



**City of Sherwood  
PLANNING COMMISSION  
Sherwood City Hall  
22560 SW Pine Street  
Sherwood, OR 97140  
July 12, 2011- 7PM**

## **Business Meeting – 7:00**

- 1. Call to Order/Roll Call**
- 2. Agenda Review**
- 3. Consent Agenda**
- 4. Council Liaison Announcements**
- 5. Staff Announcements**
- 6. Community Comments**
- 7. Old Business: None**
- 8. New Business**
  - a. Public Hearing SP 11-03 Head Old Town Change of Use**

The applicant is proposing to convert approximately 550 square feet of an existing 2,748 square foot single-family residence to a commercial office space. The property owner previously conducted business in the structure as a home occupation, but requests a change of use as the business has expanded. There are no proposed structural changes. The site is located within the Old Town overlay.

## **9. Adjourn**

## **Work Session – Following the Business Meeting**

- 1. Code Clean-Up- Continue Discussion**
  - a. Commercial uses**
  - b. Industrial uses**

## **Next Meeting:**

**July 26, 2011 – Work Session – Continued Code Clean-Up**

TO: Planning Commission  
FROM: Planning Department

Pre App. Meeting: None  
App. Submitted: March 9, 2011  
App. Complete: June 1, 2011  
120-day Deadline: September 29, 2011



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Zoe Monahan, Assistant Planner

**Proposal:** The applicant is requesting to change the use of a portion of a property in Old Town from residential to office. The applicant will use the existing building that is on the property as a counseling office. No exterior changes are proposed to the site or building at this time; however as discussed in greater detail within this report; the applicant has renovated the structure in the past to accommodate the office use. The applicant's submitted materials are included as Exhibit A with this report.

## **I. BACKGROUND**

- A. Applicant/Owner:  
Gene and Jacqueline Head  
22344 SW Main Street  
Sherwood, OR 97140
- B. Location: The site is addressed as 22344 SW Main Street in Sherwood's Old Town. The property is identified as Tax Lot 800 on Washington County Tax Assessor's map number 2S132BC. The site on the corner of SW 3<sup>rd</sup> and SW Main.
- C. Parcel Size: The total site area is approximately 10,000 square feet, or 0.23 acres.
- D. Existing Development and Site Characteristics: There is one existing residential building on the site that is not listed as a landmark in Sherwood's Historic and Cultural Resource Inventory. The building is 2,728 square feet in size and the office is approximately 550 square feet of the home. There are five trees on the site. The applicant is not proposing to remove any trees with this application. The site is generally flat, with a slight slope toward the Street.

The property owners have operated a home business out of 22344 SW Main Street for many years. In 2008, the property owners remodeled the interior portion of the building to add additional office space. As their business grew it appears that they were able to add additional employees; however this meant that they no longer meet the home occupation standards. Since they no longer meet the home occupation standards, the Planning Department was not able to approve their business license. The applicant chose to go through an Old Town Overlay change of use review to comply with the SZCDC rather than reduce the number of employees for the business. Once the property owner has received an approval and met the conditions of approval, the Planning Department will be able to approve their business license.

This property does not have any inventoried significant riparian, upland or wildlife habitat according to Metro's inventory of regionally significant habitat and the Comprehensive Plan inventory map.

- E. Zoning Classification and Comprehensive Plan Designation: The property is zoned Medium Density Residential Low (MDRL) within the Old Town Overlay. Chapters 16.16 and 16.162.030 of the Sherwood Zoning and Community Development Code list the permitted uses in this zone within the Old Town Overlay. Compliance with the permitted uses identified in these sections is discussed further in this report.
- F. Adjacent Zoning and Land Use: All of the properties adjacent to this site are zoned Medium Density Residential Low (MDRL) within the Old Town Overlay. They are used as residences.
- G. Review Type: Site plan review of new or existing structures (including changes of use) in the Old Town Overlay District are subject to a Type IV review with a decision by the Planning Commission. The City Council is the appeal authority.
- H. Public Notice and Hearing: Notice of land use review of the application was posted on site, at 5 conspicuous locations throughout town and mailed to property owners within 1,000 feet of the site on June 21, 2011 in accordance with Chapters 16.72.020 and 16.72.030 of the Sherwood Zoning and Community Development Code. Notice was published in the July issue of the Gazette and in the Times on June 30, 2011.

A site plan review of this size is normally reviewed as a type II land use review but, in this case, the subject site is located in Old Town and the Old Town overlay requires type IV land use review including a neighborhood meeting. The applicant did not hold a neighborhood meeting prior to the application being deemed complete, which arguably violates this procedural requirement. This project does not propose any interior or exterior changes to the site and the site has been operating as an office use for a number of years. Moreover, notice was provided as described above and no comments or concerns were expressed by any area residents or property owners. The purpose of the neighborhood meeting is to ensure that persons who live or own property within 1,000 feet of the site are aware of the application in order to express any concerns they may have prior to the application submittal, as well as to allow the developer to take those concerns into account when preparing the application and/or site plan. Here, as of June 30, 2011, no comments of any kind have been received in response to the application. Accordingly, there would be nothing for the developer to take into account when preparing the application or the city when preparing a decision. Accordingly, to the extent the purpose of the neighborhood meeting is to provide notice, that purpose has been accomplished and there is no further purpose that would be served by requiring a neighborhood meeting at this point solely for the purpose of addressing a possible procedural violation. However, the applicant has been advised of this potential procedural issue and was advised that holding a neighborhood meeting prior to the July 12<sup>th</sup> hearing would address this procedural issue. The applicant has decided to move forward with the public hearing without holding a neighborhood meeting prior to the hearing. The City Attorney has been consulted on this issue and will be available at the hearing to answer questions on this procedural issue.

- H. Review Criteria: Sherwood Comprehensive Plan Part 3, Zoning and Community Development Code, 16.16 (Medium Density Residential Low- MDRL), 16.58.030 (Fences, Walls and Hedges), 16.90.020 (Site Plan Review), 16.92 (Landscaping), 16.94 (Off-Street Parking), 16.96 (On-Site Circulation), 16.98 (On-Site Storage), Division VI (Public Improvements), 16.142 (Parks and Open Space), Division IX (Historic Resources).

## II. PUBLIC COMMENTS

As of the date of this report, no public comments have been received.

## III. AGENCY COMMENTS

The City requested comments from affected agencies via e-mail on June 6, 2011. All original documents are contained in the planning file and are a part of the official record on this case. The following information summarizes the comments received:

**Sherwood Engineering** submitted comments on June 20, 2011 indicating that development is required to provide frontage improvements as needed to meet City street standards per Code Section 16.108.030.D. To be in minimal compliance with City Code requirements and to provide ADA access to the business entrance, an ADA curb ramp and 5-foot wide concrete sidewalk along the SW Main Street frontage shall be installed in conformance with City's design and construction standards.

The installation of public sidewalk along the SW 3<sup>rd</sup> Street side of the lot is not being required under this application since the public access is on SW Main Street and the requirement to add sidewalk along SW 3<sup>rd</sup> Street does not seem justifiable.

The City Engineer also provided the following information:

In addition, a narrower sidewalk section, matching other existing Old Town sidewalk sections, may be approved if a design variation request is submitted to the City Engineer for review and approval. The width of the narrower sidewalk section will be determined by the City Engineer as part of his review.

A compliance agreement will be required as part of the approval for this project, however, since the amount of the work is small, the work may be performed under a right-of-way permit. A performance bond will not be required.

A cash deposit of 10% of the construction cost will be required in lieu of a maintenance bond. This cash deposit will be release after a 2 year maintenance period has elapsed. This money shall be used for repairs of the sidewalk if during the 2-year period the sidewalk shows any signs of damage due to failure in workmanship or materials, and after proper notification the owner refuses to make repairs as identified by the City. The City Engineer has recommended the cash deposit in lieu of a bond as it will be easier for the owners to obtain since this is a small project; however a bond remains an option of the applicants so chose.

A copy of these comments are attached as Exhibit B.

**Pride Disposal** submitted comments on June 6, 2011. They indicated that garbage service will be provided via the existing residential service. They will continue to be provided with roll carts (not containers) and they will need to be curbside for pick up. A copy of these comments are attached as Exhibit C.

Clean Water Services, Sherwood Public Works Department, Tualatin Valley Fire & Rescue, Sherwood Broadband, ODOT Outdoor Advertising Signs, and Metro all stated that they have no comment on this proposal.

PGE, ODOT, Washington County, NW Natural Gas, Kinder Morgan, Trimet, BPA, Portland Western Railroad, Sherwood School District, Sherwood Economic Development and Raindrops to Refuge were also provided copies of the proposal and site plan and given the opportunity to provide comments. As of this date, no comments have been provided from these agencies.

#### **IV. SITE PLAN REVIEW – REQUIRED FINDINGS (SECTION 16.90.020.4)**

##### **A. The proposed development meets applicable zoning district standards and all provisions of Divisions V, VI, VIII and IX.**

The relevant criteria are found in Divisions V, VI, VIII and IX. Compliance with these criteria is discussed in Section V – Applicable Code Provisions, below.

**FINDING:** Compliance with the relevant criteria in Divisions V, VI, VIII and IX are discussed and conditioned if needed in Section V below, therefore, this standard is satisfied.

##### **B. The proposed development can be adequately served by services conforming to the Community Development Plan, including but not limited to water, sanitary facilities, storm water, solid waste, parks and open space, public safety, electric power and communications.**

This site is currently served by public utilities. The property is served by Pride Disposal for solid waste disposal. The nearest public park is Stella Olsen, which is adequately sized to serve any employees of this site. Public safety, electric power and communications are all currently serving this site and will continue to do so.

**FINDING:** As discussed above, this standard is satisfied.

##### **C. Covenants, agreements, and other specific documents are adequate, in the City's determination, to assure an acceptable method of ownership, management and maintenance of structures, landscaping and other on-site features.**

No covenants, agreements or other documents are specifically required for on-site features.

**FINDING:** As discussed above, this standard is met.

##### **D. The proposed development preserves significant natural features to the maximum feasible extent, including but not limited to natural drainageways, wetlands, trees, vegetation, scenic views and topographical features, and conforms to the applicable provisions of Divisions V and VIII of this Code.**

The structure in question is existing. The Metro inventory of regionally significant habitat does not list any portion of this property as sensitive wildlife habitat. There are no significant trees or vegetation on this site that are not part of a pre-existing landscaped area. As discussed in greater detail further in this report, an existing tree will likely be required to be removed to accommodate the new sidewalk along SW Main Street. There are no wetlands, scenic views or topographical features on this site.

**FINDING:** Based on the discussion above, the proposed development fully complies with this standard.

- E. For a proposed site plan in the Neighborhood Commercial (NC), Office Commercial (OC), Office Retail (OR), Retail Commercial (RC), General Commercial (GC), Light Industrial (LI), and General Industrial (GI) zones, except in the Old Town Overlay Zone, the proposed use shall satisfy the requirements of Section 16.108.080 Highway 99W Capacity Allocation Program, unless excluded herein.**

**FINDING:** This proposal is within the Old Town Overlay and is therefore exempt from this standard.

- F. For developments that are likely to generate more than 400 average daily trips (ADTs), or at the discretion of the City Engineer, the applicant shall provide adequate information, such as a traffic impact analysis or traffic counts, to demonstrate the level of impact to the surrounding street system. The developer shall be required to mitigate for impacts attributable to the project. The determination of impact or effect and the scope of the impact study shall be coordinated with the provider of the affected transportation facility.**

According to the 7<sup>th</sup> edition of the Institute of Transportation Engineers (ITE) Trip Generation Manual, a general office building is estimated to have 11 trips to the site per day for every 550 square feet of office use. Therefore, this 550 square foot office use is anticipated to have an ADT of approximately 6, which is described as a very low trip generation. The City Engineer has not required a traffic study. A traffic impact study is not required of this development because it is exempt from CAP compliance.

**FINDING:** Due to the estimated daily trip rate, this standard is not applicable.

- G. The proposed commercial, multi-family development, and mixed-use development is oriented to the pedestrian and bicycle, and to existing and planned transit facilities.**

**Urban design standards shall include the following:**

- 1. Primary, front entrances shall be located and oriented to the street, and have significant articulation and treatment, via facades, porticos, arcades, porches, portal, forecourt, or stoop to identify the entrance for pedestrians. Additional entrance/exit points for buildings, such as a postern, are allowed from secondary streets or parking areas.**
- 2. Buildings shall be located adjacent to and flush to the street, subject to landscape corridor and setback standards of the underlying zone.**
- 3. The architecture of buildings shall be oriented to the pedestrian and designed for the long term and be adaptable to other uses. Aluminum, vinyl, and T-111 siding, metal roofs, and artificial stucco material shall be prohibited. Street facing elevations shall have windows, transparent fenestration, and divisions to break up the mass of any window. Roll up and sliding doors are acceptable. Awnings that provide a minimum 3 feet of shelter from rain shall be installed unless other architectural elements are provided for similar protection, such as an arcade.**
- 4. As an alternative to the above standards G.1-3, the Old Town Design Standards (Section 16.162) may be applied to achieve this performance measure.**

This proposal is for a change of use of the 550 square foot office from residential to office with no site changes proposed. In addition, because this structure is within the Old Town Overlay,

the Old Town Design Standards are required to be utilized as an alternative to standards G. 1-3 above. Compliance with these standards is discussed further in this report in Section 16.162.

**FINDING:** This standard is discussed and conditioned where necessary under Section 16.162 below.

**V. APPLICABLE CODE PROVISIONS**

The applicable zoning district standards are identified in Division II. The relevant criteria in Divisions II, V, VIII and IX are discussed below.

**A. Division II - Land Use and Development**

The applicable zoning district standards identified in Division II are: 16.16 (Medium Density Residential Low) and 16.58.030 (Fences).

**16.16 – Medium Density Residential Low (MDRL) Zoning District**

Compliance with these sections is discussed below:

**Permitted Uses (16.16.020)**

Offices are not listed as permitted or conditional uses in this zone. However, Section 16.162.030.G of the Code permits offices of architects, artists, attorneys, dentists, engineers, physicians, accountants, consultants and similar professional services outright within the Old Town Overlay District. While the office use proposed is not permitted outright in the MDRL zone, it is permitted outright in the MDRL zone within the Old Town Overlay.

**FINDING:** Based on the analysis above, the proposed office use is permitted due to the location of the property in the Old Town Overlay. This standard is met.

**Dimensional Standards (16.16.040)**

**Section 16.16.040 has the following dimensional standards in MDRL zones:**

<b>Lot area</b>	<b>5,000 sq ft</b>
<b>Lot width at front property line</b>	<b>25 feet</b>
<b>Lot width at building line</b>	<b>50 feet</b>
<b>Front yard setback</b>	<b>20 feet</b>
<b>Side yard setback</b>	<b>5 feet</b>
<b>Rear yard setback</b>	<b>20 feet</b>
<b>Corner lot setback</b>	<b>15 feet</b>
<b>Height</b>	<b>2 stories or 30 feet, whichever is less</b>

The site is 10,000 square feet. The lot area and width are existing and in full compliance with the standards. The front and rear setbacks of the structure are in compliance with the setbacks of the zone as the front yard setback is approximately 34 feet and the rear yard setback is approximately 37 feet. However, the corner-side yard setback is only about 10 feet and the side setback is only 2 feet from the garage. The structure exists and the applicant is not proposing any exterior modifications with this application. The existing structure has two (2) stories and the applicant is not proposing to make any changes to the height of the structure. The building exists and the applicant is not

proposing any exterior additions, staff is confident compliance with the dimensional standards will be maintained.

**FINDING:** Based on the discussion above, the proposal complies with the dimensional standards.

**16.58.030 - Fences, walls and hedges**

**Fences up to forty-two inches (42") high are allowed in required front building setbacks. Fences up to six feet (6') high are allowed in required side or rear building setbacks. Additionally, all fences shall be subject to the clear vision provisions of Section 16.58.010. Chain link fencing is not allowed along any residential street frontage.**

There is an existing six (6) foot tall fence that separates the office portion of the site from neighboring residential uses. The applicant has not proposed an additional fence. If they plan to install additional fencing or screening they will be subject to the standards in effect at that time.

**FINDING:** Based on the analysis above, this standard has been met.

**B. Division V - Community Design**

The applicable provision of Division V include: 16.90 (Site Planning), 16.92 (Landscaping), 16.94 (Off-Street Parking and Loading), 16.96 (On-site Circulation), and 16.98 (On-site Storage). Compliance with the standards in these sections is discussed below:

**16.92.020 Landscaping Materials**

**16.92.020.A Varieties - Required landscaped areas shall include an appropriate combination of evergreen or deciduous trees and shrubs, evergreen ground cover, and perennial plantings. Trees to be planted in or adjacent to public rights-of-way shall meet the requirements of this Chapter.**

The existing landscaping includes trees, lawn and some small shrubs in the front, side and rear yards of the property. There is also a rose garden in the corner-side yard.

**FINDING:** As discussed and conditioned further in this report, this standard has been met or is conditioned to be met.

**16.92.020.B Establishment of Healthy Growth and Size - Required landscaping materials shall be established and maintained in a healthy condition and of a size sufficient to meet the intent of the approved landscaping plan. Specifications shall be submitted showing that adequate preparation of the topsoil and subsoil will be undertaken.**

**FINDING:** The existing landscaping on the site is established and maintained in a healthy condition. This standard has been met.

**16.92.030 Landscaping Standards**

**16.92.030.A- Perimeter Screening and Buffering**

**A minimum six (6) foot high sight-obscuring wooden fence, decorative masonry wall, or evergreen screen shall be required along property lines separating single and two-family uses from multi-family uses, and along property lines separating residential zones from commercial or industrial uses.**

A portion of this structure will be a commercial use in a residential zone; the site is located on a corner lot with the rear lot line adjacent to an alley and the side lot line adjacent to another lot. The proposed commercial (office) use is located on the street side of the residential structure; therefore the adjacent property will be buffered from the office use by the existing residential structure. Regardless, the side lot line abuts a residential property and there is an existing six (6) foot fence separating the neighboring residential property.

**FINDING:** Based on the discussion above, this standard is met.

**16.92.030.B– Parking and Loading Areas:**

**Total Landscaped Area (16.92.030.B.1) – A minimum of ten percent (10%) of the lot area used for the display or parking of vehicles shall be landscaped in accordance with Section 5.200. In addition, all areas not covered by buildings, required parking, and/or circulation drives shall be landscaped with plants native to the Pacific Northwest in accordance with Section 16.92.**

**FINDING:** As discussed below, no parking is required because of the project's location in Old Town. No parking is proposed and, therefore, this standard does not apply.

**Adjacent to Public Rights-of-Way (16.92.030.B.2) - A landscaped strip at least ten (10) feet in width shall be provided between rights-of-way and any abutting off street parking, loading, or vehicle use areas. Landscaping shall include any combination of evergreen hedges, dense vegetation, earth berm, grade, change in grade, wall or fence, forming a permanent year-round screen, excepting clear vision areas as per Section 16.58.030.**

**Perimeter Landscaping (16.92.030.B.3) - A ten (10) foot wide landscaped strip shall be provided between off-street parking, loading, or vehicular use areas on separate abutting properties or developments. A minimum six (6) foot high sight-obscuring fence or plantings shall also be provided, except where equivalent screening is provided by intervening buildings or structures.**

**Interior Landscaping (16.92.030.B.4) - A minimum of fifty percent (50%) of required parking area landscaping shall be placed in the interior of the parking area. Landscaped areas shall be distributed so as to divide large expanses of pavement, improve site appearance, improve safety, and delineate pedestrian walkways and traffic lanes. Individual landscaped areas shall be no less than sixty-four (64) square feet in area and shall be provided after every fifteen (15) parking stalls in a row.**

**Landscaping at Points of Access (16.92.030.B.5) - When a private access way intersects a public right-of-way or when a property abuts the intersection of two (2) or more public rights-of-way, landscaping shall be planted and maintained so that minimum sight distances shall be preserved pursuant to Section 16.58.010.**

**FINDING:** The above standards regarding landscaping in parking areas are not applicable because the applicant is not proposing a parking lot nor is one required of the project because of its location in Old Town.

**16.92.030.C - Visual Corridors**

**New developments shall be required to establish landscaped visual corridors along Highway 99W and other arterial and collector streets, consistent with the Natural Resources and Recreation Plan Map, Appendix C of the of the Community Development Plan, Part II, and the provisions of Section 16.142.**

**FINDING:** The site is located at the corner of SW Main Street and SW Third Street. Both of these streets are identified as local streets. Additionally, the site is located within the Old Town overlay therefore the visual corridor standards are not applicable.

**16.94.010 – General Off-street parking and loading**

**16.94.010.C Joint Use**

**Two (2) or more uses, structures or parcels of land may utilize jointly the same parking and loading spaces when the peak hours of operation do not substantially overlap, provided that satisfactory evidence is presented to the City, in the form of deeds, leases, or contracts, clearly establishing the joint use.**

**FINDING:** The applicant is not proposing joint use parking and therefore this standard is not applicable to this development.

**16.94.010.D Multiple Uses**

**When several uses occupy a single structure or parcel of land, the total requirements for off-street parking and loading shall be the sum of the requirements of the several uses computed separately, with a reduction of 10% to 25% to account for cross-patronage of adjacent businesses or services.**

**FINDING:** There is no parking required in the “Smockville” portion of Old Town, per Section 16.162.070.C and therefore a reduced parking requirement is not necessary. This standard is not applicable.

**16.94.020.C. - Bicycle Parking Facilities**

**This section provides standards for bicycle parking facilities. The following standards must be addressed/met:**

- 1. Bicycle parking shall be conveniently located with respect to both the street right-of-way and at least one building entrance (e.g., no farther away than the closest parking space). Bike parking may be located inside the main building or protected or otherwise covered near the main entrance. If the first two options are unavailable, a separate shelter provided on-site is appropriate as long as it is coordinated with other street furniture.**
- 2. Visibility and Security. Bicycle parking shall be visible to cyclists from street sidewalks or building entrances, so that it provides sufficient security from theft and damage; Bicycle parking requirements for long-term and employee parking can be met by providing a bicycle storage room, bicycle lockers, racks, or other secure storage space inside or outside of the building;**
- 3. Bicycle parking shall be least as well lit as vehicle parking for security.**

4. **Areas set aside for bicycle parking shall be clearly marked and reserved for bicycle parking only.**
5. **Bicycle parking shall not impede or create a hazard to pedestrians. Parking areas shall be located so as to not conflict with vision clearance standards.**

The minimum number of bicycle parking spaces required for this type of office use is two (2). The applicant's submittal indicates that there is bicycle parking available for clients and staff in the existing garage (located in the northern portion of the lot off of SW Third Street. The garage is covered, lit and secure.

**FINDING:** Based on the analysis above, this standard is met as discussed above.

#### **16.94.030– Off-Street Loading Standards**

##### **16.94.030.A Minimum standards**

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

**FINDING:** Section 16.162.070.D.2 of the Code states that off-street loading is not required of all properties within the “Smockville Area” of the Old Town Overlay. Therefore, this standard is not applicable.

##### **16.94.030.B Separation of Areas**

**Any area to be used for the maneuvering of delivery vehicles and the unloading or loading of materials shall be separated from designated off-street parking areas and designed to prevent the encroachment of delivery vehicles onto off-street parking areas or public streets. Off-street parking areas used to fulfill the requirements of Section 16.94.020 shall not be used for loading and unloading operations.**

**FINDING:** As discussed above, off-street loading is not required. In addition, there are no off-street parking areas required to fulfill the requirements of Section 16.94.020 because this property is within the “Smockville Area” of the Old Town Overlay. This standard is met.

#### **16.96 On-Site Circulation**

##### **16.96.010 – On-site pedestrian and bicycle circulation**

**On-site facilities shall be provided that accommodate safe and convenient pedestrian access within new subdivisions, multi-family developments, planned unit developments, shopping centers and commercial districts, and connecting to adjacent residential areas and neighborhood activity centers within one half mile of the development. Neighborhood activity centers include but are not limited to existing or planned schools, parks, shopping areas, transit stops or employment centers. All new development, (except single family detached housing), shall provide a continuous system of private pathways/sidewalks.**

This property is on the corner at the intersection of two streets. There are not sidewalks along either of the streets. An approximately six foot wide pedestrian walkway in the front yard connects the primary residential entrance to SW Third Street. An approximately three foot wide pedestrian walkway in the corner side yard connects the entrance of the office to SW Main Street.

The on-site pathway to the business must comply with SZCDC §16.96.030.B.3. In order to provide a safe pathway that meets the standard, the pedestrian pathway must be six feet wide. This standard will be discussed and conditioned further in this report.

Additionally, there is not a public sidewalk available to provide access to customers to get them from the street to the private path that connects to the home.

In order to comply with this standard a five foot sidewalk is required. Since the primary entrance to the office is located off of SW Main Street the sidewalk shall be installed along the 100 ft. frontage on SW Main Street. A sidewalk along SW Third Street will not be required at this time as it does not seem justifiable. In the future, a sidewalk along the frontage of SW Third will be required if the rest of the structure becomes a commercial use through the change of use process. The City Engineer provided comments (Exhibit B) requiring an ADA curb ramp at the corner of SW Main Street and SW Third Street.

**FINDING:** This standard is not met as described above however it can be met as conditioned below.

**RECOMMENDED CONDITION:** Prior to final site plan approval and right of way permit approval submit plans showing a five foot wide sidewalk along SW Main Street to provide a safe connection to the office from the street. There should be an ADA curb ramp at the corner of SW Main Street and SW Third Street and the side walk shall extend toward the Alley.

**RECOMMENDED CONDITION:** Prior to Final Occupancy approval construct a five foot wide sidewalk along SW Main Street to provide a safe connection to the office from the street. There should be an ADA sidewalk drop at the corner of SW Main Street and SW Third Street and the side walk shall extend toward the Alley.

#### **16.96.010.B – Joint Access**

**Two (2) or more uses, structures, or parcels of land may utilize jointly the same ingress and egress when the combined ingress and egress of all uses, structures, or parcels of land satisfied the other requirements of this Code, provided that satisfactory legal evidence is presented to the City in the form of deeds, easements, leases, or contracts to clearly establish the joint use.**

**FINDING:** There is only one structure on this parcel and joint access is not proposed with any other parcels. This standard is not applicable.

#### **16.96.010.C Connection to Streets**

**A. Except for joint access as per Section 16.96.010.2, all ingress and egress to a use or parcel shall connect directly to a public street, excepting alleyways.**

**B. Required private sidewalks shall extend from the ground floor entrances or the ground floor landing of stairs, ramps or elevators to the public sidewalk or curb of the public street which provides required ingress and egress.**

**FINDING:** The existing driveway for this site connects directly to SW Third Street. There is also a private sidewalk extending from the office entrance of the building to SW Main Street. Additionally, there is an existing curb. This standard is met

### **16.96.030 Minimum Non-Residential Standards**

**16.96.030.A.1 –Driveways**

**Commercial driveways must be improved with a hard surface. The required minimum width for 1-49 parking spaces is 1 driveway of 24 feet or 2, one-way driveways of 15 feet each.**

**FINDING:** There is no parking lot proposed or required therefore, a commercial driveway is not required. This standard is not applicable.

**16.96.030.B Sidewalks and Curbs**

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

As discussed above, the 550 square foot office portion of the building currently connects to the SW Main Street via the three foot private pathway. As discussed the private sidewalk does not connect to a public sidewalk however a condition was recommended above.

**FINDING:** This standard is not met but it can be met as previously conditioned above.

**2. Curbs shall also be required at a standard approved by the Hearing Authority. Private pathways/sidewalks shall be connected to public rights-of-way along driveways but may be allowed other than along driveways if approved by the Hearing Authority.**

**FINDING:** The curbs, sidewalks and driveway exist or are recommended as conditions in this report. This standard is not met but it can be met as conditioned elsewhere within this report.

**3. Private Pathway/Sidewalk Design. Private pathway surfaces shall be concrete, asphalt, brick/masonry pavers, or other durable surface, at least 6 feet wide and conform to ADA standards. Where the system crosses a parking area, driveway or street, it shall be clearly marked with contrasting paving materials or raised crosswalk (hump). At a minimum all crosswalks shall include painted striping.**

The existing private pathway from the street to the office entrance of the building is made of concrete and it is three feet wide. The applicant has not proposed any modifications to the existing private sidewalk. The private pathway will connect to the previously conditioned sidewalk along SW Main Street which will allow ADA access to the office. Additionally, the Building Official has requested that the applicant provide a ramp to the office entrance however no additional modifications are proposed.

**FINDING:** As discussed above, the existing pathway does not meet the required dimensional standards and is not ADA compliant. This standard is not met but it can be as conditioned below.

**RECOMMENDED CONDITION:** Prior to final site plan approval, submit plans to the planning department showing a six foot wide private pathway and ramp to comply with the ADA requirements.

**RECOMMENDED CONDITION:** Prior to final occupancy, increase the width of the existing private pathway from three feet to six feet in width and install a ramp, to comply with the ADA requirements.

#### **16.98.020 – Solid Waste and Recycling Storage**

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

Pride Disposal has reviewed this application and has indicated that curb service is available and Pride will not provide container service to this site (Exhibit C). The applicant has not proposed container service since it is limited office use. With curb service, the trash containers are generally stored inside the structure and do not require additional screening however the applicant has not described how they plan to store the trash receptacles. If the applicant chooses to store the trash receptacles outside, screening will be required.

**FINDING:** The applicant has proposed using residential service as required by Pride Disposal; however they have not described where they will be storing the trash receptacles for staff to confirm full compliance. This standard has not been met but it can be as conditioned below.

**RECOMMENDED CONDITION:** Prior to final site plan approval, describe where the trash receptacles will be stored and how they will be screened if they are located outside.

#### **16.98.030 – Material Storage**

##### **16.98.030.B Standards**

**Except as per Section 16.98.040, all service, repair, storage, and merchandise display activities carried on in connection with any commercial or industrial activity, and not conducted within an enclosed building, shall be screened from the view of all adjacent properties and adjacent streets by a six (6) foot high, sight obscuring fence. In addition, unless adjacent parcels to the side and rear of the storage area have existing solid evergreen screening or sight-obscuring fencing in place, new evergreen screening no less than three (3) feet in height shall be planted along side and rear property lines. Where other provisions of this Code require evergreen screening, fencing, or a landscaped berm along side and rear property lines, the additional screening stipulated by this Section shall not be required.**

**FINDING:** Exterior material storage is not anticipated with this office use. Any storage of materials will be required to meet the standards of Section 16.98.030.2. This standard is not applicable

C. **Chapter 6 - Public Improvements**

**16.108– Streets**

**16.108.030 – Required Improvements**

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

**FINDING:** There are no improvements proposed to the site or building at this time and, therefore, staff does not recommend improvements to the existing street frontages of this property. The existing streets are sufficiently improved and the change of use does not warrant additional street improvements or right-of-way dedication.

**16.108.070 – Highway 99W Capacity Allocation Program**

**All regulated activities shall acquire a Trip Allocation Certificate prior to approval of their base application. Lack of a Trip Allocation Certificate shall be the basis for denial of a base application.**

**FINDING:** This proposal is located within the Old Town Overlay. Section 16.90.020.E of the Code exempts it from compliance with the Highway 99W CAP, and therefore this standard is not applicable.

**16.110 - Sanitary Sewers**

**Sanitary sewers shall be installed to serve all new developments and shall connect to existing sanitary sewer mains. Provided, however that when impractical to immediately connect to a trunk sewer system, the use of septic tanks may be approved, if sealed sewer laterals are installed for future connection and the temporary system meets all other applicable City, Clean Water Services and State sewage disposal standards.**

**FINDING:** The applicant's narrative does not propose any changes to the existing sanitary service. This approach is acceptable to the City of Sherwood's Engineering Department, therefore this standard has been met.

**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.**

**FINDING:** There is an existing water system. The applicant does not propose any change to the water system and the Sherwood Public Works Department does not have any concerns about this project. This standard has been met.

**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 applicant is not proposing to change the existing storm water maintenance system. In the Agency Comments dated June 13, 2011 (Exhibit D), Clean Water Services indicates that they do not have any objections to the proposal. They will not require a storm water connection authorization permit.

**FINDING:** As discussed above, this standard has been met.

**16.116- 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.**

**FINDING:** This structure is existing and is located within 150 feet of a fire hydrant; therefore this standard has been met.

**16.118 - Public and Private Utilities**

**16.118.020 Standard**

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

**B. Public utility easements shall be a minimum of eight 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.**

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 frontages.

It is not clear from the plans or plat that easements exist and the applicant has not proposed dedication of easements.

**FINDING:** Because the proposed plans do not show an eight (8) foot public utility easement along the SW Main Street and SW Third Street frontages, this standard has not been met. This standard could be met as conditioned below.

**RECOMMENDED CONDITION:** Prior to final occupancy submit documentation that the eight (8) foot public utility easement has been granted to the City along the frontage of SW Main Street and SW Third Street (this should be done through a document recorded at Washington County).

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

Overhead wires exist in the right-of-way adjacent to the property. While undergrounding utilities is typically encouraged, it's likely the cost of under-grounding these services would be disproportional to the cost of development as the applicant is not proposing any physical improvements. Given this situation and to encourage neighborhood continuity, staff is not opposed to waiving this requirement.

**FINDING:** Although there are existing overhead utilities, staff does not find that it would be proportional to the change of use to require undergrounding of these lines, therefore it is exempt because underground installation is impractical.

#### **D. Division VIII - Environmental Resources**

The applicant has received a CWS service provider letter indicating that the activity does not meet the definition of development, therefore the standards regulating floodplain and wetlands is not applicable to this project as there will be no impact. The following sections in Division VIII are deemed applicable to this proposed development: 16.142 (Parks and Open Spaces). Compliance with the applicable standards is discussed below.

#### **16.142 – Parks and Open Spaces**

##### **16.142.050. Trees along Public Streets or on Other Public Property**

**Trees are required to be planted consistent with the standards in 16.142.050.A by the land use applicant. These standards require a minimum of one (1) tree for every twenty-five (25) feet of public street frontage within any new development. Planting of such trees shall be a condition of development approval. The trees must be a minimum of two (2) inches DBH and minimum height of six (6) feet.**

The total frontage of this property is 200 feet, which requires eight (8) street trees. There are three trees on site that qualify as street trees. There is a 7" DBH Beech tree in the right of way along the SW Third Street and there is an existing 12" DBH Willow tree at the corner of SW Main Street and the Alley. The willow tree will need to be removed in order to accommodate the required sidewalk. There is also a 60" DBH Coast Redwood tree in the corner side yard of the site near the intersection of SW Third and SW Main. Therefore, six (6) street trees are needed to meet this standard. It should be noted that the street tree planting standards changed since the submittal of this application. While

a project must be reviewed in accordance with the standards in effect at the time of submittal, it is possible that compliance with this standard may result in the planting of trees that are too close together to meet the current code standards and the applicant would be eligible for removal without replacement. The applicant should be required to submit a tree planting plan that provides five additional trees unless the applicant can demonstrate that replacement is except per current code standard 16.142.050.D.

**FINDING:** This standard is not met as discussed above, however it can be met as conditioned below.

**RECOMMENDED CONDITION:** Prior to final site plan approval, submit a tree planting plan to the planning department showing where the five street trees will be planted. The applicant is encouraged to select a tree from that is recommended under power lines.

**RECOMMENDED CONDITION:** Prior to final occupancy, plant five 2" DBH trees a minimum of six feet tall on site, as shown on the final site plan or apply for a street tree removal permit to request an exemption to "replacement planting" to be consistent with the current street tree standards.

**16.142.060 - Trees on Property Subject to Certain Land Use Applications**

**All site developments subject to this Section shall be required to preserve trees or woodlands to the maximum extent feasible within the context of the proposed land use plan and relative to other policies and standards of the City Comprehensive Plan, as determined by the City. Trees removed on the property within one year prior to the submittal of the development application shall be subject to the requirements of this section.**

There are five existing trees on site that are not considered street trees. There is a Beech tree on the north side of the site along SW Third Street, a Coast Redwood at the corner of SW Main and SW Third and a Willow in the southwest corner of the lot adjacent to the alley. There are also two trees (a Birch Tree and a Spruce Tree) on the south side of the lot abutting the alley. The applicant is not proposing to remove any trees from the site.

**FINDING:** Based on the analysis above, this standard is met.

**16.162 – Old Town Overlay District**

**16.162.030.G Permitted Uses**

**Offices of architects, artists, attorneys, dentists, engineers, physicians, accountants, consultants and similar professional services are permitted outright in the Old Town Overlay, provided such uses meet the applicable environmental performance standards contained in Chapter 8.**

**FINDING:** This standard is discussed and conditioned above under Section 16.16.020-MDRL zoning. This standard has been met.

**16.162.070.A Community Design-Generally**

**In reviewing site plans, as required by Section 16.90, the City shall utilize the design standards of Section 9.202.08 for the "Old Cannery Area" and the "Smockville Design Standards" for all proposals in that portion of the Old Town District.**

**FINDING:** This standard is met as the standards of Section 16.162.090.F “Old Town Smockville Design Standards” are applied further in this report.

**16.162.070.C Community Design- Off-Street Parking**

**For all property and uses within the “Smockville Area” of the Old Town Overlay District off-street parking is not required. For all property and uses within the “Old Cannery Area” of the Old Town Overlay District, requirements for off-street automobile parking shall be no more than sixty-five percent (65%) of that normally required by Section 16.94.020. Shared or joint use parking agreements may be approved, subject to the standards of Section 16.94.010.**

**FINDING:** As discussed previously in this report, this site is within the “Smockville Area” of the Old Town Overlay District and parking is not required. Therefore, this standard is met.

**16.162.070.D Community Design- Off-Street Loading**

**For all property and uses within the “Smockville Area” of the Old Town Overlay District, off-street loading is not required.**

**FINDING:** The applicant is not proposing off-street loading consistent with this standard.

**16.162.070.G Community Design- Downtown Street Standards**

**All streets shall conform to the Downtown Street Standards in the City of Sherwood Transportation System Plan and Downtown Streetscape Master Plan, and as hereafter amended. Streetscape improvements shall conform to the Construction Standards and Specifications, and as hereafter amended.**

As discussed above under Chapter 6- Public Improvements, SW Main Street and SW Third Street are not built to public standards and they do not meet the Downtown Streetscape Master Plan. There are no sidewalks at this time or trees planted with the intent that the trees would be street trees. As previously discussed in this report a five foot sidewalk and street trees are recommended to be conditioned with the approval of this project.

**FINDING:** This standard can be met as previously conditioned in this report.

**16.162.070.H Community Design-Color**

**The color of all exterior materials shall be earth tone. A color palette shall be submitted and reviewed as part of the land use application review process and approved by the hearing authority.**

The submitted plans included a photo of the existing structure that is mauve – gray with blue trim. The color of the structure is considered an earth tone.. There are no proposed changes to the color of the building. Any future colors on the building will also need to address this standard.

**FINDING:** This standard is met as discussed above.

**16.162.090.F Old Town Smockville Design Standards- Residential Structures**

**Residential Standard 1: Volume & Mass**

**Historically, residential architecture in the Old Town core was comprised of multiple volumes or articulations, with extended porches, intersecting roof lines, dormers, and other features creating a complex whole rather than a single large**

volume. To maintain that traditional visual character the following standards apply:

- a. **Verticality:** Buildings shall have a generally vertical character or are comprised of a primary vertical element surrounded by more horizontally appearing wings.
- b. **Complexity:** Single large volumes are prohibited. Total area shall be contained within a minimum of two intersecting volumes, one of which may be a porch under a separate roof element. An attached garage does not constitute a second volume for purposes of this standard.
- c. **Height:** No building may be greater than 40 feet in overall height. Major roof ridges shall be no lower than 16 feet in height. [Note: this lower limit is designed to encourage steeper gables as opposed to low-pitched roof forms]

This wooden structure is painted only one color and is simple in its design. However, the front porch, two doors, and numerous windows on the street-facing sides are features that create multiple volumes or articulations. As previously discussed in this report, the existing structure is a standard two story building. Any future additions to the height of the building will need to address this standard.

**FINDING:** This standard is not fully met, but the elements that do not meet the standard are pre-existing, non-conforming and therefore allowed to remain. Any exterior changes to the site in the future must bring the development more into compliance by removing non-conforming elements.

#### **Residential Standard 2: Roof Forms**

Roofs play a significant role in the overall character of a structure and, in combination with Standard 1, shelter the complex volumes typical of the traditional development pattern.

- a. **Pitch:** Roof pitches of less than 6/12 for gables are prohibited. Roof pitches of less than 5/12 for hipped roofs are prohibited. Flat roofs visible from the street are prohibited. An exception to this standard may be made for porch roofs attached to the primary volume.
- b. **Complexity:** As per Standard 1(B), single large roof forms are prohibited. A single roof form with two or more dormers is considered a complex roof form and accordingly will meet this Standard.
- c. **Materials:** Roofs shall be of historically appropriate materials, including asphalt shingle, wood shingle, or wood shake. The use of metal roofing, concrete tile roofing, hot-mopped asphalt, rolled asphalt, terra cotta tiles and other non-historic materials are prohibited in view of the public right-of-way.

This existing roof is pitched however it is not certain if the gable is less than 6/12. There are not existing or proposed dormers. The roof appears to be made of asphalt or wood shingles which are historically appropriate material. Regardless, the roof is existing and no changes are proposed.

**FINDING:** This standard is met however the applicant has not proposed any changes to the exterior of the existing structures. Any future exterior changes to the structure will be evaluated for compliance with these standards.

#### **Residential Standard 3: Siding/Exterior Cladding**

Generally, vertical appearance of historic volumes in Sherwood was typically balanced by strong horizontal wood siding. The following standard requires a

continuation of this horizontal character. All structures shall employ one or more of the following siding types:

- Horizontal wood siding, maximum 8” exposed to weather: Concrete or manufactured wood-based materials are acceptable under this Standard. This includes so-called “Cottage Siding” of wide panels scored to form multiple horizontal lines. Applicants are strongly encouraged to use smooth surfaces, not “rustic” or exposed wood grain pattern materials, which are inconsistent with Sherwood’s architecture.
- Wood Shingle siding (painted shingles are preferred, with a maximum 12” to weather)
- True board and batten vertical wood siding, painted
- Brick
- Brick and stone veneer (see below)

Use of the following non-historic exterior materials are specifically prohibited within the zone:

Stucco (other than as foundation cladding or a secondary detail material, as in a gable end or enframed panel.).

- Stucco-clad foam (EIFS, DryVit, and similar)
- T-111 or similar 4x8 sheet materials or plywood
- Horizontal metal or vinyl siding
- Plastic or fiberglass
- Faux stone (slumpstone, fake marble, cultured stone, and similar)
- Brick veneer or any other masonry-type material, when applied over wood-frame construction, of less than twelve (12) inches width in any visible dimension. This Standard specifically excludes the use of brick or similar veneered “columns” on one face of an outside corner, as typically used to frame garage openings.

**FINDING:** This structure has horizontal wood siding and, therefore, this standard is met.

#### **Residential Standard 4: Trim and Architectural Detailing**

All residential construction shall employ at least **FOUR (4)** of the following elements to meet this Standard:

- Watertable or decorative foundation treatments (including stucco)
- Corner boards
- Eave Returns
- Stringcourse or other horizontal trim at plate or floor levels
- Eave brackets or support elements
- Bargeboards/Raking cornice (decorative roof “edge” treatments)
- Decorative projecting rafter tails
- Decorative gable end wall details, including change of materials (shingle bands), decorative venting, eave compass features and similar
- Wide cornice-level frieze and wall treatments.

**FINDING:** This existing structure has a decorative “edge” treatment of a different color of paint, eaves that project out around the structure and porch, and porch posts (support elements) that match the trim of the structure. The entire façade of the building has horizontal trim (rather than just at plate or floor levels). This existing structure is in compliance with this standard.

#### **Residential Standard 5: Openings [Windows & Doors]**

Doors and windows form the “eyes” and “mouth” of a building and play a significant role in forming its character.

## **Windows**

**a. Verticality:** All windows will reflect a basic vertical orientation with a width-to-height ratio of 1.5 to 2, or greater (i.e., a 24" wide window must be a minimum 36" tall). Larger window openings shall be formed by combining multiple window sash into groupings.

**b. Types:** The following windows types are permitted:

- 1. Single and double hung windows.**
- 2. Hopper and transom-type windows.**
- 3. Casement windows.**
- 4. Any combination of the above, including groupings containing a central single pane fixed window flanked by two or more operable windows.**
- 5. Glass block windows.**
- 6. Fixed leaded or stained glass panels.**

The following window types are specifically prohibited within the area:

- 1. Fixed pane windows (when not within a grouping, as in #4, above).**
- 2. Horizontal slider windows (when visible from the public right-of-way).**
- 3. Arched windows and fanlights, including "Palladian" window groupings, are inconsistent with the vernacular character of the area and are prohibited when visible from the public-right-of-way.**

**c. Lights:** (internal divisions of window, formed by "muntins" or "mullions") True-divided lights are preferred. "Pop-In" or fake muntins are not historic, nor appropriate within Sherwood's vernacular tradition, and are prohibited when visible from the public right-of-way.

**d. Sash Materials:** Wood windows or enameled metal clad windows are most consistent with the vernacular tradition and are preferred. Vinyl windows or paintable fiberglass windows are allowed. Anodized or mill-finish aluminum windows or storm windows are prohibited.

**e. Mirror Glazing:** The use of "mirror" or reflective glass visible from the public right-of-way is prohibited.

## **Doors**

**a. Transparency:** Primary entry doors will retain a degree of transparency, with no less than 25% of the surface being glazed, either in clear, leaded, or stained glass materials. Solid, flat single, panel doors are prohibited.

**b. Materials:** Doors may be of wood, metal-clad wood, or metal. Other materials that can be painted or stained, such as cast fiberglass, so as to reflect traditional materials are permitted.

## **Trim**

**a. Sills:** All windows will have a projecting sill and apron.

**b. Side and Head Casing:** Door and window trim will including side and head casing that sits no less than 1/2" proud of the surrounding wall surface. Trim mounted in plane with siding is not permitted in the Old Town area. Trim mounted atop siding is not recommended.

**c. Other Trim Elements:** As discussed in Standard 4, above, the use of trim to articulate the construction process was a standard character-defining element of Sherwood's vernacular architecture. Although not required by this Standard, the use of the following traditional door and window trim elements are encouraged, particularly on the primary facade.

- Simple window "hoods," mounted over the window opening. Such features are traditionally treated as pents and clad with roofing material
- Parting bead, between the side and head casings
- Crown moldings
- Decorative corner elements at the head, apron, or both

- **Single or dual flanking sidelights at entryways**
- **Transom windows above the major door or window openings**

There are multiple windows and two doors on the street-facing frontages of this building. There are existing vertical sliding windows which conform to this standard. The front door to the main entrance is solid while the door to the office has a small window. Both doors provide less than 25% transparency. The entrance to the office has glazed windows on both sides of the doors. There is matching trim around the windows. Because no renovations are proposed to the structure, replacement of the windows and doors would not be a reasonable condition at this time. If changes are proposed in the future, the windows and doors will be evaluated for compliance with these standards.

**FINDING:** This standard is not met, however, as discussed above the features are pre-existing and no exterior changes have been proposed..

**Residential Standard 6: Porches/Entrances**

**In combination with doors, front porches help create a “sense of entry” and typically serve as the focal point of the front-facing facade of the structure. Porches should be encouraged and adequately detailed to create that sense of entry and serve as a primary element of the exterior character.**

- a. **Depth: Projecting or recessed porches should be a minimum of five (5) feet deep. Projecting covered stoops should be a minimum of three (3) feet deep.**
- b. **Width: Projecting or recessed porches should be a minimum of ten (10) feet wide or 25% of the primary facade width, which ever is the lesser. Projecting covered stoops should be a minimum of five (5) feet wide.**
- c. **Supports: To assure appropriate visual weight for the design, vertical porch supports shall have a “base” of no less than six (6) inches square in finished dimension from floor level to a minimum 32” height. Upper posts shall be no less than four (4) inches square.**
  1. **Base features may be of boxed wood, brick, stone, true stucco, or other materials that reflect a support structure. The use of projecting “caps” or sills is encouraged at the transition between the base and column.**
  2. **When the entire support post is a minimum of six (6) inches square no base feature is required.**
  3. **Projecting covered stoops, with no full-height vertical support, shall utilize members of no less than four (4) inches square.**

The front entrance of the main house is above grade and has an existing cover. There is a slight cover over the office entrance. Pictures of the home submitted with the application show that the office entrance is clearly defined as it is outlined with a thick white border and appears consistent with the era of the home. Both entrances create a front facing façade as well as a sense of entry. The applicant is not proposing any exterior changes to the structure at this time. If changes are proposed in the future, the porch and entrance will be evaluated for compliance with these standards.

**FINDING:** This standard is not met, however, as discussed above the features are existing and no exterior changes have been proposed.

**Residential Standard 7: Landscape, Fencing, and Perimeter Definition**

**Fencing or other edge-defining perimeter features, including the use of landscape materials, are traditional elements in Old Town Sherwood’s residential areas. Please refer to Chapter 16.92 of the SZCDC for applicable landscaping standards**

and requirements. In addition to those provisions, such features within the Smockville Area shall also comply with the following Standard to maintain the area's character.

a. **Materials:** The following fencing materials are permitted in the Smockville Area:

1. Brick.
2. Concrete, including concrete block, "split faced" concrete block and similar.
3. Stone.
4. Wood, including vertical or horizontal board, pickets, split rail, and similar traditional fence designs.
5. Woven-metal (arch-top wire), construction cloth (square-patterned) and similar.

1. Vinyl, when used in simple plain board, picket, or post and board installations. (see #3, below)
2. Natural metal colored or black-coated chain link fencing is permitted, but discouraged when visible from the public-right-of-way.
3. The mixed use of materials, as in brick columns with wood or woven wire "fields" is encouraged.

b. The following fencing materials are prohibited in the Smockville area:

1. Plywood or other solid wood panel systems.
2. Open pattern concrete elements except as decorative elements.
3. Vinyl, that includes the use of arches, latticework, finials, acorn tops, and other elaborate detailing not consistent with Old Town Sherwood's vernacular tradition.
4. Vinyl or wood slat inserts in chain link fencing when in view from the public right-of-way.
5. Faux stone, including cultured stone, slumpstone, and similar materials.
6. Molded or cast aluminum.

a. **Transparency:** Solid barriers of any material built to the maximum allowable height are prohibited facing the public right of way(s). Pickets or wood slats should provide a minimum 1/2" spacing between vertical elements with large spacing encouraged. Base elements, as in a concrete "curb" or foundation element are excluded from this standard provided they are no higher than twelve (12) inches above grade.

b. **Gates/Entry Features:** In order to create a sense of entry, gates, arbors, pergolas, or similar elements integrated into a perimeter fence are strongly encouraged. Such features may exceed the maximum fence height limit of four (4) feet provided they are less than eight (8) feet in overall height, are located more than ten (10) feet from any public intersection, and do not otherwise reduce pedestrian or vehicular safety.

**FINDING:** There is a wood fence that does not limit the view of the property or structure from the right-of-way. The fence does create a barrier between neighboring properties. This standard is met.

#### **Residential Standard 8: Additions to Existing Buildings**

a. **Compatibility:** Additions to existing properties will continue the existing character of the resource or return to the documented original character in scale, design, and exterior materials. The creation of non-documented elements outside the traditional vernacular character such as towers, turrets, elaborate surface decoration and similar "earlying-up" is prohibited.

b. **Attachment:** Additions should "read" as such, and be clearly differentiated from the historic portion of the structure and shall be offset or "stepped" back from the original volume a minimum of four (4) inches to document the sequence of construction. An exception to this standard is allowed for the reconstruction of

previously existing volumes that can be documented through physical or archival evidence.

c. **Non-Compatible Materials:** Repair of existing non-compatible materials is exempt from Standard 8(A). Rear-facing additions to existing buildings may continue the use of these materials so long as they are a continuation of the attached materials.

**FINDING:** No additions or alterations are planned to the building at this time and, therefore, this standard is not applicable.

#### **Residential Standard 9: Front-Facing Presentation**

Traditionally, the portions of a structure facing the public right of way were considered the most important for presenting an aesthetically pleasing appearance. Skylights were not used, and there was very little venting since the structures were not tightly enclosed and wrapped as they are today. Therefore, keeping all modern looking venting and utilities to the side that is not visible from the public right of way is important and greatly adds to the appearance.

a. **Skylights:** Skylights shall be placed on the side of the structure not visible from the public right of way, and shall be of a low profile design.

b. **Roof vents:** Roof vents should, wherever possible, be placed on the side of the structure least visible from the public right of way, and painted to blend with the color of the roofing material. Where possible, a continuous ridge vent is preferred over roof jacks for venting purposes. In the case of using a continuous ridge vent with a vintage structure, care should be taken in creating inconspicuous air returns in the eave of the building.

c. **Plumbing vents:** Vents should, wherever possible, be placed on the side of the structure least visible from the public right of way, and painted to blend with the color of the roofing material.

The structure exists. There is one existing skylight on the rear side of the house. There is also an existing roof vent on the Third street facing façade of this structure. That vent and a plumbing vent are visible from the Main Street facing façade. The plumbing vent appears to be painted to blend in with the roofing materials. These features are existing and they are not required to be removed. The applicant is not proposing any additional skylights or vents.

**FINDING:** As discussed above, this standard is met.

## **VI. RECOMMENDATION**

Based on a review of the applicable code provisions, agency comments and staff review, staff finds that the proposal does not fully comply with the applicable review criteria. However, the applicable criteria can be satisfied if specific conditions are met. Therefore, staff **RECOMMENDS APPROVAL with conditions** of SP 11-03 (Head Old Town Change of Use). Required conditions are as follows:

## **VII. RECOMMENDED CONDITIONS OF APPROVAL**

### **A. General Conditions:**

The following applies throughout the development and occupancy of the site:

1. Compliance with the Condition of Approval is the responsibility of the developer.
2. This land use approval shall be limited to the submitted preliminary plans prepared by Construction Mapping Team and included as Exhibit A with this report, except as indicated in the following conditions of the Notice of Decision. Additional development or change of use may require a new development application and approval.
3. The developer is responsible for all costs associated with public facility improvements.
4. **This approval is valid for a period of two (2) years from the date of the decision notice.** Extensions may be granted by the City as afforded by the Sherwood Zoning and Community Development Code.
5. Unless specifically exempted in writing by the final decision, the development shall comply with all applicable City of Sherwood and other applicable agency codes and standards except as modified below:

B. Prior to Final Site Plan Approval:

1. Submit plans showing a five foot wide sidewalk along SW Main Street to provide a safe connection to the office from the street. There should be an ADA curb ramp at the corner of SW Main Street and SW Third Street and the side walk shall extend toward the Alley.
2. Submit plans to the planning department showing a six foot wide private pathway and ramp to comply with the ADA requirements.
3. Describe where the trash receptacles will be stored and how they will be screened if they are located outside.
4. Submit a tree planting plan to the planning department showing where the five street trees will be planted. The applicant is encouraged to select a tree from that is recommended under power lines.

C. Prior to Right of Way Permit Approval:

1. Submit plans showing a five foot wide sidewalk along SW Main Street to provide a safe connection to the office from the street. There should be an ADA curb ramp at the corner of SW Main Street and SW Third Street and the side walk shall extend toward the Alley.

D. Prior to Issuance of a Final Certificate of Occupancy for the site:

1. Submit documentation that the eight (8) foot public utility easement has been granted to the City along the frontage of SW First Street and SW Ash Street (this should be done through a document recorded at Washington County).
2. Construct a five foot wide sidewalk along SW Main Street to provide a safe connection to the office from the street. There should be an ADA sidewalk drop

at the corner of SW Main Street and SW Third Street and the side walk shall extend toward the Alley.

3. Increase the width of the existing private pathway from three feet to six feet in width and install a ramp, to comply with the ADA requirements.
4. Plant five 2" DBH trees a minimum of six feet tall on site, as shown on the final site plan or apply for a street tree removal permit to request an exemption to "replacement planting" to be consistent with the current street tree standards.

E. On-going Conditions:

1. An on-going condition of the approval is that the site be maintained in accordance with the approved site plan. In the event that landscaping is not maintained, in spite of the assurances provided, this would become a code compliance issue.
2. Planning must review and approve plans for additional screening prior to upgrading to container solid waste/recycling service or prior to storing trash containers outside of the structure.
3. An increase in the amount of commercial office space at 22334 SW Main Street must receive a change of use/ site plan approval prior to an increase in office space.

**VIII. EXHIBITS**

- A. Applicant's submittal materials dated May 27, 2011
- B. Engineering Department comments dated June 20, 2011
- C. Pride Disposal comments dated June 6, 2011
- D. Clean Water Services submitted comments dated June 13, 2011

End of Report

A complete copy of the applicant's submitted materials received on May 27, 2011 are available to be viewed at City Hall (22560 SW Pine Street, Sherwood, Oregon 97140) or the City of Sherwood website at <http://www.sherwoodoregon.gov/head-old-town-change-use> .



22560 SW Pine Street  
Sherwood, Oregon 97140  
Ph: 503-625-5522  
Fax: 503-625-5524  
WebSite:  
[www.sherwoodoregon.gov](http://www.sherwoodoregon.gov)

## Memorandum

**Date:** June 20, 2011

**Project:** Head Old Town

**To:** Zoe Monahan

**From:** Bob Galati

**Topic:** Engineering Review Comments

Per Code Section 16.108.030.D, development is required to provide frontage improvements as needed to meet City street standards. These standards include curbs, sidewalks, catch basins, street lights and street trees. The existing site conditions already include curbs, storm water catch basins, and street lighting.

For the existing lot, public sidewalk across the property frontage is not in existence on either SW Main Street or SW 3<sup>rd</sup> Street. To be in minimal compliance with City Code requirements and to provide ADA access to the business entrance, an ADA curb ramp and 5-foot wide concrete sidewalk shall be installed in conformance with City's design and construction standards. The ADA ramp shall be located at the southeast corner of the intersection of SW Main Street and SW 3<sup>rd</sup> Street. The 5-foot wide concrete sidewalk shall be installed curb tight and extend from the ADA curb ramp south approximately 100.00 feet, ending at the mid-block alley.

The installation of public sidewalk along the SW 3<sup>rd</sup> Street side of the lot is not being required under this application since the public access is on SW Main Street and the requirement to add sidewalk along SW 3<sup>rd</sup> Street does not seem justifiable.

In addition, a narrower sidewalk section, matching other existing Old Town sidewalk sections, may be approved if a design variation request is submitted to the City Engineer for review and approval. The width of the narrower sidewalk section will be determined by the City Engineer as part of his review.

A compliance agreement will be required as part of the approval for this project, however, since the amount of the work is small, the work may be performed under a right-of-way permit. A performance bond will not be required.

A cash deposit of 10% of the construction cost will be required in lieu of a maintenance bond. This cash deposit will be release after a 2 year maintenance period has elapsed. This money shall be used for repairs of the sidewalk if during the 2-year period the sidewalk shows any signs of damage due to failure in workmanship or materials, and after proper notification the owner refuses to make repairs as identified by the City.

## Zoe Monahan

---

**From:** Kristin Leichner <kristinl@pridedisposal.com>  
**Sent:** Monday, June 06, 2011 2:02 PM  
**To:** Zoe Monahan  
**Subject:** RE: Request for Agency Comments - Head Old Town Change of Use (SP 11-03)

Zoe,

Our only comment is that the garbage service will be provided as if the location was still residential. Meaning it will need to be provided in roll carts (not containers) and they will need to be curbside for pick up.

Let me know if you have any questions!

Kristin Leichner  
Office Manager  
Pride Disposal Co.  
(503) 625-6177

-----Original Message-----

From: Zoe Monahan [mailto:MonahanZ@SherwoodOregon.gov]  
Sent: Monday, June 06, 2011 12:02 PM  
To: 'Wendy.S.ELSTUN@odot.state.or.us'; 'baldwinb@trimet.org'; 'rmk@nwnatural.com'; Brad Crawford; 'Charles.redon@state.or.us'; 'crbelt@bpa.gov'; Craig Sheldon; 'dmdostert@bpa.gov'; 'drew.debois@tvfr.com'; 'ehays@sherwood.k12.or.us'; 'Ellen.R.DENNIS@odot.state.or.us'; 'karen.mohling@tvfr.com'; Kristin Leichner; 'kurt.A.MOHS@odot.state.or.us'; 'd5b@nwnatural.com'; Bob Galati; 'raindrops2refuge@gmail.com'; 'mwerner@gwrr.com'; 'mike.livingston@pgn.com'; 'Naomi\_Vogel-Beattie@co.washington.or.us'; 'mike.hieb@pgn.com'; 'metcalfr@kindermorgan.com'; 'rsv@nwnatural.com'; 'Sam.H.HUNDAIDI@odot.state.or.us'; 'Seth.A.BRUMLEY@odot.state.or.us'; 'oesers@metro.dst.or.us'; 'stephen\_roberts@co.washington.or.us'; 'steven.b.schalk@odot.state.or.us'; 'mike.hieb@pgn.com'; 'DeBois, Drew S.'; Andrew Stirling; 'humphreysj@CleanWaterServices.org'; 'tumpj@trimet.org'; 'spieringm@CleanWaterServices.org'; Tom Nelson  
Cc: Julia Hajduk; Karen Brown  
Subject: Request for Agency Comments - Head Old Town Change of Use (SP 11-03)

Good Afternoon,

The City of Sherwood has received an application for an Old Town change of use site plan at 22344 SW Main Street. I have attached the agency comment form and a site plan to this e-mail. If you have any questions or concerns please feel free to contact me. I would appreciate your comments by June 20, 2011 as the Hearing is scheduled for July 12, 2011.

Thank you for your time and have a great day.

Zoe Monahan  
Assistant Planner  
City of Sherwood  
503-625-4202  
[monahanz@sherwoodoregon.gov](mailto:monahanz@sherwoodoregon.gov)

Exhibit C

**MEMORANDUM**

**Date:** June 13, 2011  
**To:** Zoe Monahan, Assistant Planner, City of Sherwood  
**From:** Jackie Sue Humphreys, Clean Water Services (the District)  
**Subject:** Old Towne Split Use, SP 11-03, 2S132BC00800

Clean Water Services has no concerns or objections to this application request. As submitted, this application request will not require further review or the issuance of a Storm Water Connection Permit Authorization.

City of Sherwood  
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www.sherwoodoregon.gov

Mayor  
Keith Mays

Council President  
Dave Grant

Councillors  
Linda Henderson  
Robyn Folsom  
Bill Butterfield  
Matt Langer  
David Luman

City Manager  
Jim Patterson



2009 Top Ten Selection



2007 18<sup>th</sup> Best Place to Live



DATE: July 5, 2011  
TO: Planning Commission  
FROM: Julia Hajduk, Planning Manager  
Heather Austin, Senior Planner, AICP  
SUBJECT: Commercial and Industrial Uses

At the June 14<sup>th</sup> Planning Commission work session, we completed review of the detailed analysis of issues with the Commercial and Industrial use classifications. We are in the process of comparing the existing and new use classifications to ensure that every existing use is accounted for in the new language.

At the July 12<sup>th</sup> meeting, we plan to share any additional issues we have found and begin discussion of overall changes to the chapters, similar to the reorganization completed for the residential uses.

We hope to have a firm handle on the uses and potential code changes by the end of July. We will then conduct additional outreach through July and August, and we hope to wrap up the discussion on potential updates to the commercial and industrial uses by September, in anticipation of hearings in October or November.

Attachments: none