
City of Sherwood, Oregon
Planning Commission Minutes
February 22, 2011

Commission Members Present:

Chair Allen
Jean Simson
Brad Albert
Russell Griffin
Michael Cary

Staff:

Julia Hajduk, Planning Manager
Michelle Miller, Associate Planner
Zoe Monahan, Assistant Planner
Karen Brown, Recording Secretary

Commission Members Absent:

Lisa Walker
Raina Volkmer

Council Liaison – Councilman Luman

1. **Call to Order/Roll Call** – Vice Chair Simson called the meeting to order.
2. **Agenda Review** – Due to late arrivals, the order of A & B under new business will be switched.
3. **Consent Agenda** – includes minutes from August 24th, 2010 and January 11, 2011. Julia Hajduk noted that in the January 11th minutes, Matt Nolan’s name was included and should not have been. Brad Albert’s name was not included and should have been. Motion to approve the consent agenda as corrected made by Commissioner Griffin. Motion seconded by Commissioner Carey. A vote was taken and all present were in favor. The motion passed.
4. **City Council Comments** – none given,
5. **Staff Announcements** – Julia advised that she had received a letter of resignation from Commissioner Volkmer. She also noted that Commissioner Simson’s term will end the last part of March and she has chosen not to ask to be reappointed. The two chairs will be filled as soon as possible.

The City Council has passed the Code update I.V, which includes the street tree amendment and fences and hedges and will be effective March 17, 2011.

Arbor Day is set to be celebrated April 22nd this year in a large open space near Inkster Drive. There have been trees planted in this area in the past that could be planted in someone’s name in dedication.

The Commissioners were asked to bring their code books to the next meeting so they may be updated with current updates.

Lastly, there have been a few neighborhood meetings held as a result of the Phase I code updates including a meeting for the Stella Olsen Memorial Park Restrooms. As an example of the new notice provisions; 217 were mailed to residents. Another current application in process is for a change to the GI Joes' property and that will include 300 notices mailed.

Council Liaison Dave Luman arrived. Commissioner Simson asked that it be pointed out what changes the Council made regarding hedges, trees and fences in their final decision on the Code Clean Up. Julia stated that the Council decided that they did not want to remove hedges from the definition of fences. Hedges are now allowed to be as tall as 8' in residential zones and 12' tall in commercially and industrially zoned areas.

- 6. Community Comments – Neil Shannon 23997 SW Red Fern Drive, Sherwood, OR** spoke and presented a power point presentation about a wetland area within the Brookman Road development area. He would like to bring this area, “a jewel” in his words, to the Commission's attention. He stated that it is his understanding that the pedestrian access off of Red Fern will be used as an access road, but the commitment has been made to repair any damage done to the path by the large equipment. He showed examples of the existing large trees and existing forestation. He feels the biggest challenges of the work being done are the marshes at the south end of the creek. He would like to urge that work proceed with care and caution of the area and its natural habitat and forests. He does not want to stop the project, but rather educate the crews to the sensitive nature of the area.

(Recording Secretary note: Chair Allen arrived during Mr. Shannon's testimony.)

- 7. Old Business – none**
- 8. New Business – PA 11-01 Code Clean-up Phase II**
Chair Allen opened the public hearing.

Michelle Miller began by giving an overview of the contents of the Staff Report. The development code has not had a comprehensive update in quite some time. In April of 2010 a multi-phased process began to evaluate different code provisions. Phase I included: application submittal requirements, public notices and other simple fixes. Phase II includes: Residential Uses and Variances, Home Occupations, Accessory Structures, Architectural Features and Clear Vision Areas. She reviewed the proposed changes and the staff recommendation.

(Recording Secretary note: Commissioner Walker arrived.)

Neil Shannon 23997 SW Red Fern Drive, Sherwood OR testified that while he has never raised chickens, it is not a problem; however needing a \$1,000 plus variance is very expensive. His main focus is on the HAM radio antennas. He is a radio operator that works with a group called A.R.E.S. (Amateur Radio Emergency Services) and wanted to remind everyone that in emergency situations how important HAM Radio operations can be. He pointed out that in State Statute there is the recommendation of antenna height being allowed to 70', with some exceptions. The one suggestion he had would be to remove the term HAM

from the code language as this is a slang term and the Amateur Radio Operator would suffice.

Michelle gave closing thoughts including more detailed information regarding feedback received about chickens and the difference in waste produced by different types of chickens; egg laying vs. chickens raised for consumption.

There were scrivener's errors and editing comments that were noted, discussed and corrected. Chair Allen closed the public hearing and opened the project up for deliberation. He noted that discussion was needed on whether Townhomes are permitted or not and if the format of the numbering in the Home Occupations language should be changed to be consistent with other language.

Commission Simson pointed out further inconsistencies with the code language regarding chapter 16.4 6 regarding manufactured home placement.

Julia suggested changing the wording in 16.4 6 010 by deleting the specific zoning MDRL and MDRH. The Commission will consider that amendment.

Deliberation continued regarding, pergolas, arbors, and trellises with Commissioner Simson wanting to follow recommendations she heard from the City Council to keep the code "neighbor friendly". Height requirements, setbacks and separations were discussed and how the regulations of Building Codes fit with what is proposed. Commissioner Simson concluded that what she is suggesting is that, more permanent structures of a certain height would need to comply with the setback requirements.

Chair Allen suggested the wording be: pergolas, arbors, trellises and similar structures without closed sides, under 10' in height would not be required to meet setbacks.

Moving forward, Commissioner Simson recommended adding changes that would state "applicability for doing a variance would not apply to a modified PUD standard."

Addressing a redundancy in the variance language on page 18, item 3. d. Julia suggested deleting the portion of the code that states "and cannot be part of a subdivision application." The Commission agreed.

Also on page 18, Commissioner Simson, recommended changing the 25% reduction talked about in item E to be changed to 20% to maintain consistency in variances throughout the code. The Commission agreed.

Commissioner Griffin suggested formatting the tables to maintain headings that would allow ease of understanding for customers at the counter.

The Commission discussed chicken enclosures and recommended making minor formatting corrections and specify what the definition of a "nuisance" is and what can be abated.

As it had been discussed earlier, on page 3 under residential uses in the MDRL column, townhomes should be changed to an N (not permitted) and in a later code change be looked at more closely.

Chair Allen suggested that rather than seeing this issue back at a Planning Commission meeting just to view the corrections and changes made, forwarding it on to City Council with all of the changes noted.

Commissioner Simson made a motion to recommend for approval to the City Council PA 11-01 Code Clean Up Phase II based on the adoption of the staff report, findings of fact, public testimony, staff recommendations, agency comments, applicant comments and conditions and code language as revised to be heard tentatively at the April 5 City Council meeting. Commissioner Walker seconded motion. All commissioners present were in favor and the motion carried.

After a short recess Chair Allen reconvened the meeting and asked Zoe to proceed with her tree panel follow up.

Zoe gave a brief recap of a Tree Panel discussion that was held on the 8th, that included Kristen Ramsted from the Oregon Department of Forestry, Todd Prager from the City of Tigard and developers Ted Eagon and Randy Sabastion. Tree preservation value, removal and mitigation were among the topics they discussed.

Commissioner Simson gave her feedback on the discussion including how exciting it was that the developers, foresters and arborists were all so close in their comments about the value of trees in the community, and that it really does economically and ecologically enhance the community. They talked about the benefits of good quality tree canopies and not necessarily saving all trees. Another item they discussed was offering incentives to preserve cohesive stands of trees and encouraging wider planter strips to enhance the tree presence. They all preferred the tree for tree idea of replacement rather than inch per inch replacement.

Commissioner Albert pointed out that one of the issues the arborist had discussed was looking at the types of canopies that are being removed and the quality of those canopies. As far as the replacement trees, asking if the new trees will provide a canopy as good as what was there and what will it look like years down the road.

Julia encouraged everyone to watch the meeting and pointed out the option of making trees an asset rather than a penalty to developers.

Zoe explained the timeline for this topic: On March 8th she will have a concept framing memo prepared for the Commission to discuss goals and objectives. Tentatively on April 26th the goals and objectives will be finalized and hopefully on May 24th, discussion on the first draft language at a work session.

Chair Allen closed the meeting.

End of minutes.