. Tracts C and D are intended to be common open space. The applicant is also requesting a zone change in order to make the whole site Medium Density Residential Low (MDRL). The site is currently zoned Medium Density Residential Low (MDRL) and Institutional Public (IP). The applicant's submittal packet is attached as Exhibit A and the applicant's tree materials are attached as Exhibit B.

I. BACKGROUND

A. Applicant:

Renaissance Development
16771 Boones Ferry Road
Lake Oswego, OR 97035

Owner:

Frank J. Rychlick Revocable Trust
17806 SW Edy Road
Sherwood, OR 97140

Applicant's Representative:

AKS Engineering & Forestry
13910 SW Galbreath Drive
Suite 100
Sherwood, OR 97140

B. Location: The property is located on the south side of SW Edy Road. The property address is 17806 SW Edy Road and the property is identified as tax lot 100 on Washington County Assessor Map 2S130CA.

C. Parcel Size: The subject property is approximately 286,189 square feet or about 6.57acres.

D. Existing Development and Site Characteristics:

The site has an existing home and it is heavily treed, and gained the Metro designations of Class A Upland Habitat and Riparian Class 1 Habitat because it is located within the Chicken Creek sub basin. The topography of the site is

relatively flat on the southern portion of the site and bisected by a creek and deep ravine along the north and west portion of the site. The tree survey indicates that there are 397 existing trees, over 5-inches at diameter breast height (DBH) on the site.

E. Site History: The site has been owned by the Rychlich – Rupprecht family since 1941. The existing house was built on the property in 1952.This site was brought into the Urban Growth Boundary by Metro in 2002. The City prepared the Area 59 concept plan which was adopted in 2007. The Area 59 Concept Plan included maps that designated portions of this site as Open Space and/or Natural Area. The implementing codes were adopted at the same time as the Concept Plan. The adopted ordinance zoned the majority of the property MDRL however the southern portion of the lot was given the IP zoning. It was thought at that time that the IP portion of the site would be a part of the anticipated school project adjacent to the south side of the lot.

F. Zoning Classification and Comprehensive Plan Designation: The existing zone for the majority of the site is Medium Density Residential Low (MDRL). Per section 16.12, the purpose of the MDRL zone is to provide for single-family and two-family housing, manufactured housing and other related uses with a density of 5.6 to 8 dwelling units per acre. About a fourth of the site is currently zoned Institutional Public. Per section 16.36 the zone provides for major institutional and governmental activities such as schools, public parks, churches, government offices, utility structures, hospitals, correctional facilities and other similar public and quasi-public uses.

G. Adjacent Zoning and Land Use: The subject site is located on the south side of SW Edy Road which is located on the northwest portion of the City. Surrounding uses include Edy Ridge Elementary School and Laurel Ridge Middle School which are both zoned Institutional Public (IP) and located to the south of the subject site. There is an existing subdivision zoned Low Density Residential (LDR) that is part of a planned unit development to the east. The lots that are adjacent to this site are between 4,000 and 6,000 Square feet in size. There is a 5.08 acre lot to the west of the subject property, with one house, which is zoned Medium Density residential Low (MDRL) and currently in agricultural uses. SW Edy Road is located north of the site. The north side of SW Edy Road include properties located within unincorporated Washington County.

H. Review Type: The subdivision requires a Type III review; however the plan map amendment requires a Type V review with a public hearing and decision made by the City Council after review by the Sherwood Planning Commission and consideration of public comments therefore both will be processed concurrently as a Type V. An appeal would be heard by the Land Use Board of Appeals (LUBA).

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 June 5, 2012. The notice was published in The Times on June 14, 2012 and the June edition of the Gazette 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 Sherwood Zoning and Community Development Code,

16.12(Medium Density Residential Low - MDRL), 16.58.010 (Clear Vision), 16.58.030 (Fences, Walls and Hedges), 16.80 (Plan Amendments), 16.94 (Off-Street Parking), 16.96 (On-Site Circulation), 16.98 (On-Site Storage), Division VI - 16.104-16.118 (Public Improvements), 16.120 (Subdivisions), 16.128 (Land Division Design Standards), 16.142 (Parks and Open Space),16.144 (Wetland, Habitat and Natural Areas),16.148 (Vibrations), 16.150 (Air Quality), 16.52 (Odors), 16.154 (Heat and Glare) and 16.156 (Energy Conservation).

II. PUBLIC COMMENTS

Public notice was mailed, posted on the property and in five locations throughout the City on June 5, 2012. Notice was published in The Times on June 14, 2012. Staff has received no written comments as of the date of this report.

III. AGENCY COMMENTS

Staff sent e-notice to affected agencies on April 30, 2012. 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 have provided comments that have been summarized below, are incorporated by reference into the record of this report, and are discussed throughout the report. The applicant will be responsible for satisfying all construction and design standards in the final construction design of the application.

Grading and Erosion Control:
Retaining walls within public easements or the public right-of-way shall require engineering approval. Retaining walls with a height of 4 feet or higher located on private property will require a permit from the building department.

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.

Other Engineering Issues:
Public easements are required over all public utilities outside the public right-of-way. Easements dedicated to the City of Sherwood are exclusive easements unless otherwise authorized by the City Engineer.

An eight-foot wide public utility easement is required adjacent to the right-of-way of all street frontage. (Reference code 16.118.020.B).

All existing and proposed utilities shall be placed underground.

Obtain a right-of-way permit for any work required in the public right-of-way, (reference City Ordinance 2006-20).

All public easements must be in submitted to the City for review, signed by the City and Applicant, recorded by the Applicant with the original recorded easements on file at the City prior to the release of public improvement plans.

Washington County: Washington County provided comments related to the development that basically requires dedication and half-street improvements along SW Edy Road. The County is also requesting that site distance certification for the intersection with the new public road be provided, along with a motor vehicle access restriction along the site's frontage with SW Edy Road. Their comments are incorporated into the record for the proposed subdivision and recommended conditions of approval are incorporated into this staff report.

Clean Water Services: Clean Water Services did not provide comments on the proposal, but the applicant is required to satisfy their requirements for plat approval.

Tualatin Valley Fire and Rescue: Tualatin Valley Fire and Rescue provided comments listing the minimum requirements for fire protection. Their comments have been incorporated into the record, and the applicant will be required to satisfy their minimum standards for fire protection in designing and constructing the subdivision.

Kinder Morgan Energy, ODOT, Pride Disposal, Tualatin Valley Water District, NW Natural Gas, and Portland General Electric were all provided with an opportunity to comment, but provided no comments as of the date of this staff report.

IV. PRELIMINARY PLAT– REQUIRED FINDINGS (SECTION 16.120)

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

FINDING: As proposed, the applicant will be constructing SW Nursery Way and Rychlick Court to comply with widths, alignments, grades and other standards. The applicant did not request a modification to the streets or road patterns with this application. This standard is met.

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

FINDING: This criterion is not applicable as the applicant has not proposed any private roads or streets.

C. The plat complies with applicable zoning district standards and design standards in Division II, and all provisions of Divisions IV, VI, VIII and IX. The subdivision complies with Chapter 16.128 (Land Division Design Standards).

FINDING: This standard is met as discussed in Divisions IV (Planning Procedures), VI (Public Infrastructure) and VII (Environmental Resources) of this report. Section IX (Historic Resources) is not addressed as it is not applicable.

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

FINDING: As discussed in sections 16.110 – 16.118 of this report there are adequate services to support the proposed subdivision. This standard is met.

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

The property owner only owns the property which is under review. The subdivision will result in the creation of 26 new lots which may be sold to different property owners. Although, the property owner does not own the undeveloped piece of property to the west, the proposed alignment of SW Nursery Way is consistent with the alignment of the street that would be extended past the school development which is on the other side of the western adjacent property. The properties to the east and south are already developed.

FINDING: This standard is met as described above.

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

FINDING: The undeveloped property to the west will have the opportunity to develop independently with access from SW Edy Road or the extension of SW Nursery Way. This standard is met.

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

FINDING: A woodland inventory has been submitted and complies with the street tree requirement as well as the trees on private property standard as discussed in section 16.142 of this report. This standard is met.

H. The plat clearly shows the proposed lot numbers, setbacks, dedications and easements.

FINDING: This standard is met since the plat clearly shows the proposed lot numbers, street names, easements, and dedications. The applicant has provided a preliminary setback plan as well as the lot sizes for each lot which will be discussed in further detail in this report. As conditioned, the plat can feasibly satisfy the requirements for the MDRL zoning district.

I. A minimum of five percent (5%) open space has been provided per § 16.44.B.8 (Townhome- Standards) or §16.142.020 (Parks, Open Spaces and Trees-Single-Family Residential Subdivisions), if applicable.

FINDING: The applicant is required to provide a minimum of approximately 9,640 square feet (5%) of open space. There is a discrepancy on sheet 3 of 15 of the plan set;

however, the applicant has proposed a minimum of 10,088 square feet in tracts C and D. The preliminary plat, Sheet 3 of 15, of the project plan set also suggests that Tract C is 12,313 square feet. Regardless, the 10,088 square feet does exceed the minimum requirement; therefore, this standard is met.

V. APPLICABLE CODE PROVISIONS

The applicable zoning district standards are identified in Chapter 16.12 below.

A. Division II– Land Use and Development

The applicable provisions of Division II include: 16.12 (Medium Density Residential Low) and 16.58 (Visual Clearance). Compliance with the standards in these sections is discussed below:

16.12.010 Purpose

Zoning district description

The MDRL zoning district provides for single-family and two-family housing, manufactured housing and other related uses with a density of 5.6 to 8 dwelling units per acre. Minor land partitions shall be exempt from the minimum density requirements.

FINDING: This site is 286,084 square feet of area which would yield a minimum density of 24 units and a maximum density of 35 units if all the property is zoned MDRL. As discussed further, they have demonstrated that they meet the criteria for a zone change from IP to MDRL and approval is recommended, therefore the analysis assumes this. As proposed, the proposed density is 26 units which is within the acceptable density range for this site if the zone change is approved. This standard is met if the zone change is approved .

16.12.020 Allowed Residential Land Use

Single Family Attached or Detached Dwellings

FINDING: The applicant is proposing a 26-lot subdivision for single family dwellings which is a permitted use in the medium density residential low zone. This standard is met.

16.12.030.C. 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.

Lot Dimensions

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

1.	**Lot area:**	**5,000 sq. ft.**
2.	**Lot width at front property line:**	**25 feet**
3.	**Lot width at building line:**	**50 feet**
4.	**Lot Depth**	**80 feet**

The lots meet the lot area requirements. The smallest lot, Lot 7, is 5, 000 square feet while the largest lot, Lot 11, is 12,013 square feet. As proposed, all 26 lots can achieve a lot width at building line at 50 feet, a building width at front property line of 25 feet and an average lot depth of 80 feet.

FINDING: This standard is met as discussed above.

16.12.030.C. Setbacks

Except as otherwise provided, required minimum setbacks shall be:

1.	**Front yard:**	**Twenty (20) feet**
2.	**Side yard:**	**Five (5) feet**
3.	**Rear yard:**	**Twenty (20) feet**
4.	**Corner side yard:**	**Fifteen (15) feet**

FINDING: As proposed, it appears that the setbacks can be achieved. The actual building envelopes will be reviewed when the lots are individually reviewed prior to issuance of building permits. However, the lots are large enough for the structures to meet the setbacks.

16.12.030.C. Height

Except as otherwise provided, the maximum height shall be 30 feet or 2 stories.

FINDING: At this time it is unclear how tall the homes will be. The actual height of the homes will be reviewed when the lots are individually reviewed prior to issuance of building permits.

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 (2 1/2) 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 applicant is not proposing any new improvements that would interfere with the Clear Vision area, and has proposed grading that will improve the sites intersection with SW Edy Road. Washington County provided comments that are provided as Exhibit F to this report. The comments include a condition of approval that requires that the applicant certify site distance along SW Edy Road for the intersection. Clear Vision areas do not appear to be problematic in this development, and it is feasible for the development to comply with this standard.

B. Division IV – Planning Procedures

16.80.030.B. Map Amendment

An amendment to the City Zoning Map may be granted, provided that the proposal satisfies all applicable requirements of the adopted Sherwood Comprehensive Plan, the Transportation System Plan and this Code, and that:

1. **The proposed amendment is consistent with the goals and policies of the Comprehensive Plan and the Transportation System Plan.**

   The Sherwood Comprehensive Plan identified two goals and associated policy objectives for the Area 59 concept plan. The focus of the goals is to encourage development, provide contiguous development, and preserve natural areas and other similar policies. By changing the zone from IP to MDRL the site will continue to meet the goals and policies of the Comprehensive Plan and the intent of the Area 59 concept plan. The extension of SW Nursery Way will be feasible as shown on the proposed development plan and it will be consistent with the Transportation System Plan.

FINDING: This proposal complies with the intent of the concept plan by developing in a manner that preserves the drainage way, slopes, and accompanying buffer, and meeting the dimensional and use requirements of the MDRL Zone.

2. **There is an existing and demonstrable need for the particular uses and zoning proposed, taking into account the importance of such uses to the economy of the City, the existing market demand for any goods or services which such uses will provide, the presence or absence and location of other such uses or similar uses in the area, and the general public good.**

Within the City of Sherwood, there are approximately 22 lots available for single family construction at this time. This clearly demonstrates that there is a need for this use. In addition, as will be discussed below, there is not a need for the IP zone to remain on the subject property.

This site is located within an area, identified as Area 59, which was brought into the urban growth boundary in 2002. The City started concept planning the area in 2004. During that process it was clear that there was a need for land to be identified for a new elementary and middle school to accommodate an increase in school enrollment. After reviewing traffic analysis and citizen advisory review it was determined that a 29 acre site was adequate to support the two facilities and recreational fields. There were parties that believed that more land was needed for a school while others thought that less land was needed for the school.

The 29 acre site was identified as Institutional Public (IP) prior to establishing the zoning of the remaining buildable land. Residential, open space and mixed use areas were also identified on the adopted plan in February 2007. It is not uncommon to adopt a concept plan with zoning that does not follow property lines. In this case, a small portion of the Rychlick property, which is located to the north of the school property, was designated IP in order to provide 29 acres for the school district's development. Shortly after the adoption of the concept plan the school district moved forward with the development of the new schools and associated recreational areas. Through that review it was clarified that the boundry line between the IP and MDRL zone was the new street, "Nursery Way". This clarification (see Exhibit G) excerpt from Area 59 schools decision established the remainder of the IP zoning, a small portion of which was on the subject parcel. The IP portion of the Rychlick property was not developed as a part of that project.

As the intent to provide school land has been achieved, the demand for a school on this land has ended. Additionally, there are limited buildable residential lots left in Sherwood while there is still a demand for families to live in the City. As the rest of this site is zoned residential and it is adjacent to residentially zoned land changing the IP piece of the Rychlick property to MDRL would make it consistent with neighboring land to the north, east and west.

FINDING: This standard is met as discussed above.

3. **The proposed amendment is timely, considering the pattern of development in the area, surrounding land uses, any changes which may have occurred in the neighborhood or community to warrant the**

proposed amendment, and the availability of utilities and services to serve all potential uses in the proposed zoning district.

Sherwood has not seen a lot of residential subdivision development over the past five years which is attributed to the slow economy and decreasing number of buildable residential lots in the City. Since there is still demand to live in Sherwood and live close to schools the proposed map amendment would allow the whole Rychlick site to develop with single family homes, as proposed, and provides additional housing opportunities to current and future residents. The site is adjacent to residentially zoned land. The land to the east is already developed with a Low Density Residential Planned Unit Development subdivision. The land to the west is zoned MDRL with an existing home. Finally, to the south, the school district site is developed in the IP zone consistent with their development plan. The school district in their development, identified room for expansion of their site when needed and it does not include utilizing any portion of the Rychlick property. There are services available which will be extended to the proposed lots as a part of this development. This is discussed further the public improvement section of this report. The proposed amendment is timely.

FINDING: This criterion is met as discussed above.

4. **Other lands in the City already zoned for the proposed uses are either unavailable or unsuitable for immediate development due to location, size or other factors.**

   As previously mentioned, the City does not have many undeveloped residential lots left. When Area 59 was concept planned it was clear that the school and residential zones would be the overwhelming majority of this area. Since three – fourths of this site is ready to develop and is zoned residential (with some open space) it provides additional housing opportunities to the Sherwood community.

   There is additional residentially zoned land within Area 59 although it is unclear when the land owners will be interested in development. There are also some larger parcels on the southeast side of the city which could be developed into residential lots although these sites are zoned lower density and have additional constraints due to the topography and some contamination. This is a small piece of land attached to an already existing lot that is zoned MDRL. This proposed amendment is timely and justifiable given the circumstances for its current designation as land for a school that has already been constructed.

   FINDING: This standard is met as discussed above.

C. Transportation Planning Rule Consistency

1. **Review of plan and text amendment applications for effect on transportation facilities. Proposals shall be reviewed to determine whether it significantly affects a transportation facility, in accordance with OAR 660-12-0060 (the TPR). Review is required when a development**

application includes a proposed amendment to the Comprehensive Plan or changes to land use regulations.

The change in zoning will not affect transportation facilities. The rest of the property is zoned residential as well as the neighboring properties to the east and west. As this application is concurrent with a subdivision review it is clear that the land will be developed into single family residences. The extension of SW Nursery Way, a local street, is also included with application which will increase the transportation facilities in this area. The proposed development and subsequent amendment do not change the classification of any of the existing streets as a result of the development or plan map amendment. In addition, the zone change only provides 1 additional lot. If the IP zoning were to remain it would be developable with a church or other public use which would almost certainly generate more trips than the 10 attributed to single family residences.

FINDING: The standard is met as discussed above.

2. **"Significant" means that the transportation facility would change the functional classification of an existing or planned transportation facility, change the standards implementing a functional classification, allow types of land use, allow types or levels of land use that would result in levels of travel or access that are inconsistent with the functional classification of a transportation facility, or would reduce the level of service of the facility below the minimum level identified on the Transportation System Plan.**

The applicant is proposing to change the zoning from IP to MDRL. It appears that the zone change will allow for the creation of one additional lot and it will allow the applicant to increase the size of 2-3 lots. One additional residential lot, as a result of the zone change, will not impact the functional classification of any existing or planned transportation facilities or impact the level of service of SW Edy Road or SW Nursery Way.

FINDING: This standard is met as discussed above.

3. **Per OAR 660-12-0060, Amendments to the Comprehensive Plan or changes to land use regulations which significantly affect a transportation facility shall assure that allowed land uses are consistent with the function, capacity, and level of service of the facility identified in the Transportation System Plan. This shall be accomplished by one of the following:**
    a. **Limiting allowed uses to be consistent with the planned function of the transportation facility.**
    b. **Amending the Transportation System Plan to ensure that existing, improved, or new transportation facilities are adequate to support the proposed land uses.**
    c. **Altering land use designations, densities or design requirements to reduce demand for automobile travel and meet travel needs through other modes.**

FINDING: As discussed in section 16.80.030.C.1 and 16.80.030.C.2 above, this map amendment will not significantly affect transportation facilities, therefore this standard is met.

C. Division V – Community Design

16.96.020 - Minimum Residential Standards

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

16.96.020.A. Driveways

1. **Single-Family: One (1) driveway improved with hard surface pavement with a minimum width of ten (10) feet, not to exceed a grade of 14%. Permeable surfaces and planting strips between driveway ramps are encouraged in order to reduce stormwater runoff.**

FINDING: It appears that each lot will be able to meet this standard when each lot is reviewed for building permits. This standard applies citywide and can be verified prior to issuance of building permits.

D. Division VI - Public Improvements

16.106 – Transportation Facilities

16.106.120.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. The following figure provides the depiction of the functional classification of the street network as found in the Transportation System Plan, Figure 8-1.

The applicant is proposing to dedicate 52-feet of right of way for the creation of SW Nursery Way and SW Rychlick Court. These streets were proposed by the applicant in order to serve the new lots created by this subdivision. These streets will be improved prior to issuance of building permits.

The site abuts SW Edy Road, a collector street. The applicant is proposing to dedicate seven feet of right of way along the frontage of Tract C consistent with Washington County standards. The applicant will also dedicate seven feet of frontage along the intersection of SW Nursery Way and Lot 1. This will bring the total right of way on each end of the site to 37 feet. Although 50 feet of right of way is generally required for collector streets, the County and City Engineering staff prefers to match the existing improvements, and have accepted the proposed 37-foot right of way.

FINDING: As discussed above this standard is met.

16.106.020.B. Street Connectivity and Future Street Systems

1. **Future Street Systems. The arrangement of public streets shall provide for the continuation and establishment of future street systems as shown on the Local Street Connectivity Map contained in the adopted Transportation System Plan (Figure 8-8).**
2. **Connectivity Map Required. New residential, commercial, and mixed use development involving the construction of new streets shall be submitted with a site plan that implements, responds to and expands on the Local Street Connectivity map contained in the TSP.**
   a. **A project is deemed to be consistent with the Local Street Connectivity map when it provides a street connection in the general vicinity of the connection(s) shown on the map, or where such connection is not practicable due to topography or other physical constraints; it shall provide an alternate connection approved by the decision-maker.**
   b. **Where a developer does not control all of the land that is necessary to complete a planned street connection, the development shall provide for as much of the designated connection as practicable and not prevent the street from continuing in the future.**
   c. **Where a development is disproportionately impacted by a required street connection, or it provides more than its proportionate share of street improvements along property line (i.e., by building more than 3/4 width street), the developer shall be entitled to System Development charge credits, as determined by the City Engineer.**
3. **Block Length. For new streets except arterials, block length shall not exceed 530 feet. The length of blocks adjacent to arterials shall not exceed 1,800 feet.**
4. **Where streets must cross water features identified in Title 3 of the Urban Growth Management Functional Plan (UGMFP), provide crossings at an average spacing of 800 to 1,200 feet, unless habitat quality or length of crossing prevents a full street connection.**
5. **Where full street connections over water features identified in Title 3 of the UGMFP cannot be constructed in centers, main streets and station communities (including direct connections from adjacent neighborhoods), or spacing of full street crossings exceeds 1,200 feet, provide bicycle and pedestrian crossings at an average spacing of 530 feet, unless exceptional habitat quality or length of crossing prevents a connection.**
6. **Pedestrian and Bicycle Connectivity. Paved bike and pedestrian accessways consistent with cross section standards in Figure 8-6 of the TSP shall be provided on public easements or right- of-way when full street connections are not possible, with spacing between connections of no more than 300 feet. Multi-use paths shall be built according to the Pedestrian and Bike Master Plans in the adopted TSP.**
7. **Exceptions. Streets, bike, and pedestrian connections need not be constructed when any of the following conditions exists:**
   a. **Physical or topographic conditions make a street or accessway connection impracticable. Such conditions include but are not limited to freeways, railroads, steep slopes, wetlands or other**

bodies of water where a connection could not reasonably be provided.

b. Buildings or other existing development on adjacent lands physically preclude a connection now or in the future considering the potential for redevelopment; or

c. Where streets or accessways would violate provisions of leases, easements, covenants, restrictions or other agreements existing as of May 1, 1995, which preclude a required street or accessway connection.

FINDING: As discussed in the previous standard, the applicant has provided the necessary right of way. The applicant is proposing a six foot sidewalk along SW Nursery way, SW Rychlick Court and SW Edy Road to provide pedestrian access to the site. The applicant is also proposing a pedestrian access from Tract D to the school property. The proposal has designed the most efficient transportation connections, and cannot form a typical block because of existing topography, surrounding development patterns, and the presence of the on-site resource area dedicated to the preservation of the Chicken Creek drainage. This standard is met.

16.106.020.C. Underground Utilities

All public and private underground utilities, including sanitary sewers and storm water drains, shall be constructed prior to the surfacing of streets. Stubs for service connections shall be long enough to avoid disturbing the street improvements when service connections are made.

The applicant is proposing underground water, sanitary and sewer facilities. These will be stubbed to the individual lots prior to issuance of building permits. The proposed plans show overhead power lines along the frontage of Edy Road.

FINDING: There is a portion of existing overhead utilities that will need to be undergrounded with future improvements. PGE, the service provider did not provide any comments on the development to suggest that the line couldn't be placed underground, therefore, the following condition is warranted.

RECOMMENDED CONDITION: Prior to issuance of building permits, all public and private utilities shall be underground unless the utility provider has determined that the lines are too large to place underground.

16.106.020. D. Additional Setbacks

Generally additional setbacks apply when the width of a street right-of-way abutting a development is less than the standard width under the functional classifications in Section VI of the Community Development Plan. Additional setbacks are intended to provide unobstructed area for future street right-of-way dedication and improvements, in conformance with Section VI. Additional setbacks shall be measured at right angles from the centerline of the street.

	Classification	Additional Setback
1.	Principle Arterial (99W)	61 feet

2.	Arterial	37 feet
3.	Collector	32 feet
4.	Neighborhood Route	32 feet
5.	Local	26 feet

FINDING: SW Edy Road is a collector and therefore, the lots fronting on to this right-of-way could be subject to this standard. Lot one is the only lot that would be subject to this provision, and the County and City staff have indicated that the additional setback is not warranted since the prescribed amount of right-of-way is proposed to be dedicated. This criterion is not applicable to the proposed development.

16.106.040 Design

Standard cross sections showing street design and pavement dimensions are located in the City of Sherwood Transportation System Plan, and City of Sherwood's Engineering Design Manual.

FINDING: The applicant shows the proposed street cross sections. The applicant shall provide street design and pavement dimension to the Engineering Department prior to public improvement plan approval as conditioned below.

RECOMMENDED CONDITION: Prior to public improvement plan approval, submit standard cross sections showing street design and pavement dimensions to the Engineering Department per the City of Sherwood Transportation System Plan, and City of Sherwood's Engineering Design Manual

16.106.040.A. Reserve Strips

Reserve strips or street plugs controlling access or extensions to streets are not allowed unless necessary for the protection of the public welfare or of substantial property rights. All reserve strips shall be dedicated to the appropriate jurisdiction that maintains the street.

FINDING: Washington County has requested that a reserve strip be provided along SW Edy Road to manage access onto SW Edy Road. Compliance with the proposed conditions of approval will satisfy this criteria.

16.106.040.B. Alignment

All proposed streets shall, as far as practicable, be in alignment with existing streets. In no case shall the staggering of streets create a "T" intersection or a dangerous condition. Street offsets of less than one hundred (100) feet are not allowed.

FINDING: The proposed street access is located over 150 from the nearest street intersection. Street offsets of less than 100 feet are not proposed; therefore, this standard is met.

16.106.040.C. Future Extension

Where necessary to access or permit future subdivision or development of

adjoining land, streets shall extend to the boundary of the proposed development and provide the required roadway width. Dead-end streets less than 100' in length shall comply with the Engineering Design Manual.

A durable sign shall be installed at the applicant's expense. The sign shall notify the public of the intent to construct future streets. The sign shall read as follows: "This road will be extended with future development. For more information contact the City of Sherwood at 503-625-4202."

Nursery Way connects to SW Edy Road. The street will dead end at the southwest corner of the site, south of lot 18. The site to the west (tax lot 100) has not been developed although there is another connection of SW Nursery Way to the west of the adjacent parcel (tax lot 100). It is intended that SW Nursery Way will provide a full connection between local and collector streets when tax lot 100 develops in the future. The applicant has acknowledged the need for a sign although a sign has not been installed notifying the public that the road could extend in the future.

FINDING: As discussed above the standard has not been met but it can be as conditioned below.

RECOMMENDED CONDITION: Prior to Public Improvement Plans approval, show that the sign will be installed.

RECOMMENDED CONDITION: Prior to issuance of building permits, install a sign (at the applicant's expense), notifying the public of the intent to construct the future street extension of SW Nursery Way. The sign shall read as follows: "This road will be extended with future development. For more information contact the City of Sherwood at 503-625-4202."

16.106.040.D. Intersection Angles

Streets shall intersect as near to ninety (90) degree angles as practical, except where topography requires a lesser angle. In all cases, the applicant shall comply with the Engineering Design Manual.

FINDING: The proposed streets intersect as near to ninety (90) degree angles as practical given the topography. This standard is met.

16.106.040.E. Cul-de-sacs

1. **All cul-de-sacs shall be used only when exceptional topographical constraints, existing development patterns, or compliance with other standards in this code preclude a street extension and circulation. A cul-de-sac shall not be more than two hundred (200) feet in length and shall not provide access to more than 25 dwelling units.**
2. **All cul-de-sacs shall terminate with a turnaround in accordance with the specifications in the Engineering Design Manual. The radius of circular turnarounds may be larger when they contain a landscaped island, parking bay in their center, Tualatin Valley Fire and Rescue submits a written request, or an industrial use requires a larger turnaround for**

truck access.

3. **Public easements, tracts, or right-of-way shall provide paved pedestrian and bicycle access ways at least 6 feet wide where a cul-de-sac or dead-end street is planned, to connect the ends of the streets together, connect to other streets, or connect to other existing or planned developments in accordance with the standards of this Chapter, the TSP, the Engineering Design Manual or other provisions identified in this Code for the preservation of trees.**

The site is surrounded by an existing residential development to the east and schools to the south which precludes the ability of the development to extend SW Rychlick Court to the east or south. Additionally, there is not an ability to develop a street extension to the northwest due to environmental constraints.

SW Rychlick Court is approximately 195 feet from centerline within SW Nursery Way. The cul-de-sac will serve seven lots and will provide a secondary access to two additional lots with frontage along Nursery Way. The applicant has provided a six foot pedestrian sidewalk along the perimeter of the cul-de-sac which connects to the proposed sidewalk along Nursery Way. Access to the school site from the cul-de-sac is not needed since there is already an existing access to the school from SW Copper Terrace. Additionally, the portion of the school site to the south is used as sports fields and there is not a street for this subdivision to connect to.

FINDING: This standard is met as discussed above.

16.106.040.F. Grades and Curves

Grades shall be evaluated by the City Engineer and comply with the Engineering Design Manual.

FINDING: The proposed street grades comply with the Engineering Design Manual. This standard is met.

16.106.040.G.Streets Adjacent to Railroads

Streets adjacent to railroads shall run approximately parallel to the railroad and be separated by a distance suitable to allow landscaping and buffering between the street and railroad. Due consideration shall be given at cross streets for the minimum distance required for future grade separations and to provide sufficient depth to allow screening of the railroad.

FINDING: The proposed development is not located adjacent to a railroad; therefore, this standard is not applicable.

16.106.040.H. Buffering of Major Streets

Where a development abuts Highway 99W, or an existing or proposed principal arterial, arterial or collector street, or neighborhood route, adequate protection for residential properties shall be provided and through and local traffic shall be separated and traffic conflicts minimized. In addition, visual corridors pursuant to Section 16.142.030, and all

applicable access provisions of Chapter 16.96, shall be met. Buffering may be achieved by: parallel access streets, lots of extra depth abutting the major street with frontage along another street, or other treatment suitable to meet the objectives of this Code.

The applicant has provided a ten foot visual corridor along SW Edy Road. Additionally, the applicant has provided open space in Tract C and a vegetated corridor in Tract B which provide an additional buffer to the residential lots created by this development.

FINDING: This standard is met as discussed above.

16.106.040 .J. Transit Facilities
Development along an existing or proposed transit route, as illustrated in Figure 7-2 in the TSP, is required to provide areas and facilities for bus turnouts, shelters, and other transit-related facilities to Tri-Met specifications. Transit facilities shall also meet the following requirements:

1. **Locate buildings within 20 feet of or provide a pedestrian plaza at major transit stops.**
2. **Provide reasonably direct pedestrian connections between the transit stop and building entrances on the site.**
3. **Provide a transit passenger landing pad accessible to disabled persons (if not already existing to transit agency standards).**
4. **Provide an easement or dedication for a passenger shelter and underground utility connection from the new development to the transit amenity if requested by the public transit provider.**
5. **Provide lighting at a transit stop (if not already existing to transit agency standards).**

FINDING: The proposed development is not along an existing or proposed transit facility; therefore, this standard is not applicable.

16.106.040.K. Traffic Controls

1. **An application for a proposed residential development that will generate more than an estimated 200 average daily vehicle trips (ADT) must include a traffic impact analysis to determine the number and types of traffic controls necessary to accommodate anticipated traffic flow.**

2. **For all other proposed developments including commercial, industrial or institutional uses with over an estimated 400 ADT, or as otherwise required by the City Engineer, the application must include a traffic impact analysis to determine the number and types of traffic controls necessary to accommodate anticipated traffic flow.**

The applicant has provided a traffic impact analysis from a qualified professional, Todd Mobley, PE, at Lancaster Engineering. The proposed development is expected to generate approximately 312 additional weekday trips. Therefore, the

analysis was justified. The report did not indicate that the proposed development would trigger the need for any additional mitigation beyond what was being proposed.

FINDING: Since a traffic study was provided, this criterion is satisfied by the applicant.

16.106.040 .M.2. Roadway Access
No use will be permitted to have direct access to a street or road except as specified below. Access spacing shall be measured from existing or approved accesses on either side of a street or road. The lowest functional classification street available to the legal lot, including alleys within a public easement, shall take precedence for new access points.
a. Local Streets:
Minimum right-of-way radius is fifteen (15) feet. Access will not be permitted within ten (10) feet of Point "B," if no radius exists, access will not be permitted within twenty-five (25) feet of Point "A." Access points near an intersection with a Neighborhood Route, Collector or Arterial shall be located beyond the influence of standing queues of the intersection in accordance with AASHTO standards. This requirement may result in access spacing greater than ten (10) feet.
c. Collectors:
All commercial, industrial and institutional uses with one-hundred-fifty (150) feet or more of frontage will be permitted direct access to a Collector. Uses with less than one-hundred-fifty (150) feet of frontage shall not be permitted direct access to Collectors unless no other alternative exists.

Where joint access is available it shall be used, provided that such use is consistent with Section 16.96.040, Joint Access. No use will be permitted direct access to a Collector within one- hundred (100) feet of any present Point "A." Minimum spacing between driveways (Point "C" to Point "C") shall be one-hundred (100) feet. In all instances, access points near an intersection with a Collector or Arterial shall be located beyond the influence of standing queues of the intersection in accordance with AASHTO standards. This requirement may result in access spacing greater than one hundred (100) feet.

Access spacing is illustrated on the proposed plans, and has been discussed and justified in the Traffic Impact Analysis from Lancaster Engineering. Both the City and County Engineering Divisions have reviewed the report, the proposed development, and the proposed dedications and frontage improvements, and concur that the development does comply with the above standards.

FINDING: The proposed development complies with these 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.

The applicant is proposing to tie into an existing 15-inch sanitary sewer line that is located in SW Edy Road, and extend it to the proposed termination of SW Nursery Way. The applicant can feasibly comply with this standard as proposed.

FINDING: This criterion is satisfied.

16.112– Water Supply

Water lines and fire hydrants conforming to City and Fire District standards shall be installed to serve all building sites in a proposed development in compliance with 16.112.

The applicant is proposing to tie into an existing 15-inch water line that is located in SW Edy Road, and extend it to the proposed termination of SW Nursery Way. The applicant can feasibly comply with this standard as proposed.

FINDING: This criterion is satisfied.

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 system consistent with the Comprehensive Plan, the requirements of the Clean Water Services water quality regulations and section 16.114.

The applicant is proposing to capture the stormwater in a series of pipes and convey the water to a treatment facility located in Tract A, and discharge the water into the existing drainageway. Clean Water Services (CWS) and the City of Sherwood Engineering division have indicated that this is acceptable provided the final design satisfies the design and construction standards of CWS.

FINDING: The applicant must comply with the CWS service provider letter 12-000392 and design and construct the facilities in compliance with CWS design and construction standards. Since CWS will not sign off on the plat unless the engineering and construction comply with these standards, an additional condition is not warranted. The application can feasibly comply with this standard.

16.116.010 - Fire Protection

When land is developed so that any commercial or industrial structure is further than 250 feet or any residential structure is further than 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. In addition capacity, fire flow, access to facilities and number of hydrants shall be consistent with 16.116.020 and fire district standards.

16.116.020 Standards

A. Capacity

All fire protection facilities shall be approved by and meet the specifications of the Fire District, and shall be sized, constructed, located, and installed consistent with this Code, Chapter 7 of the Community

Development Plan, and other applicable City standards, in order to adequately protect life and property in the proposed development.

B. Fire Flow
Standards published by the Insurance Services Office, entitled "Guide for Determination of Required Fire Flows" shall determine the capacity of facilities required to furnish an adequate fire flow. Fire protection facilities shall be adequate to convey quantities of water, as determined by ISO standards, to any outlet in the system, at no less than twenty (20) pounds per square inch residual pressure. Water supply for fire protection purposes shall be restricted to that available from the City water system. The location of hydrants shall be taken into account in determining whether an adequate water supply exists.

C. Access to Facilities
Whenever any hydrant or other appurtenance for use by the Fire District is required by this Chapter, adequate ingress and egress shall be provided. Access shall be in the form of an improved, permanently maintained roadway or open paved area, or any combination thereof, designed, constructed, and at all times maintained, to be clear and unobstructed. Widths, height clearances, ingress and egress shall be adequate for District firefighting equipment. The Fire District, may further prohibit vehicular parking along private accessways in order to keep them clear and unobstructed, and cause notice to that effect to be posted.

D. Hydrants
Hydrants located along private, accessways shall either have curbs painted yellow or otherwise marked prohibiting parking for a distance of at least fifteen (15) feet in either direction, or where curbs do not exist, markings shall be painted on the pavement, or signs erected, or both, given notice that parking is prohibited for at least fifteen (15) feet in either direction.

TVFR has reviewed this application for compliance with their standards, and provided written comments to ensure that the development complies with the applicable standards of the Fire Code. The applicant must satisfy these standards in order to obtain final plat approval. Upon review, it doesn't appear compliance will result in changes to the plat and the proposal is feasible.

FINDING: The districts comments do not point out any deficiencies with the proposed development. The applicant will be required to satisfy the districts standards for final plat approval.

RECOMMENDED CONDITION: Prior to final plat approval, the applicant shall provide the City a set of engineered construction plans that demonstrate compliance with the TVFR district standards for fire protection.

16.118.020 – Public and Private Utilities 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 feet in width unless a reduced width is specifically exempted by the City Engineer.

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.

The applicants preliminary development plans provide the utility easements as required. It is feasible for the proposed development to satisfy the above criteria provided the development constructs according to plan.

FINDING: As proposed, the application complies with the above standards.

16.128.010 - Blocks

A. Connectivity

1. Block Size

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

This preliminary subdivision request includes two new streets. SW Nursery Way will connect to SW Edy Road to the north and dead end at the southwest corner. When the adjacent property to the west develops, SW Nursery Way will extend from east to west. SW Rychlick Court is a cul-de-sac which will connect to SW Nursery Way. The two roads are adequate to serve this subdivision.

FINDING: This standard is met as discussed above.

2. Block Length

Block length standards shall be in accordance with Section 16.108.040. Generally, blocks shall not exceed five-hundred thirty (530) feet in length, except blocks adjacent to principal arterial, which shall not exceed one thousand eight hundred (1,800) feet. The extension of streets and the formation of blocks shall conform to the Local Street Network map contained in the Transportation System Plan.

The block length of SW Rychlick Court is 200 feet while the block length of SW Nursery Way is about 710 feet. This development is constrained by an existing residential development to the east, an existing school development to the south and a vegetated corridor to the northeast. The location of SW Nursery Way was established when the Area 59 schools were developed. The proposed extension of SW Nursery Way will allow for a full connection of SW Nursery Way to SW Copper Terrace in the future.

FINDING: As discussed above, due to the constraints of this site, there is not an ability to continue SW Nursery Way extension from the east and create a block length less than 530 feet. This standard is satisfied.

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

FINDING: Paved sidewalks will be provided along SW Nursery Way and SW Rychlick Court. In addition, the proposed plans show multi-use path connections within Tract D which will provide a connection to the school property to the south. This standard is met.

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

FINDING: The applicant has provided all required utilities, easements and dedications needed in order to serve the site and meet this standard. This standard is met.

C. Drainages
Where a subdivision is traversed by a watercourse, drainage way, channel or street, drainage easements or rights-of-way shall be provided conforming substantially to the alignment and size of the drainage.

FINDING: The applicant has proposed a vegetated corridor (Tract B) and open space (Tract C) which will allow for drainage. It will be dedicated to the City or an easement will be provided. The applicant has met this standard.

16.128.020 - Pedestrian and Bicycle Ways

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

The applicant has proposed sidewalks throughout the subdivision along the proposed streets. The applicant has also proposed a multi-use path connection from the subdivision to the school property to south of the development. There is adequate circulation around the subdivision. The applicant has provided an e-mail indicating that the School District will allow the connection as proposed.

FINDING: This standard is met as discussed above.

16.128.030 - Lots

A. Size and Shape

Lot size, width, shape, and orientation shall be appropriate for the location and topography of the subdivision or partition, and shall comply with applicable zoning district requirements, with the following exception:

1. **Lots in areas not served by public sewer or water supply shall conform to any special County Health Department standards.**

   The lots appear to be appropriate for their location. As discussed in the zoning section of this report the dimensions standards have been met. The orientation and shape are acceptable. As proposed, there will be sewer, sanitary and water services available to each new lot created by this subdivision.

FINDING: This standard is met as discussed above.

B. Access

All lots in a subdivision shall abut a public street, except as allowed for infill development under Chapter 16.68.

FINDING: All 26 lots abut one of the two proposed public streets. This criterion is met.

C. Double Frontage

Double frontage and reversed frontage lots are prohibited except where essential to provide separation of residential development from railroads, traffic arteries, adjacent nonresidential uses, or to overcome specific topographical or orientation problems. A five (5) foot wide or greater easement for planting and screening may be required.

FINDING: Double frontage lots are not being proposed therefore this criterion is not applicable.

D. Side lot lines shall, as far as practicable, run at right angles to the street upon which the lots face, except that on curved streets side lot lines shall be radial to the curve of the street.

FINDING: Given the slope and topography of the site and accommodating the density requirement of the medium density residential zone the lot lines are acceptable. This criterion is met.

E. Grading

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

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

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

As proposed, it appears that the lots will conform to these standards. The northwestern lots adjacent to Tract B slope to the west. There appears to be plenty of space to construct future homes on these lots. Lot 25 in particular would be allowed approximately 19 feet of vertical change if needed due to the width of the lot.

FINDING: This standard is met as discussed above.

E. **Division VIII – Environmental Resources**

16.142 – Parks and Open Space

16.142.030 Single-Family or Duplex Residential Subdivisions

A. A minimum of five percent (5%) of the net buildable site (after exclusion of public right-of-way and environmentally constrained areas) shall be maintained as "open space". Open space must include usable areas such as public parks, swimming and wading pools, grass areas for picnics and recreational play, walking paths, and other like space. The following may not be used to calculate open space:

1. **Required yards or setbacks.**
2. **Required visual corridors.**
3. **Required sensitive areas and buffers.**
4. **Any area required to meet a standard found elsewhere in this code.**

B. Enhanced streetscapes such as "boulevard treatments" in excess of the minimum public street requirements may count toward a maximum of 10,000 square feet of the open space requirement.

1. **Example: if a 52-foot-wide right-of-way [ROW] is required for a 1,000 foot-long street and a 62-foot wide ROW with 5-foot additional plantings/meandering pathway is provided on each side of the street, the additional 10-foot-wide area x 1,000 linear feet, or 10,000 square feet, counts toward the open space requirement.**

C. The open space shall be conveyed in accordance with one of the following methods:

1. **By dedication to the City as public open space (if acceptable to the City). Open space proposed for dedication to the City must be acceptable to the City Manager or the Manager's designee with regard to the size, shape, location, improvement, environmental condition, and budgetary and maintenance abilities;**
2. **By leasing or conveying title (including beneficial ownership) to a corporation, homeowners' association or other legal entity, with the City retaining the development rights to the open space. The terms of such lease or other instrument of conveyance must include provisions (e.g., maintenance, property tax payment, etc.) suitable to the City.**

D. The density of a single-family residential subdivision shall be calculated based on the net buildable site prior to exclusion of open space per this Section.

1. Example: a 40,000 square foot net buildable site would be required to maintain 2,000 square feet (5%) of open space but would calculate density based on 40,000 square feet.

E. If a proposed residential subdivision contains or is adjacent to a site identified as "parks" on the Acquisition Map of the Parks Master Plan (2006) or has been identified for acquisition by the Sherwood Parks and Recreation Board, establishment of open space shall occur in the designated areas if the subdivision contains the park site, or immediately adjacent to the parks site if the subdivision is adjacent to it.

F. If the proposed residential subdivision does not contain or is not adjacent to a site identified on the Parks Master Plan map or otherwise identified for acquisition by the Parks and Recreation Board, the applicant may elect to convey off-site park/open space.

G. This standard does not apply to a residential partition provided that a development may not use phasing or series partitions to avoid the minimum open space requirement. A partition of land that was part of an approved partition within the previous five (5) years shall be required to provide the minimum five percent (5%) open space in accordance with subsection (A) above.

H. The value of the open space conveyed under Subsection (A) above may be eligible for Parks System Development Charges (SDCs) credits based on the methodology identified in the most current *Parks and Recreation System Development Charges Methodology Report.*

The site was brought into the city limits as a part of the Area 59 concept plan area. This plan established that there should be a fair amount of open space on this site by showing an undefined parks and open space zone. The applicant has honored the intent of the parks and open space zone by proposing Tract C and Tract D. Together these two tracts are about 10,088 square feet which is a little over 5%. The applicant is proposing to dedicate this land to the City of Sherwood.

FINDING: As discussed above, this standard can be met as conditioned below.

RECOMMENDED CONDITION: Prior to final plat approval, provide documentation, to be recorded with the plat, dedicating Tract C and D to the Homeowner's Association.

16.142.030.A Visual Corridors

A. Corridors Required

New developments with frontage on Highway 99W, or arterial or collector streets designated on the Transportation Plan Map, attached as Appendix C, or in Section 5 of the Community Development Plan Part 2, shall be required to establish a landscaped visual corridor according to the following standards:

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

In residential developments where fences are typically desired adjoining the above described major street the corridor may be placed in the road right-of-way between the property line and the sidewalk. (Ord. 2006-021)

B. Landscape Materials

The required visual corridor areas shall be planted as specified by the review authority to provide a continuous visual and/or acoustical buffer between major streets and developed uses. Except as provided for above, fences and walls shall not be substituted for landscaping within the visual corridor. Uniformly planted, drought resistant street trees and ground cover, as specified in Section 16.142.050, shall be planted in the corridor by the developer. The improvements shall be included in the subdivision compliance agreement. (Ord. 2006-021)

C. Establishment and Maintenance

Designated visual corridors shall be established as a portion of landscaping requirements pursuant to Chapter 16.92. To assure continuous maintenance of the visual corridors, the review authority may require that the development rights to the corridor areas be dedicated to the City or that restrictive covenants be recorded prior to the issuance of a building permit. (Ord. 2006-021)

D. Required Yard

Visual corridors may be established in required yards, except that where the required visual corridor width exceeds the required yard width, the visual corridor requirement shall take precedence. In no case shall buildings be sited or trees be removed from within the required visual corridor, with the exception of front porches on townhomes, as permitted in Section 16.44.010(E)(4)(c). (Ord. 2006-021)

The applicant has proposed a ten foot visual corridor along Edy road which provides a visual and acoustic buffer. In addition to the meandering sidewalk, the applicant has proposed Red Sunset Maple street trees and Kinnikinnick groundcover.

FINDING: This standard can be met as conditioned below.

RECOMMENDED CONDITION: Prior to issuance of building permits, consistent with the preliminary landscape plan, plant the visual corridor landscape materials to be maintained by the Homeowner's Association.

16.142.060. Street Trees

A. Installation of Street Trees on New or Redeveloped Property. Trees are required to be planted to the following specifications along public streets abutting or within any new development or re-development. Planting of such trees shall be a condition of development approval. The City shall be subject to the same standards for any developments involving City-owned property, or when constructing or reconstructing City streets.

After installing street trees, the property owner shall be responsible for maintaining the street trees on the owner's property or within the right-of-way adjacent to the owner's property.

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

The proposed tree plan shows eleven Red Sunset Maple trees along SW Edy Road and ten Little Leaf Linden trees along SW Rychlich Court. The SZCDC

requires that root barriers be installed around Red Sunset Maple trees which are planted as street trees. These trees have an anticipated mature canopy of 40 feet and the applicant has demonstrated how the trees can be spaced per their expected mature canopy. The applicant has also shown forty Cleveland Norway Maple trees with along SW Nursery Way. These trees have a mature canopy spread of 30 feet. The applicant has demonstrated that the trees can be spaced appropriately based on the expected mature canopy spread.

The code allows for the spacing of street trees to exceed the expected mature canopy of the street trees to accommodate driveways, street lights and other utilities when there are no other reasonable locations. As these lots develop, the street tree spacing may change. The final street tree spacing can be evaluated by the planning department prior to occupancy of each lot.

FINDING: The applicant has shown that the spacing requirement can be achieved. It is not clear if the spacing will be possible once driveways are installed during construction of the lots. This standard can be met as conditioned below.

RECOMMENDED CONDITION: Prior to occupancy, provide an updated street tree plan showing all of the street trees meeting the spacing requirement after determining the location of the driveways in the subdivision.

RECOMMENDED CONDITION: Prior to occupancy, plant the approved street trees with a minimum trunk diameter of two (2) caliper inches which is measured six inches above the soil line and a minimum of six feet tall.

RECOMMENDED CONDITION: Prior to occupancy, install a root barrier around all Red Sunset Maple trees which are planted as street trees.

16.142.070.D.2. - Trees on Property Subject to Certain Land Use Applications Required Tree Canopy - Residential Developments (Single Family Attached, Single Family Detached and Two – Family)

Each net development site shall provide a variety of trees to achieve a minimum total tree canopy of 40 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 canopy for each tree. The expected mature canopy is counted for each tree regardless of an overlap of multiple tree canopies.

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

The applicant is proposing to remove 278 trees, 163 of which are healthy, in order to accommodate the development and associated infrastructure. The applicant submitted a preliminary tree which shows a variety of trees to achieve a

40 percent tree canopy. The applicant has proposed 61 street trees including eleven Red Sunset Maple trees (40 foot canopy), ten Little Leaf Linden trees (40 foot canopy) and forty Cleveland Norway Maple trees (30 foot canopy).

The applicant is also proposing to retain a mix of coniferous and deciduous trees as outlined in the arborist's report which is a part of Exhibit A. The retained trees each count for double the expected mature canopy per tree. The total site area is 286,084 square feet. The net developable area is approximately 178,655 square feet; therefore, the proposal must provide a minimum of 71,462 square feet of canopy. The total expected tree canopy for the retained and proposed trees is 99,559 square feet. The mix of trees achieves a 56 percent canopy, which exceeds the 40 percent minimum canopy requirement.

FINDING: As discussed above, this standard is met.

16.156.020 – Energy Conservation

A. Building Orientation - The maximum number of buildings feasible shall receive sunlight sufficient for using solar energy systems for space, water or industrial process heating or cooling. Buildings and vegetation shall be sited with respect to each other and the topography of the site so that unobstructed sunlight reaches the south wall of the greatest possible number of buildings between the hours of 9:00 AM and 3:00 PM, Pacific Standard Time on December 21st.

B. Wind - The cooling effects of prevailing summer breezes and shading vegetation shall be accounted for in site design. The extent solar access to adjacent sites is not impaired vegetation shall be used to moderate prevailing winter wind on the site.
(Ord. 91-922 § 3)

FINDING: The proposed lots are all over 5,000 square feet. It appears that the orientation of the buildings and future vegetation will allow for energy conservation to the extent practical. This standard is met.

RECOMMENDATION

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 recommends **approval with conditions**.

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. Development and construction on the site shall conform substantially to the preliminary plat development plans submitted by AKS Engineering and dated 03/02/2012 except as modified in the conditions below, (and shall conform specifically to final construction plans reviewed and approved by the City Engineer, the Building Official, Clean Water Services, Tualatin

Valley Fire and Rescue, Tualatin Valley Water District and Washington County). All plans shall comply with the applicable building, planning, engineering and fire protection codes of the City of Sherwood.

3. The developer is responsible for all costs associated with any remaining public facility improvements and shall assure the construction of all public streets and utilities within and adjacent to the plat as required by these conditions of approval, to the plans, standards, and specifications of the City of Sherwood. The developer shall also provide to the City financial guarantees for construction of all public streets and utilities within and adjacent to the plat, as required by the engineering compliance agreement.

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.

6. Placement of construction trailers on the subject property shall require a Temporary Use Permit per Section 16.86 of the SZCDC.

7. 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.

8. Retaining walls within public easements or the public right-of-way shall require engineering approval. Retaining walls with a height of 4 feet or higher located on private property will require a permit from the building department.

9. Retaining walls great than four (4) feet in height shall have a geotechnical engineer provide stamped design calculations and details drawings required for retaining wall construction. The retaining wall details shall include at a minimum; wall profile, wall cross section at highest point of wall, wall reinforcing geotextile requirements, wall drainage system, and wall backfill requirements. Retaining wall drainage systems shall either discharge to a public storm drainage system, or discharge on-site in such a manner as to not negatively impact adjacent downslope properties.

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

1. Obtain Building Department permits and approval for erosion control and grading on private property and Engineering Department permits and approval for all grading in the public right of way.

2. 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.

3. Submit a tree protection plan showing how the trees to be retained will be protected throughout the construction of the site.

4. Install tree protection fencing around trees to be retained on site. The tree protection fencing shall be inspected and deemed appropriate by the arborist to be reviewed by the Planning Department.

5. Any existing wells, septic systems and underground storage tanks shall be abandoned in accordance with Oregon state law, inspected by the City Plumbing Inspector and provide verification of such to the City Engineer.

6. A demolition permit shall be obtained from the Sherwood Building Department prior to demolishing or moving any structures.

7. Submit a geotechnical report to the Building Department if required by the Building Official.

C. <u>Prior to approval of the public improvement plans:</u>

1. Submit engineering plans for all public improvements and/or connections to public utilities (water, sewer, storm water, and streets) **to the Sherwood Engineering Department.** The engineering plans shall conform to the design standards of the City of Sherwood's Engineering Department, Clean Water Services, Tualatin Valley Water District, Tualatin Valley Fire & Rescue and other applicable requirements and standards. The plans shall be in substantial conformance with the utility plans dated 03/02/2012 and prepared by AKS Engineering.

2. Submit to the Engineering Department for review and approval a final stormwater report meeting design standards of both the City of Sherwood and Clean Water Services.

3. Prior to public improvement plan approval, submit standard cross sections showing street design and pavement dimensions to the Engineering Department per the City of Sherwood Transportation System Plan, and City of Sherwood's Engineering Design Manual

4. Submit public improvement plans that demonstrate the placement of all existing and proposed utilities underground

5. All public easement dedication documents must be submitted to the City for review, signed by the City and the applicant, and recorded by the applicant with the original or a certified copy of the recorded easements on file at the City prior to release of the public improvement plans.

6. Submit the final plat for review to the Planning Department.

D. Prior to Approval of the Final Plat:

1. The submittal by the applicant for final plat review and approval shall include but not be limited to the following: a final plat application; final plat review fee; narrative identifying how the required conditions of approval have or will be met; three copies of the final plat; and any other materials required to demonstrate compliance with the conditions of approval.

2. The final plat shall show the following:
   a. The Community Development Director as the City's approving authority within the signature block of the final plat.
   b. A 15-foot wide public utility easement for any areas where a single public utility line is located outside a public right-of-way with an increase of five (5) feet for each additional utility line.
   c. Private access easements, utility easements and/or special use easements as required for the development of the site. A plat note shall reference an easement and maintenance agreement or similar document, to be recorded with the plat, for the joint maintenance of any common private utility lines, common driveway improvements, or other common amenity or perimeter fencing. The language of such plat note and associated document shall be reviewed and approved by the Planning Department.

3. Prior to final plat approval, the applicant shall provide the City a set of engineered construction plans that demonstrate compliance with the TVFR district standards for fire protection.

4. Prior to final plat approval, provide documentation, to be recorded with the plat, dedicating Tract C and D to the City of Sherwood.
5. Submit verification of perpetual maintenance of the landscaped visual corridor.
6. Submit revised plans that provide adequate turning radius, hydrant location, fire flow, and adherance in compliance with TVF&R standards as verified by an acceptance letter from TVF&R.

7. The public improvement plans must be approved and bonded for prior to the City's approval of the final plat.
8. Satisfy the conditions of the comments submitted by Washington County dated May 29, 2012.

E. Prior to Issuance of a Building Permit:

1. Prior to issuance of any building permits, the public improvements must be complete and accepted by the City Engineer, and the final plat(s) must be

recorded. An approval letter from the Engineering Department, accepting all public improvements, shall be issued prior to issuance of building permits.

2. Prior to issuance of building permits, all public and private utilities shall be underground unless the utility provider has determined that the lines are too large to place underground.

3. Prior to issuance of building permits, install a sign (at the applicant's expense), notifying the public of the intent to construct the future street extension of SW Nursery Way. The sign shall read as follows: "This road will be extended with future development. For more information contact the City of Sherwood at 503-625-4202."

4. Prior to issuance of building permits, consistent with the preliminary landscape plan, plant the visual corridor landscape materials.

F. Prior to Final Occupancy of the Subdivision:

1. All public improvements shall be competed, inspected and approved, as applicable, by the City, CWS, TVF & R, TVWD and other applicable agencies.
2. Prior to occupancy, provide an updated street tree plan showing all of the street trees meeting the spacing requirement after determining the location of the driveways in the subdivision.

3. Prior to occupancy, plant the approved street trees with a minimum trunk diameter of two (2) caliper inches which is measured six inches above the soil line and a minimum of six feet tall.

4. Prior to occupancy, install a root barrier around all Red Sunset Maple trees which are planted as street trees.

G. On-going Conditions

1. Joint mailbox facilities shall be installed prior to the City signing the Letter of Acceptance for the development. Joint mailbox facilities must be installed per U.S. Postal Service's "*Developers' Guide to Centralized Box Units*". The Developer shall provide a signed copy of the U.S. Postal Services "*Mode of Delivery Agreement*". Submittal of this agreement shall be required prior to a pre-construction meeting taking place.

2. The developer shall coordinate location of garbage and recycling receptacles with Pride Disposal.

3. The continual operation of the property shall comply with the applicable requirements of the Sherwood Zoning and Community Development Code.

4. Comply with the Clean Water Services Service Provider Letter throughout the development of the site.

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

6. 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.

7. All construction sites shall be maintained in a clean and sanitary condition at all times. Construction debris, including food and drink waste, shall be restricted from leaving the construction site through proper disposal containers or construction fencing enclosures. Failure to comply with this condition may result in a "Stop Work" order until deficiencies have been corrected to the satisfaction of the Community Development

VII. Exhibits

A. Applicant's submittal with narrative and supporting documents dated
B. Applicant revisions dated May 31, 2012
C. Letter from TVF&R dated May 8, 2012
D. Letter from CWS dated June 15, 2012
E. Engineering comments dated June 15, 2012 regarding a revised traffic study.
F. Comments from Washington County DLUT dated May 29, 2012.
G. Area 59 Elementary and Middle School discussion regarding IP zone interpretation

Exhibit A

The applicant's submitted materials are available to be viewed at City Hall 22560 SW Pine Street, Sherwood, Oregon 97140 or on the City's website at www.sherwoodoregon.gov/renaissance-rychlick-farm

Exhibit B

The applicant's revised submitted materials are available to be viewed at City Hall 22560 SW Pine Street, Sherwood, Oregon 97140 or on the City's website at www.sherwoodoregon.gov/renaissance-rychlick-farm

Tualatin Valley Fire & Rescue

May 8,2012

Renaissance Development
16771 Boones Ferry Rd
Lake Oswego, OR 97035

Re: Renaissance at Rychlick Farm

Thank you for the opportunity to review the proposed site plan surrounding the above named development project. Tualatin Valley Fire & Rescue endorses this proposal predicated on the following criteria and conditions of approval:

1) **DEAD END ROADS:** Dead end fire apparatus access roads in excess of 150 feet in length shall be provided with an approved turnaround. (OFC 503.2.5) ***The cul-de-sac shown meets the criteria for an approved turn around. Note: Parking will not be allowed with in the turn around area. Appropriate signage must be in place and the No Parking rule ensured to be enforced.***

2) **FIRE APPARATUS ACCESS ROAD EXCEPTION FOR AUTOMATIC SPRINKLER PROTECTION:** When buildings are completely protected with an approved automatic fire sprinkler system, the requirements for fire apparatus access may be modified as approved by the fire code official. (OFC 503.1.1) ***Note: If residential fire sprinklers are elected as an alternate means of protection and the system will be supported by a municipal water supply, please contact the local water purveyor for information surrounding water meter sizing.***

3) **ADDITIONAL ACCESS ROADS – COMMERCIAL:** Where buildings exceed 30 feet in height or three stories in height shall have at least two separate means of fire apparatus access. Buildings or facilities having a gross area of more than 62,000 square feet shall be provided with at least two separate means of fire apparatus access. Buildings up to 124,000 square feet provided with fire sprinklers may have a single access. (OFC D104) ***Building elevations are not provided at this stage in the project. The above information is provided as an advisory for future development.***

4) **ADDITIONAL ACCESS ROADS – ONE-OR TWO-FAMILY RESIDENTIAL:** Where there are more than 30 one- or two-family dwelling units, not less than two separate approved means of access shall be provided. Where there are more than 30 dwelling units and all are protected by approved residential sprinkler systems, a single access will be allowed. (OFC D107) ***26 lots are proposed. This information is provided as an advisory for future development.***

5) **AERIAL FIRE APPARATUS ACCESS:** Buildings or portions of buildings or facilities exceeding 30 feet in height above the lowest level of fire department vehicle access shall be provided with approved fire apparatus access roads capable of accommodating fire department aerial apparatus. Overhead utility and power lines shall not be located within the aerial fire apparatus access roadway. Fire apparatus access roads shall have a minimum unobstructed width of 26 feet in the immediate vicinity of any building or portion of building more than 30 feet in height. At least one of the required access routes meeting this condition shall be located within a minimum of 15 feet and a maximum of 30 feet from the building, and shall be positioned parallel to one entire side of the building. (OFC D105) ***Building elevations are not provided at this stage in the project. The above information is provided as an advisory for future development***

6) **FIRE APPARATUS ACCESS ROAD WIDTH AND VERTICAL CLEARANCE:** Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (12 feet for up to two dwelling units and accessory buildings), and an unobstructed vertical clearance of not less than 13 feet 6 inches. Where fire apparatus roadways are less than 26 feet wide, "NO PARKING" signs shall be installed on both sides of the roadway and in turnarounds as needed. Where fire apparatus roadways are more than 28 feet wide but less than 32 feet wide, "NO PARKING" signs shall be installed on one side of the roadway and in turnarounds as

Exhibit C

needed. Where fire apparatus roadways are 32 feet wide or more, parking is not restricted. (OFC 503.2.) ***The fire district does not endorse the design concept wherein twenty feet of unobstructed roadway width is not provided.***

7) **FIRE APPARATUS ACCESS ROADS WITH FIRE HYDRANTS:** Where a fire hydrant is located on a fire apparatus access road, the minimum road width shall be 26 feet. (OFC D103.1)

8) **TURNOUTS:** When any fire apparatus access road exceeds 400 feet in length, turnouts 10 feet wide and 30 feet long shall be provided in addition to the required road width and shall be placed no more than 400 feet apart, unless otherwise approved by the fire code official. These distances may be adjusted based on visibility and light distances. (OFC 503.2.2) ***At the point near 400 feet from Edy Rd is near the cul-de-sac/turn around. An additional turn out will not need to be provided.***

9) **NO PARKING SIGNS:** Where fire apparatus roadways are not of sufficient width to accommodate parked vehicles and 20 feet of unobstructed driving surface, "No Parking" signs shall be installed on one or both sides of the roadway and in turnarounds as needed. Roads 26 feet wide or less shall be posted on both sides as a fire lane. Roads more than 26 feet wide to 32 feet wide shall be posted on one side as a fire lane. Signs shall read "NO PARKING - FIRE LANE" and shall be installed with a clear space above grade level of 7 feet. Signs shall be 12 inches wide by 18 inches high and shall have red letters on a white reflective background. (OFC D103.6)

10) **SURFACE AND LOAD CAPACITIES:** Fire apparatus access roads shall be of an all-weather surface that is easily distinguishable from the surrounding area and is capable of supporting not less than 12,500 pounds point load (wheel load) and 60,000 pounds live load (gross vehicle weight). You may need to provide documentation from a registered engineer that the design will be capable of supporting such loading. (OFC D102.1)

11) **TURNING RADIUS:** The inside turning radius and outside turning radius shall be not less than 28 feet and 48 feet respectively, measured from the same center point. (OFC 503.2.4 & 103.3) ***Turning radius shown meet requirements***.

12) **PAINTED CURBS:** Where required, fire apparatus access roadway curbs shall be painted red and marked "NO PARKING FIRE LANE" at approved intervals. Lettering shall have a stroke of not less than one inch wide by six inches high. Lettering shall be white on red background. (OFC 503.3)

13) **SINGLE FAMILY DWELLINGS - REQUIRED FIRE FLOW:** The minimum available fire flow for single family dwellings and duplexes served by a municipal water supply shall be 1,000 gallons per minute. If the structure(s) is (are) 3,600 square feet or larger, the required fire flow shall be determined according to IFC Appendix B. (OFC B105.2) ***Prior to issuance of a building permit, provide evidence of a current fire flow test of the nearest fire hydrant demonstrating available flow at 20 PSI residual pressure.***

14) **FIRE HYDRANTS – ONE- AND TWO-FAMILY DWELLINGS & ACCESSORY STRUCTURES:** Where a portion of a structure is more than 600 feet from a hydrant on a fire apparatus access road, as measured in an approved route around the exterior of the structure(s), on-site fire hydrants and mains shall be provided. (OFC 507.5.1) ***Fire hydrants as shown meets minimum requirements.***

15) **FIRE HYDRANT NUMBER AND DISTRIBUTION:** The minimum number and distribution of fire hydrants available to a building shall not be less than that listed in Appendix C, Table C 105.1. ***Fire hydrants as shown meet minimum requirements.***

16) **REFLECTIVE HYDRANT MARKERS:** Fire hydrant locations shall be identified by the installation of reflective markers. The markers shall be blue. They shall be located adjacent and to the side of the centerline of the access road way that the fire hydrant is located on. In case that there is no center line, then assume a centerline, and place the reflectors accordingly. (OFC 510.1)

17) **PHYSICAL PROTECTION:** Where fire hydrants are subject to impact by a motor vehicle, guard posts, bollards or other approved means of protection shall be provided. (OFC 507.5.6)

18) **CLEAR SPACE AROUND FIRE HYDRANTS:** A 3 foot clear space shall be provided around the circumference of fire hydrants. (OFC 507.5.5)

19) **ACCESS AND FIRE FIGHTING WATER SUPPLY DURING CONSTRUCTION:** Approved fire apparatus access roadways and fire fighting water supplies shall be installed and operational prior to any combustible construction or storage of combustible materials on the site. (OFC 1410.1 & 1412.1)

20) **PREMISES IDENTIFICATION:** Buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road

fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet numbers. Numbers shall be a minimum of 4 inches high with a ½ inch stroke. (OFC 505.1)

If you have questions or need further clarification, please feel free to contact me at 503-259-1500.

Sincerely,

John Wolff

John Wolff
Deputy Fire Marshal II

Copy:

Clean Water Services

MEMORANDUM

Date: June 15, 2012

To: Brad Kilby, Senior Planner, City of Sherwood

From: Jackie Sue Humphreys, Clean Water Services (the District)

Subject: Renaissance at Rychlick Farm, SUB 12-01PA, 2S130CA00100

Please include the following comments when writing your conditions of approval:

PRIOR TO ANY WORK ON THE SITE AND PLAT RECORDING

A Clean Water Services (the District) Storm Water Connection Permit Authorization must be obtained prior to plat approval and recordation. Application for the District's Permit Authorization must be in accordance with the requirements of the Design and Construction Standards, Resolution and Order No. 07-20, (or current R&O in effect at time of Engineering plan submittal), and is to include:

a. Detailed plans prepared in accordance with Chapter 2, Section 2.04.2.b-l.

b. Detailed grading and erosion control plan. An Erosion Control Permit will be required. Area of Disturbance must be clearly identified on submitted construction plans. If site area and any offsite improvements required for this development exceed one-acre of disturbance, project will require a 1200-CN Erosion Control Permit. If site area and any offsite improvements required for this development exceed five-acres of disturbance, project will require a 1200-C Erosion Control Permit.

c. Detailed plans showing each lot within the development having direct access by gravity to public storm and sanitary sewer.

d. Provisions for water quality in accordance with the requirements of the above named design standards. Water Quality is required for all new development and redevelopment areas per R&O 07-20, Section 4.05.5, Table 4-1. Access shall be provided for maintenance of facility per R&O 07-20, Section 4.02.4.

Exhibit D

2550 SW Hillsboro Highway • Hillsboro, Oregon 97123
Phone: (503) 681-3600 • Fax: (503) 681-3603 • cleanwaterservices.org

e. If use of an existing offsite or regional Water Quality Facility is proposed, it must be clearly identified on plans, showing its location, condition, capacity to treat this site and, any additional improvements and/or upgrades that may be needed to utilize that facility.

f. If private lot LIDA systems proposed, must comply with the current CWS Design and Construction Standards. A private maintenance agreement, for the proposed private lot LIDA systems, needs to be provided to the City for review and acceptance.

g. Show all existing and proposed easements on plans. Any required storm sewer, sanitary sewer, and water quality related easements must be granted to the City.

h. Site contains a "Sensitive Area." Applicant shall comply with the conditions as set forth in the Service Provider Letter No. 12-000392, dated March 29, 2012.

i. Developer may be required to preserve a corridor separating the sensitive area from the impact of development. The corridor must be set aside in a separate tract, not part of any buildable lot and, shall be subject to a "Storm Sewer, Surface Water, Drainage and Detention Easement over its entirety", or its equivalent.

j. Detailed plans showing the sensitive area and corridor delineated, along with restoration and enhancement of the corridor.

k. Provide DSL and Corps of Engineers permits for any work in the wetlands or creek prior to any on site work, including grading and erosion control. Include permit number on cover sheet of plans or provide concurrence with the delineation.

l. Any proposed offsite construction activities will require an update or amendment to the current Service Provider Letter for this project.

CONCLUSION

This Land Use Review does not constitute the District's approval of storm or sanitary sewer compliance to the NPDES permit held by the District. The District, prior to issuance of any connection permits, must approve final construction plans and drainage calculations.

Engineering Department
Land Use Application
Final Review Comments

City of Sherwood Oregon

To:	Brad Kilby, Senior Planner
From:	Jason Waters, Civil Engineer
Project:	SUB 12-01 Renaissance at Rychlick Farm
Date:	June 8, 2012

Engineering staff has reviewed the information provided for the above cited project. 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. City of Sherwood Engineering Department comments are as follows:

- SW Rychlick Court and SW Nursery Way are 28' standard residential streets per the 2005 TSP and shall match the cross sections depicted in the preliminary subdivision plans dated March 2, 2012 (sheet 10).
- An 8' Public Utility Easement (PUE) shall be established along each side of SW Rychlick Court and Nursery Way per the March 2, 2012 plans.
- SW Edy Road is within the jurisdiction of Washington County and all final design plans and construction activity shall be approved by the County Department of Land Use and Transportation (DLUT). It is the City Engineering Department's understanding that the SW Edy Road cross section shown in the March 2, 2012 plans matches the road section that the City had discuss and tentatively approved with the County, which was documented in an email from Jason Waters to Bob Galati, dated February 16, 2012 (attached).
- A Washington County facilities or right-of-way permit shall be required for any work within the SW Edy Road right-of-way. An Engineering Compliance Agreement is required for all on-site work outside of the Edy Road ROW.
- In addition to the cross section approved by the County for SW Edy Road, the City will require a 7' PUE along the front property line of Tract 'C' and a small portion of Tract 'B', which is depicted on the March 2, 2012 preliminary subdivision plans.
- Prior to submitting initial construction plans to the Engineering Department, the applicant shall provide a revised Traffic Impact Analysis that addresses comments provided by the City traffic engineer (DKS Associates) in their May 4th, 2012 memorandum (attached).
- The applicant shall be responsible for reimbursing the City for "No Parking" signs that are required on one side of the 28' neighborhood street.
- All sanitary, storm and water quality/quantity structures shall meet the standards of Clean Water Services (CWS) and the City of Sherwood.
- Sensitive lands (wetland waterways and vegetated corridors) shall meet the standards of CWS and the requirements of the Service Provider Letter (SPL).
- All water infrastructure shall meet the standards of the City of Sherwood and be reviewed and approved by the Sherwood Water Department (Public Works Department) prior to issuance of an Engineering Compliance Agreement.

- Initial construction plans submitted to the Engineering Department shall show access to the water quality facility on Tract 'A' that meets CWS requirements. Preliminary plans dated March 2, 2012 do not show how the WQF will be accessed by maintenance crews.
- All existing and proposed utilities shall be placed underground.
- 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. In addition, an approved grading and erosion control plan is required in order to obtain a Storm Water Connection Permit from Clean Water Services (SWCP).
- All easement (public or private) associated with the development shall be recorded with the County prior to the release of the public improvement plans and transfer to a 2-year maintenance bond.
- Sherwood Resolution 2008-011 and SMC 13.24.100 require the property owner to pay an equitable share of sanitary improvements benefiting the site prior to development of the property.

End of Engineering Land Use Review Comments

DKS

MEMORANDUM

DATE: May 4, 2012

TO: Bob Galati, City of Sherwood
Jason Waters, City of Sherwood

FROM: Chris Maciejewski, P.E., P.T.O.E.
Garth Appanaitis, EIT

SUBJECT: **Sherwood Transportation On-Call Task 6**
Rychlick Farm Subdivision – TIS/TPR Completeness Review 11117-006

Per your request of April 28, 2012, we have reviewed the materials[1] provided for the proposed 26-lot subdivision for the property located at 17806 SW Edy Road. The property, located on the south side of Edy Road, is also within the northeast corner of Area 59. This review focused on determining if the Transportation Impact Study (TIS) and the materials provided to address the Transportation Planning Rule (TPR) are complete. Based on our review, additional materials are required and the analysis is not complete at this time.

Background

The City of Sherwood provided scoping comments for the TIS[2], and noted that a traffic impact statement may be required by Washington County. In addition, the City of Sherwood Transportation System Plan (TSP) includes general requirements for TIS.

TPR (Zone Change) Analysis

The provided analysis indicates that the proposed zone change would reduce the trip potential for the site. Land use and trip generation assumptions are provided. No additional analysis is required for TPR completeness.

[1] Technical Memorandum: 17806 SW Edy Road – Sherwood (Renaissance at Rychlick Farm) Transportation Impact Study, prepared by Lancaster Engineering, March 9, 2012.
[2] Email from Jason Waters, City of Sherwood, February 28, 2012.

720 SW Washington Street
Suite 500
Portland, OR 97205

(503) 243-3500
(503) 243-1934 fax
www.dksassociates.com

TIS Analysis

The following additional components and/or clarifications are required before the analysis can be deemed complete:

- Page 5 - A 2% background growth rate was assumed "based on regional traffic trends". Cite the source of these trends.
- Page 6 – Edy Road/Borchers Drive was indicated as a study intersection. Provide functional class (and agency of jurisdiction) for Borchers Drive in discussion of study area facilities. Note that our understanding is that the study intersection of SW Edy Road/SW Borchers Drive is under the jurisdiction of ODOT and therefore Oregon Highway Plan mobility standards would apply.
- Page 7 – The Capacity and Level of Service Summary table indicates that the intersection of Edy Road/Nursery Way was analyzed for 2013 rather than the previously stated 2014. Confirm the year of analysis.
- Page 7 – If the addition of site traffic causes intersection operations to not meet mobility standards or further degrade in cases that would not meet mobility standards with the addition of background traffic growth, potential mitigation needs to be evaluated. The analysis of such potential improvements may also consider the proportional share of the improvement that would be the responsibility of the site.
- Page 8 – Document the methodology used to estimate vehicle queue length. For intersections under ODOT jurisdiction, an analysis methodology consistent with the Analysis Procedures Manual should be used.
- Page 8 – Sight distance measurements, as well as the required distances based on facility characteristics, should both be provided in the TIA.
- Page 9 – Note that observed pedestrian activity in the area was potentially influenced by both time of day (5PM to 6:30 PM) and season/weather. Other times/seasons may potentially have higher pedestrian activity, especially considering the proximity to local schools. Provide additional information regarding pedestrian safety, including:
    - In general, describe how pedestrians from the site will connect to surrounding pedestrian facilities and potential destinations (including transit access).
    - Describe the route used by pedestrians between the proposed site and the nearby schools. This would include identifying gaps in sidewalks or other pedestrian facilities that should be filled to provide safe walking routes to school.
    - If street crossings are required, describe the location and potential treatment (if any) required for a safe crossing.
    - The potential for increased pedestrian/bicycle activity with the development of the proposed site should be considered when considering improvements such as a marked crosswalk.
- Page 9 – Safety within the influence area (including, but not limited to crash history analysis), should be considered for all modes.

While not specifically listed in the original scoping request, the following items would be helpful in determining the safety for all modes throughout the study area:

- Study intersection queuing (95th-percentile) for all movements, as well as available storage.
- Describe bicycle safety in a similar context to the information requested above for pedestrian safety and routes.

If you have any questions, please feel free to call.

Bob Galati

From: Jason Waters
Sent: Thursday, February 16, 2012 10:33 AM
To: Bob Galati
Cc: Bradley Kilby
Subject: FW: City of Sherwood/Edy Road Subdivision by Renaissance/Pre-App Follow Up
Attachments: 1_County TSP Cross Section_Urban Collector_MODIFIED.pdf; 2_Edy Road_Existing Half Street Improvements_Millers Landing.pdf

Bob,

The County has confirmed that they will support modifying their Urban Collector cross section from a 4' wide to a 4.5' wide planter strip and a 5' wide to a 6' wide sidewalk. See attached pdf (1_County...) for the changes to their TSP exhibit. This cross section will be required only along the lot 27 frontage.

The rest of the developed frontage should match the existing Miller's Landing half street improvements. See attached pdf (2_Edy Road...) for an exhibit of that cross section.

Question: should we obtain a PUE, if so, how wide and where? **My suggestion is to NOT obtain a PUE for the Miller's Landing cross section because there will be an extra 10.5' of ROW between back of walk and the property line, and YES to obtain a 7' wide PUE in front of lot 27 because only 1' of ROW exists between back of walk and the property line.**

Let me know if you agree or disagree and your preference. Once we have a decision on the PUE, Brad can document the ½ street cross sections that will be required.

Thanks,
Jason

Jason Waters
City of Sherwood
503-925-2304
watersj@sherwoodoregon.gov

From: Naomi Vogel [mailto:Naomi_Vogel@co.washington.or.us]
Sent: Thursday, February 16, 2012 8:09 AM
To: Jason Waters
Subject: RE: City of Sherwood/Edy Road Subdivision by Renaissance/Pre-App Follow Up

Jason

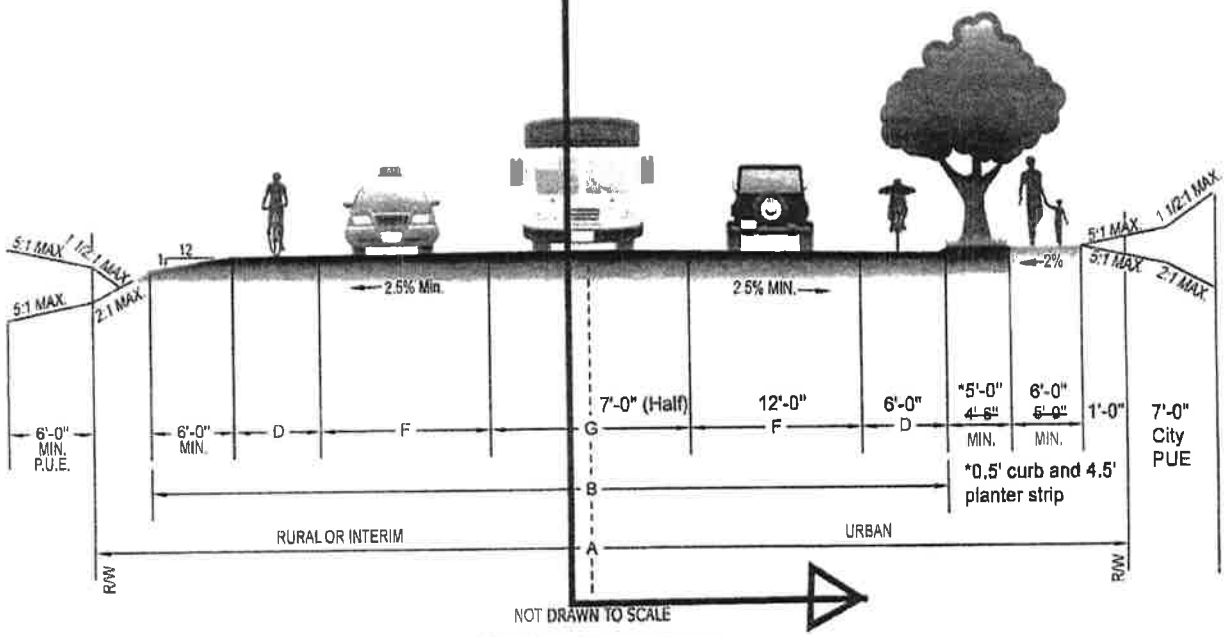
Per our discussion, the County agrees to condition the subject site as indicated below (4.5' landscape strip/6' sidewalk).

Thank you

Naomi

Edy Road Subdivision, February 2012

Collector Road Section



DESIGN SPEED 35 MILES PER HOUR

Road Classification	Washington County Designation	Right of Way (Feet)	Paved Width (Feet)	Number of Lanes	Bike Lane/ Paved Shoulder	Travel Lane	Center Turn Lane	Parking Allowed
Collectors		A	B		D	F	G	
	C-1	74	50	3	6	12	14	NONE
	C-2	--	36 *‡	2	6	12	0	NONE

*GRAVEL SHOULDERS AND DITCHES ALLOWED FOR THESE WIDTHS ONLY. STANDARD INTERIM SECTION
** USE ULTIMATE R/W FOR PAVED WIDTH IDENTIFIED IN THE TRANSPORTATION PLAN, IF NOT KNOWN USE 74 FOOT R/W, IN RURAL AREAS 60' OF RIGHT OF WAY IS REQUIRED.
‡ P.U.E.'S REQUIRED OUTSIDE OF R/W IF SHOULDERS AND DITCHES ARE USED.

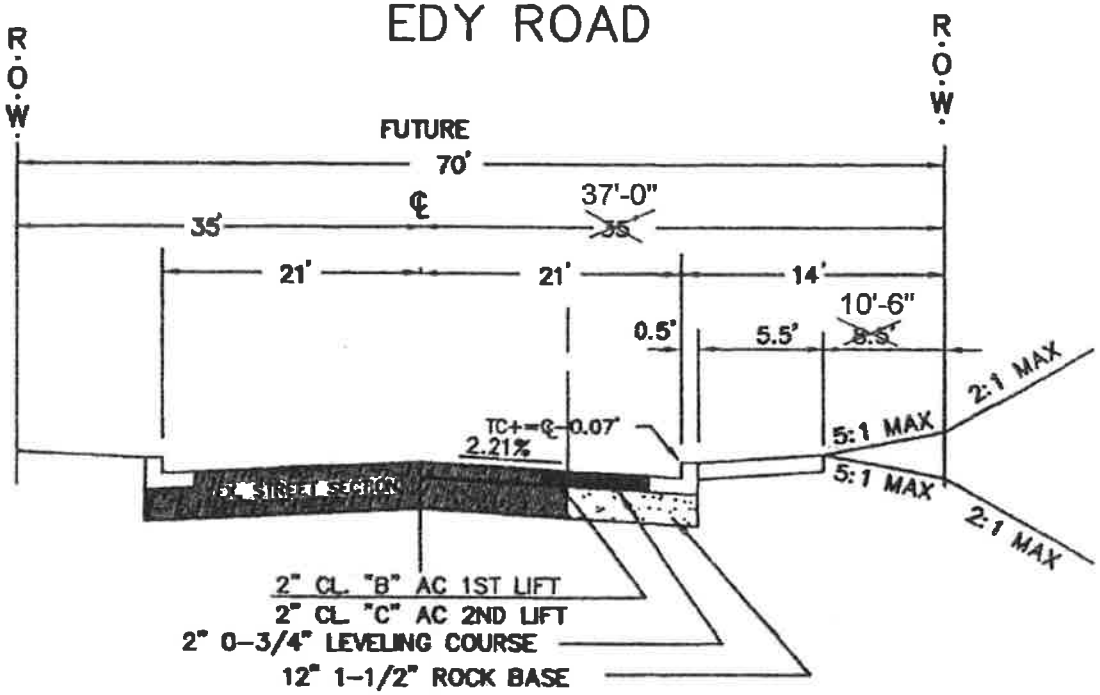
The applied "Washington County Designation" is determined by the county's transportation plan and the land use decision.
See Appendices C and D for maps of County collector roads.

Collector Road Section

Washington County Exhibit#: 2

Effective Date:

Washington County
Department of Land Use
& Transportation
Engineering Section



STA 18+21.22 – 26+46.11
STREET SECTION (STREET WIDENING)

NOT TO SCALE

EXISTING MILLERS LANDING CROSS SECTION

WASHINGTON COUNTY, OREGON
Department of Land Use and Transportation, Operations & Maintenance Division
1400 SW Walnut Street, MS 51, Hillsboro, Oregon 97123-5625
(503) 846-7623 · FAX: (503) 846-7620

May 29, 2012

Brad Kilby
City of Sherwood
Planning Department
22560 SW Pine Street
Sherwood, OR 97140
No. of pages: 6

RE: **Renaissance @ Rychlick Farm Subdivision**
City File Number: **SUB 12-01/PA 12-02**
Tax Map and Lot Number: **2S1 30CA 100**
Location: **17806 SW Edy Road**

Washington County Department of Land Use and Transportation has reviewed this development application and submits the following comments and required conditions for access to SW Edy Road, a County-maintained Collector (2-3 lanes).

NOTE: A pre-existing driveway which is part of a redeveloping site is subject to County review and conditions for access approval.

BACKGROUNDS/COMMENTS

The applicant is proposing a twenty-six (26) lot subdivision with access to SW Edy Road via a new public street, SW Nursery Way.

1. The minimum access spacing standard for SW Edy Road is **100** feet, measured between access points on each side of the road as required by Resolution and Order 86-95 (R&O 86-95) and Section 501-8.5.B of the Community Development Code.

The proposed new public street connection to SW Edy Road meets the spacing standard required for access to a Collector. To implement the County's access-spacing standards, the applicant will be required to record a motor vehicle access restriction along the subject site's frontage on SW Edy Road.

2. Resolution and Order 86-95 requires a minimum sight distance (measured in feet) equal to ten times the vehicular speed of the road(s) at proposed access location(s). This requirement applies to sight distance in both directions at each access.

Before the County will permit access to SW Edy Road, the applicant will be required to provide certification from a registered professional engineer that adequate sight distance exists in both directions (or can be obtained pursuant to specific improvements and/or easements).

3. Consistent with statewide pedestrian circulation/linkage goals of the Transportation Planning Rule and the County's R&O 86-95 (road safety requirements), the County normally requires sidewalk installation as a minimum road safety improvement along site frontage of all County-maintained roads. Sidewalks further establish future street profiles, demarcate County or City right-of-way, and address drainage issues. Sidewalk requirements are not generally waived, even when sidewalk is not currently present on neighboring properties. Rather, even non-contiguous sidewalk is considered to provide some measure of pedestrian refuge and ideally, makes possible eventual connection of sidewalks (as surrounding development takes place and is likewise conditioned to provide sidewalk). Additionally, the Washington County Road Design and Construction Standards require provision of adequate drainage along a site's frontage of a county road.

Construction of a half-street is required along the subject site's frontage of SW Edy Road. The half-street shall be constructed as indicated in the attached email dated February 1, 2012.

Note: *For half street improvements, an applicant shall provide street lighting consistent with County engineering standards and procedures and the requirements of the electrical utility company providing service to the area. The applicant shall ensure the construction, maintenance and power costs of street light facilities through the annexation and petition for service to an existing County service district for lighting or other funding method approved by the County Engineer.*

4. The statewide Transportation Planning Rule requires provision for adequate transportation facilities in order for development to occur. Accordingly, the County has classified roads and road segments within the County system based upon their function. The current Transportation Plan (regularly updated) contains adequate right-of-way, road width and lane provision standards based upon each roadway's classification. Subject right of way is considered deficient if half-width of the existing right of way does not meet that determined necessary within the County's current transportation plan.

The applicant is required to dedicate additional right-of-way along the subject site's frontage of SW Edy Road. The applicant shall dedicate a minimum of 37 feet from the centerline of SW Edy Road.

Note: *All private signage and improvements are required to be located outside of the dedicated ROW.*

5. ILLUMINATION- Resolution and Order No. 86-95 requires access points on collectors and arterials to be adequately illuminated. A public street light must be installed at a proposed access to a County-maintained Collector/Arterial if adequate illumination does not currently exist (as determined by the County Engineering Division).

   To meet this requirement, a public street light is required to be installed at the proposed access to SW Edy Road. Staff notes additional illumination to County standards may be required with construction of the half-street improvement along the subject site's frontage of SW Edy Road.

REQUIRED CONDITIONS OF APPROVAL

IMPORTANT:

Road improvements required along site frontage shall apply to frontage of all land within the subject site that abuts the County roadway. ***The subject site shall be considered to include:*** *any lot or parcel to be partitioned or otherwise subdivided (regardless of whether it contains existing structures or not);* ***and*** *any contiguous lots or parcels that constitute phases of the currently proposed development.*

If the applicant proposes to develop the project in phases, all County-required frontage improvements must be constructed with the first phase. In addition, off-site improvements ***warranted by*** *the first phase must also be completed with the first phase.*

Refer to the following link to access Washington County Road Design and Construction Standards:

http://www.co.washington.or.us/LUT/Divisions/Engineering/ConsultantResources/road-design-standards.cfm

I. PRIOR TO ISSUANCE OF A GRADING PERMIT/BUILDING PERMIT OR FINAL APPROVAL OF THE SUBDIVISION PLAT BY THE CITY OF SHERWOOD:

A. Submit to Operations Division, Project Planner [Naomi Vogel, 846-7639], a copy of the subdivision plat for review. The following shall be represented on the plat and recorded with the Washington County Survey Division:

   1. Dedication of additional right-of-way to provide **37** feet from centerline of SW Edy Road, including any public easements (if required).

   2. Provision of a non-access reservation along the subject site's frontage of SW Edy Road.

B. Submit to **Washington County** Public Assurance Staff, 503-846-3843:

   1. Completed "Design Option" form.

   2. **$5,000.00** Administration Deposit.

NOTE: The Administration Deposit is a cost-recovery account used to pay for County services provided to the developer, including plan review and approval, field inspections, as-built approval, and project administration. The Administration Deposit amount noted above is an estimate of what it will cost to provide these services. If, during the course of the project, the Administration Deposit account is running low, additional funds will be requested to cover the estimated time left on the project (at then-current rates per the adopted Washington County Fee Schedule). If there are any unspent funds at project close out, they will be refunded to the applicant. Any point of contact with County staff can be a chargeable cost. If project plans are not complete or do not comply with County standards and codes, costs will be higher. There is a charge to cover the cost of every field inspection. Costs for enforcement actions will also be charged to the applicant.

3. A copy of the City's Land Use Approval with Conditions, signed and dated.

4. Preliminary certification of adequate sight distance for the public street access to SW Edy Road, in accordance with County Code, prepared and stamped by a registered professional engineer, as well as:

   a. A detailed list of improvements necessary to produce adequate intersection sight distance and easements, if required.

http://www.co.washington.or.us/LUT/Divisions/CurrentPlanning/development-application-forms.cfm

5. Three (3) sets of complete engineering plans for construction of the following public improvements:

   a. Half-street improvement as indicated in the attached email dated February 1, 2012 (Option "2") along the subject site's frontage of SW Edy Road.

   b. Access to SW Edy Road to County standards.

   c. Improvements within the right-of-way as necessary to provide adequate intersection sight distance at SW Edy Road access point, if required.

   d. Closure of all existing driveways to SW Edy Road, other than at the access point approved by Washington County under the current land use application.

   e. Adequate illumination at the site's access to SW Edy Road.

      Note: Adequate illumination shall consist of at least one 200-watt high-pressure sodium cobra head luminaire mounted at a minimum mounting height of 20 feet, on existing utility poles if available. The fixture shall have a medium full-cutoff Type III distribution. The pole shall be within the area defined by the radius returns of the intersection. The fixture shall be oriented at 90 degrees to centerline of the arterial road. If no existing utility poles are available within the intersection area as defined by the radius returns, the developer shall meet the requirements of the Department of Land Use and Transportation Roadway Illumination Standards, latest revision. Illumination within the prescribed intersection area shall be a minimum of 1.5 times the required illumination level

of the roadway classification at the access. The County Traffic Engineer may require illumination in addition to the above-stated minimums.

C. **Obtain** a Washington County **Facility Permit** upon completion of the following:

1. Obtain Engineering Division approval and provide a financial assurance for the construction of the public improvements listed in conditions **I.B.5.**

NOTE: The Public Assurance staff (503-846-3843) will send the required forms to the applicant's representative **after** submittal and approval of items listed under **I.B.**

The Facility Permit *allows construction work within County rights-of-way and permits site access only after the developer first submits plans and obtains Washington County Engineering approval, obtains required grading and erosion control permits, and satisfies various other requirements of Washington County's Assurances Section including but not limited to execution of financial and contractual agreements. This process ensures that the developer accepts responsibility for construction of public improvements, and that improvements are closely monitored, inspected, and built to standard in a timely manner.* ***Access will only be permitted under the required Washington County Facility Permit, and only following submittal and County acceptance of all materials required under the facility permit process.***

II. PRIOR TO ISSUANCE OF FINAL OCCUPANCY OF ANY DWELLING UNIT:

Obtain a **Finaled** Washington County **Facility Permit**, contingent upon the following:

A. The road improvements required in condition **I.B.5.** above shall be completed and accepted by Washington County.

B. Upon completion of necessary improvements, submit **final** certification of adequate sight distance in accordance with County Code, prepared and stamped by a registered professional engineer.

Note: The property owner shall continuously maintain adequate sight distance. This may require the property owner to periodically remove obstructing vegetation from the road right-of-way (and on site).

Requirements identified within this letter are considered by the County to be minimum warranted improvements (and/or analyses) that are necessitated by the proposed development, therefore it is requested that they be conveyed to the applicant within the City's Approval document. Please send a copy of the subsequent Final City Notice of Decision and any appeal information to the County. Thank you for the opportunity to comment. Should you have any questions, please contact me at 503-846-7639.

Naomi Vogel
Associate Planner

From: Jason Waters
Sent: Wednesday, February 01, 2012 3:31 PM
To: 'Naomi Vogel'
Subject: RE: City of Sherwood/Edy Road Subdivision by Renaissance/Pre-App Follow Up

Hi Naomi,

I wanted to close out this email chain regarding ½ street improvements along Edy Road that will be conditioned as part of the proposed Renaissance development project, specifically the planter strip width and sidewalk width.

A 37' dedication (from centerline) will be conditioned. **The developer will match the existing ½ street improvements that were installed with the Miller's Landing subdivision in 2000, but will still dedicate 37' along that section.** There will be no direct access to Edy Road from proposed Lot 27.

The City will request that the developer transition to the County TSP section (w/ planter strip) after crossing the drainage ravine to the west. The City would like to condition a 4.5' minimum planter strip width (without curb width included). 4' does not promote healthy tree growth, although 4.5' isn't much wider but that is the minimum width the City is comfortable enforcing. City prefers 5' wide planter strips, but has required 4.5' on most projects. **The City would like to condition 6' wide detached sidewalks in the TSP section versus 5' shown in the County exhibit because the existing Miller's Landing sidewalks are 6' wide (5.5' plus 0.5' curb) and the minimum per the City's TSP is 6'. Please confirm if the City can condition a 4.5' wide planter strip (not including 6" wide curb) and a 6' wide sidewalk.**

If those two items are confirmed there are the two possible scenarios for the half-street section within the TSP zone:

1. 7' median, 12' travel lane, 5.5' bike lane, 0.5' curb, 4.5' planter strip, 6' sidewalk, 1.5' shoulder (37' total half street width), plus a 6.5' PUE. *see attached PDFs for this scenario
2. **7' median, 12' travel lane, 6' bike lane, 0.5' curb, 4.5' planter strip, 6' sidewalk, 1' shoulder (37' total half street width), plus a 6' PUE**

What is the County's preference, 1 or 2? I'm guessing 2.

Please discuss with County staff for confirmation.

Thanks,
Jason

Jason Waters
City of Sherwood
503-925-2304
watersj@sherwoodoregon.gov

This proposal is the construction of a public school; therefore, this standard does not apply. However, the site has been designed to minimize conflicts with pedestrians and vehicles by providing a separate parent drop-off/pick-up area and bus loading area. Sidewalk connections have been made in multiple locations to Copper Terrance as well as to the existing neighborhood to the east and sidewalk improvements will be provided to the existing neighborhoods on the north side of Edy Road.

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

III. APPLICABLE CODE STANDARDS

1.102.03 Zoning District Boundaries

The Commission shall resolve any dispute over the exact location of a zoning district boundary. In interpreting the location of such boundaries on the Official Plan and Zoning Map, the Commission shall rely on the following guidelines:

A. Unless otherwise indicated, zoning district boundaries are the centerlines of streets, roads, highways, alleys, or such lines extended.

B. Where a boundary line follows or nearly coincides with a section, lot or property ownership line, the boundary shall be construed as following such line.

C. In the event that a dedicated street, road, highway, or alley is vacated by ordinance, the zoning regulations applicable to abutting property shall apply up to the centerline of such rights-of-way.

D. If a right-of-way is vacated in total to one (1) property, the zoning of that property shall apply to the total vacated right-of-way.

As shown on the attached comprehensive plan zoning map, the general location of the school is zoned IP. However, because no streets and lot development has occurred, some level of interpretation is necessary to determine the exact location of the zone boundaries. As identified in "A" above, it is recommended that the Commission determine that the IP zone line to the west shall be the centerline of Copper Terrace. To the north, the IP boundary shall be the centerline of loop road. To the east, the IP zone boundary is the property line and to the south it is the adjusted property line between the School site and Tax Lot 200 on Assessor Map 2S130CC (Fillmore property). This interpretation on the southern boundary is consistent with both the approved concept plan and the adopted Comprehensive Plan when comparing where the boundary line lines up with other streets and off-site property lines.

FINDING: The Commission has the authority to resolve disputes over the exact location of zoning district boundaries. As discussed above, the Commission can determine that the proposed school site and IP zone is consistent with the comprehensive plan zone map and the concept plan, and the zone map will be updated to reflect this clarification upon dedication of the public roads and completion of the lot line adjustments and partition.

A. Chapter 2 - Land Use and Development

The applicable zoning district standards for this site are identified in Section 2.113 (Institutional and Public), and 2.301 (Clear Vision Areas).

2.113 (Institutional and Public) Zoning District

The applicable standards in Section 2.113 include: 2.113.02, 2.113.03, 2.113.04 and 2.113.05. Compliance with these standards is discussed below: