

Semi Truck Centers Inc. Site Plan and Conditional Use

Staff Report

SP 16-05/CUP 16-02

TO: Hearing Officer

Pre-App. Meeting:	February 15, 2016
App. Submitted:	April 4, 2016
App. Complete:	April 29, 2016
120-Day Deadline:	August 26, 2016
Hearing Date:	June 13, 2016

FROM:



David Bantz  
Associate Planner

**Proposal:** The applicant proposes an industrial building of 6,175 square feet, which would have been reviewed through the Type II process except the proposed use of Semi Truck Repair which is a Conditional Use requiring a Type III Review.

**I. BACKGROUND**

A. **Applicant:**

Matt Newman  
NW Engineering, LLC  
3409 NW John Olsen Place  
Hillsboro, OR 97124

**Owner:**

Sherwood Commercial Center LLC.  
Dwain Quandt  
6029 NW Alfalfa Drive  
Portland, OR 97229

B. **Location:** 2S12A002100

C. **Address:** 20633 SW Olds Place-Lot 5 of the Sherwood Commercial Center (currently a vacant site).

D. **Parcel Size:** The site is approximately 1.09 acres in size.

- E. **Existing Development and Site Characteristics:** The site is flat and vacant with limited vegetation and no trees. The site is part of the Sherwood Commercial Center, a ten lot subdivision zoned Light Industrial (LI). The site accesses, SW Olds Place, a cul-de sac.
- F. **Site History:** The site is located within the Sherwood Commercial Center, a Light Industrial subdivision (SUB 05-01) comprised of ten lots with access onto SW Tualatin Sherwood Road. This is the fourth proposed development within the Sherwood Commercial Center.
- G. **Adjacent Zoning and Land Use:** Surrounding uses include other industrial developments zoned Light Industrial, (LI).
- H. **Review Type:** According to §16.72.010.A3a, Conditional Uses require a Type III review with a Hearings Officer decision. An appeal would be heard by the Planning Commission.
- I. **Public Notice and Hearing:** Notice of the application was mailed to property owners within 1,000 feet, posted on the property and distributed in five locations throughout the City on May 23, 2016 in accordance with § 16.72.020 of the Sherwood Zoning and Development Code (SZDC). The notice was published in the Times on June 1 and 9, 2016 (a newspaper of general circulation) in accordance with § 16.72.020 of the SZDC.
- J. **Review Criteria:** Sherwood Zoning and Community Development Code Sections 16.31, Industrial Zoning Districts; 16.58, Clear Vision Standards; 16.82 Conditional Uses; 16.90 Site Plan Review, 16.92 Landscaping, 16.94 Off Street Parking and Loading, 16.96 On-Site Circulation, VI. Public Infrastructure; and Division VIII. Environmental Resources.

## II. PUBLIC COMMENTS

Public notice was mailed, posted on the property, and posted in five locations throughout the City on May 23, 2016. Staff has received no comments as of the date of this report; however, comments are welcome up to the close of the public hearing.

## III. AGENCY COMMENTS

Staff sent e-notice to affected agencies on May 13, 2016. The following is a summary of the comments received. Copies of full comments are included in the record unless otherwise noted.

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

An erosion control plan and permit is required from the City of Sherwood Engineering Department for all public and private improvements. The erosion control permit is reviewed, approved and released as part of the public improvement plans. Craig's comments are attached as **Exhibit B**.

Pride Disposal Company: Kristen Leichner, Pride Disposal, has indicated that the location of the trash enclosure does provide adequate access for their trucks. However, not enough detail is shown on the site plan to indicate if all of their standards are to be met. Her comments are attached as **Exhibit C**.

Clean Water Services: A CWS Pre-Screening Site Assessment dated March 16, 2016 states that sensitive areas do not appear to exist on site or within 200' of the site. Jackie Humphries, CWS provided comments that indicated a storm water connection permit would be required. This will be discussed and conditioned further within this report. Her comments are attached as **Exhibit D**.

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

Washington County, Kinder Morgan Energy, ODOT, METRO, NW Natural Gas and Portland General Electric did not respond or provided no comments to the request for agency comments by the date of this report.

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

##### **D. Required Findings**

**No site plan approval shall be granted unless each of the following is found:**

- 1. The proposed development meets applicable zoning district standards and design standards in Division II, and all provisions of Divisions V, VI, VIII and IX.**

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

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

**FINDING:** Water, sanitary and streets are all available. These services were provided with the initial development in 2005. The nearest park is Langer Park, off of SW Langer Drive in a residential neighborhood. Solid waste services, communication and public safety are all available to this development as it is located in Sherwood, with easy access to SW Tualatin Sherwood Road.

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

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

- 4. The proposed development preserves significant natural features to the maximum extent feasible, including but not limited to natural drainage ways, wetlands, trees, vegetation**

(including but not limited to environmentally sensitive lands), scenic views, and topographical features, and conforms to the applicable provisions of Division VIII of this Code and Chapter 5 of the Community Development Code.

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

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

**FINDING:** The proposed activity involves the repairing of semi-trucks, and the building will include 3 bays for repairs and maintenance as well as another bay for painting. In addition, there will be an office, restroom and storage. It is anticipated that there will be 2-4 employees, and fewer than 10 customers per day. Based on the scale of the proposed business the City Engineer determined that there was not a need for a TIA to be provided.

## 6. Commercial Design Standards

**FINDING:** The property is zoned Light Industrial and these standards are not applicable.

7. Industrial developments provide employment opportunities for citizens of Sherwood and the region as a whole. The proposed industrial development is designed to enhance areas visible from arterial and collector streets by reducing the "bulk" appearance of large buildings. Industrial design standards include the following:

- a. Portions of the proposed industrial development within 200 feet of an arterial or collector street and visible to the arterial or collector (i.e. not behind another building) must meet any four of the following six design criteria:
  - (1) A minimum 15% window glazing for all frontages facing an arterial or collector.
  - (2) A minimum of two (2) building materials used to break up vertical facade street facing frontages (no T-111 or aluminum siding).
  - (3) Maximum thirty-five (35) foot setback for all parts of the building from the property line separating the site from all arterial or collector streets (required visual corridor falls within this maximum setback area).
  - (4) Parking is located to the side or rear of the building when viewed from the arterial or collector.
  - (5) Loading areas are located to the side or rear of the building when viewed from the arterial or collector. If a loading area is visible from an arterial or collector, it must be screened with vegetation or a screen made of materials matching the building materials.
  - (6) All roof-mounted equipment is screened with materials complimentary to the building design materials.

**FINDING:** The site is not located within 200 feet of an arterial or a collector street. Therefore this criterion is not applicable.

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

**FINDING:** There are no existing or planned streets that are affected by the development of this site. The site is within a cul-de sac and this criterion is not applicable.

**V. APPLICABLE CODE PROVISIONS**

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

**16.31.020 Uses**

**A. The table below identifies the land uses that are permitted outright (P), permitted conditionally (C) and not permitted (N) in the industrial zoning districts. The specific land use categories are described and defined in Chapter 16.88**

**B. Uses listed in other sections of this code, but not within this specific table are prohibited.**

**C. Any use not otherwise listed that can be shown to be consistent or associated with the uses permitted outright or conditionally in the commercial zones or contribute to the achievement of the objectives of the commercial zones may be permitted outright or conditionally, utilizing the provisions of Chapter 16.88.**

<b>INDUSTRIAL</b>	<b>LI</b>	<b>GI</b>	<b>EI</b>
Motorized vehicle and sport craft repairs and service	C	C	N

**FINDING:** The applicant proposes to use the building for the repair of Semi Trucks which most closely falls under the land use category of *Motorized vehicle and sports craft repairs and service*, which is a Conditional Use within the Light Industrial (LI) Zoning District.

**16.31.030 Dimensional Standards**

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

<b>Development Standards by Zone</b>	<b>LI</b>
Lot area- Industrial Uses:	10,000 SF
Lot width at front property line:	100 feet
Lot width at building line:	100 feet
Front Yard Setback	20 feet
Side Yard Setback	None
Rear Yard Setback	None
Corner lot street side	None
Height	50 feet

**FINDING:** As identified within the applicant’s narrative and site plan, the proposed building meet the minimum requirements for area, width and anticipated setbacks. The site is not located adjacent any residential sites and therefore no side or rear yard setbacks are required. The building will be approximately 90 feet from the street, meeting the front yard setback requirement. The building will be approximately 27 feet tall. The dimensional criteria of the LI zoning district are met.

**16.58.010 Clear Vision Areas**

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

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

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

**The following requirements shall govern clear vision areas:**

- 1. In all zones, the minimum distance shall be twenty (20) feet.**
- 2. In all zones, the minimum distance from corner curb to any driveway shall be twenty-five (25) feet.**
- 3. Where no setbacks are required, buildings may be constructed within the clear vision area.**

**FINDING:** The site is located in the Light Industrial (LI) zone, which requires a minimum clear vision distance of 20 feet. The site has access onto SW Olds Place from a driveway apron. The applicant will need to add two (2) street trees adjacent to the driveway and it is unclear whether they will be within the

clear vision triangles. Based on the above discussion, the applicant has not met this criterion, but can do so by meeting the following condition.

**RECOMMENDED CONDITION:** Prior to final site plan approval, show that there are no sight obstructing objects within the clear vision area.

## **B. Division V. Community Design**

### **16.92-LANDSCAPING**

#### **16.92.010-Landscaping Plan Required**

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

**FINDING:** The applicant submitted a landscape plan that shows landscaping adjacent to the building and parking areas. Compliance with the landscaping standards will be discussed below. As proposed and conditioned below, the applicant can meet the landscaping requirements.

## **Chapter 16.82 - CONDITIONAL USES**

### **16.82.010 – Generally**

#### **A. Authorization**

**Uses permitted in zoning districts as conditional uses may be established, enlarged, or altered by authorization of the Commission in accordance with the standards and procedures established in this Chapter. If the site or other conditions are found to be inappropriate for the use requested, the Commission or Hearings Officer (cited below as Hearing Authority) may deny the conditional use.**

#### **B. Changes in Conditional Uses**

**Changes in use or expansion of a legal non-conforming use, structure or site, or alteration of structures or uses classified as conditional uses, that either existed prior to the effective date of this Code or were established pursuant to this Chapter shall require the filing of a new application for review conforming to the requirements of this Chapter if the proposed changes would increase the size, square footage, seating capacity or parking of existing permitted improvements by twenty percent (20%) or more.**

#### **C. Application and Fee**

**An application for a Conditional Use Permit (CUP) shall be filed with the City and accompanied by the appropriate fee pursuant to [Section 16.74.010](#). The applicant is responsible for submitting a complete application which addresses all criteria of this Chapter and other applicable sections of this Code.**

### **16.82.20 - Permit Approval**

#### **A. Hearing Authority Action**

1. The Hearings Authority shall conduct a public hearing pursuant to [Chapter 16.72](#) and take action to approve, approve with conditions, or deny the application. Conditions may be imposed by the Hearings Authority if necessary to fulfill the requirements of the adopted Comprehensive Plan, Transportation System Plan, or the Code. The decision shall include appropriate findings of fact as required by this Section, and an effective date.
2. Conditional uses may be approved at the hearing for a larger development (i.e. business campus or industrial park), to include future tenants of such development, if the range of uses allowed as conditional uses are considered, and specifically approved, at the time of original application.

#### B. Final Site Plan

Upon approval of a conditional use by the Hearing Authority, the applicant shall prepare a final site plan for review and approval pursuant to [Section 16.90](#). The final site plan shall include any revisions or other features or conditions required by the Hearing Authority at the time of the approval of the conditional use.

#### C. Use Criteria

No conditional use shall be granted unless each of the following is found:

1. All public facilities and services to the proposed use, including but not limited to sanitary sewers, water, transportation facilities, and services, storm drains, electrical distribution, park and open space and public safety are adequate; or that the construction of improvements needed to provide adequate services and facilities is guaranteed by binding agreement between the applicant and the City.

**FINDING:** The site currently has public facilities and services, including sanitary sewer, water, storm sewers and a road built to City standards available to it. In addition, the site is served by public safety services, and a public park is available within close proximity. The applicant meets this criterion.

2. Proposed use conforms to other standards of the applicable zone and is compatible with abutting land uses in regard to noise generation and public safety.

**FINDING:** The site is zoned Light Industrial (LI) as are all abutting properties. As mentioned previously, the proposed use is Semi Truck Repairs, which falls under the category of **Motorized vehicle and sports craft repairs and service**, which is a Conditional Use within the Light Industrial (LI) Zoning District. All repairs will be conducted entirely within the building, so any noise should be minimal. The site is served by all needed public safety providers. The applicant meets this criterion.

3. The granting of the proposal will provide for a facility or use that meets the overall needs of the community and achievement of the goals and/or policies of the Comprehensive Plan, the adopted City of Sherwood Transportation System Plan and this Code.

**FINDING:** While the applicant has not given any specifics as to the demand for the proposed use, the use and building do meet all of the specific criteria of the Development Code and the use has been anticipated by being a use listed as a Conditional Use, therefore the applicant meets this criterion.

4. **Surrounding property will not be adversely affected by the use, or that the adverse effects of the use on the surrounding uses, the neighborhood, or the City as a whole are sufficiently mitigated by the conditions proposed.**

**FINDING:** As mentioned previously, the site abuts or is adjacent to other Light Industrial (LI) property on all sides, and is not close to any residential properties. The applicant has met this criterion.

5. **The impacts of the proposed use of the site can be accommodated considering size, shape, location, topography and natural features.**

**FINDING:** The site is relatively flat, large enough to accommodate the proposed building and will not impact any adjacent natural features. The applicant has met this criterion.

6. **The use as proposed does not pose likely significant adverse impacts to sensitive wildlife species or the natural environment.**

**FINDING:** The proposed use does not appear to pose a significant impact to sensitive wildlife species nor the natural environment as it is not in close proximity to either and all activities will be conducted within an enclosed building in an area designated for urban development and zoned Light Industrial. The applicant has met this criterion.

7. **For wireless communication facilities, no Conditional Use Permit will be granted unless the following additional criteria is found:**

- a. **The applicant demonstrates to the satisfaction of the City that the wireless communication facility cannot be located in an IP zone due to the coverage needs of the applicant.**
- b. **The proposed wireless communication facility is designed to accommodate co-location or it can be shown that the facility cannot feasibly accommodate co-location.**
- c. **The applicant demonstrates a justification for the proposed height of the tower or antenna and an evaluation of alternative designs which might result in lower heights.**
- d. **The proposed wireless communication facility is not located within one-thousand (1,000) feet of an existing wireless facility or that the proposed wireless communication facility cannot feasibly be located on an existing wireless communication facility.**
- e. **The proposed wireless communication facility is located a minimum of three-hundred (300) feet from residentially zoned properties.**

**FINDING:** The proposed use is not a wireless communication facility. Therefore, this criterion is not applicable.

8. **The following additional criteria apply to transportation facilities and improvements subject to Conditional Use approval per [Chapter 16.66](#). These are improvements and facilities that are (1) not designated in the adopted City of Sherwood Transportation System Plan (TSP), and are (2) not designed and constructed as part of an approved land use application.**

- a. The project preserves or improves the safety and function of the facility through access management, traffic calming, or other design features.
- b. The project includes provisions for bicycle and pedestrian access and circulation consistent with the Comprehensive Plan, the requirements of this Code, and the TSP.
- c. Proposal inconsistent with TSP: If the City determines that the proposed use or activity or its design is inconsistent with the TSP, then the applicant is required to apply for and obtain a plan and/or zoning amendment prior to or in conjunction with Conditional Use Permit approval.
- d. State transportation system facility or improvement projects: The Oregon Department of Transportation (ODOT) must provide a narrative statement with the application demonstrating compliance with all of the criteria and standards in Sections 16.82.020.C.1—6 and 8.a—8.d. Where applicable, an Environmental Impact Statement or Environmental Assessment may be used to address one or more of these criteria.

**FINDING:** The proposed use is not a Transportation Facility nor Improvement as defined per Chapter 16.66. Therefore, this section is not applicable.

#### **D. Additional Conditions**

In permitting a conditional use or modification of an existing conditional use, additional conditions may be applied to protect the best interests of the surrounding properties and neighborhoods, the City as a whole, and the intent of this Chapter. These conditions may include but are not limited to the following:

- 1. Mitigation of air, land, or water degradation, noise, glare, heat, vibration, or other conditions which may be injurious to public health, safety or welfare in accordance with environmental performance standards.
- 2. Provisions for improvement of public facilities including sanitary sewers, storm drainage, water lines, fire hydrants, street improvements, including curb and sidewalks, and other above and underground utilities.
- 3. Increased required lot sizes, yard dimensions, street widths, and off-street parking and loading facilities.

**FINDING:** The applicant's proposal does not necessitate public improvements, mitigation of air, land or water degradation, noise, glare, heat, vibration or other conditions or changes to the street width or lot sizes that require the special conditions of these additional measures or conditions.

- 4. Requirements for the location, number, type, size or area of vehicular access points, signs, lighting, landscaping, fencing or screening, building height and coverage, and building security.

**FINDING:** As mentioned elsewhere in this report, there is a need to modify the landscape plan in order to provide the required street trees, but there is not the need to provide an additional condition.

**5. Submittal of final site plans, land dedications or money-in-lieu of parks or other improvements, and suitable security guaranteeing conditional use requirements.**

**FINDING:** While the above items will be required prior to receiving final site plan approval and permits, there is no need to require additional conditions as a result of the requested conditional use.

**6. Limiting the number, size, location, height and lighting of signs.**

**FINDING:** There are no signs being reviewed as part of this application. However, there will be the need for future signs to be reviewed and approved in accordance with the standards of section 16.100 of the Development Code.

**7. Requirements for the protection and preservation of existing trees, soils, vegetation, watercourses, habitat areas and drainage areas.**

**FINDING:** There is no need for additional conditions regarding the protection and preservation of existing trees, soils, vegetation, watercourses, habitat areas and drainage areas.

**8. Requirements for design features which minimize potentially harmful environmental impacts such as noise, vibration, air pollution, glare, odor and dust.**

**FINDING:** The requested Conditional Use has the potential to create excessive noise, so it is necessary to require an additional condition to minimize that potential.

**RECOMMENDED CONDITION:** All work shall be done within a completely enclosed building.

**E. Time Limits**

Unless approved under Section 16.82.020.A.2 for a larger development to include future tenants of such development, authorization of a conditional use shall be void after two (2) years or such lesser time as the approval may specify unless substantial construction, in the City's determination, has taken place. The Hearing Authority may extend authorization for an additional period, not to exceed one (1) year, upon a written request from the applicant showing adequate cause for such extension, and payment of an extension application fee as per [Section 16.74.010](#).

**F. Revocation**

Any departure from approved plans not authorized by the Hearing Authority shall be cause for revocation of applicable building and occupancy permits. Furthermore, if, in the City's determination, a condition or conditions of CUP approval are not or cannot be satisfied, the CUP approval, or building and occupancy permits, shall be revoked.

**16.92.020 Landscaping Materials**

**A. Type of Landscaping**

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

**FINDING:** The applicant provided a landscape plan that shows a combination of evergreen or deciduous trees and shrubs, evergreen ground cover, and perennial plants. The applicant identified the groundcover, shrubs and the exact number of trees to be planted. The applicant has not verified that the plan has been certified by a landscape professional. The applicant has not met this criterion, but can meet this criterion with the following condition.

**RECOMMENDED CONDITION:** Prior to final site plan approval, submit a final landscape plan that has been verified by a landscape professional.

### **16.92.030 Site Area Landscaping and Perimeter Screening Standards**

#### **A. Perimeter Screening and Buffering**

##### **1. Perimeter Screening Separating Residential Zones:**

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

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

##### **2. Perimeter Landscaping Buffer**

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

**FINDING:** The site plan shows a landscape strip 10 feet wide around the perimeter of the site where the site is adjacent to parking and a driveway. The applicant has met this criterion.

#### **B. Parking Area Landscaping**

##### **3. Required Landscaping**

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

**FINDING:** The proposal will provide a total of 13 parking spaces including 1 ADA space. Based on the above standards a total of 585 square feet of parking area landscaping is required. The plans call for approximately 1600 square feet of landscaping that qualifies as Parking Area Landscaping. The applicant has met this criterion.

##### **4. Amount and Type of Required Parking Area Landscaping**

**a. Number of Trees required based on Canopy Factor**

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

(1) Any combination of the following is required:

(i) One (1) large tree is required per four (4) parking spaces;

(ii) One (1) medium tree is required per three (3) parking spaces; or

(iii) One (1) small tree is required per two (2) parking spaces.

(iv) At least five (5) percent of the required trees must be evergreen.

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

**b. Shrubs:**

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

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

**c. Ground cover plants:**

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

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

**FINDING:** The applicant provided a list of the plants, location of the plants and size of the containers of the plants to be planted. The applicant proposes 20 medium trees, which is in excess of the 5 required. The applicant proposes 173 shrubs, which is over the required 26 shrubs, or two shrubs per each space. The applicant identified the ground cover. The applicant provided enough detail about the quantity of specific trees in order to be compliant with this criterion, and thus this criterion is met.

**5. Individual Landscape Islands Requirements**

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

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

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

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

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

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

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

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

**FINDING:** The proposed parking is situated so that there are not more than 7 contiguous spaces. Therefore, this section does not apply.

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

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

**FINDING:** The site is not adjacent to a residential zone. The building's southern side faces SW Olds Place. The applicant proposes to screen the building adjacent to SW Olds with landscaping. The applicant does not propose any outdoor storage nor identify any mechanical equipment. The applicant meets this criterion.

### **D. Visual Corridors**

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

**FINDING** The site is not adjacent to any street where a visual corridor is required and therefore this criterion is not applicable.

## **16.92.040 Installation and Maintenance Standards**

### **A. Installation**

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

**FINDING:** The applicant has shown on the landscape plan how the landscaping will be installed within the general planting notes. It includes the type of soil, soil amendments and how the plantings shall be planted, staked and finished. The applicant has met this criterion.

### **B. Maintenance and Mitigation of Landscaped Areas**

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

### **C. Irrigation**

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

1. Option 1: A permanent built-in irrigation system with an automatic controller installed.

2. Option 2: An irrigation system designed and certified by a licensed landscape architect or other qualified professional as part of the landscape plan, which provides sufficient water to ensure that the plants become established. The system does not have to be permanent if the plants chosen can survive independently once established.

3. Option 3: Irrigation by hand. If the applicant chooses this option, an inspection will be required one (1) year after final inspection to ensure that the landscaping has become established.

**FINDING:** The applicant indicated that the plantings will be maintained using Option 1: a permanent built-in irrigation system with an automatic controller installed. This requires a final inspection after one year to ensure that the landscaping has become established. This criterion has not been met, but can be met with the following condition.

**RECOMMENDED CONDITION:** One year after the final inspection for occupancy contact the Sherwood Planning Department – 503-925-5522, for an inspection of the onsite landscaping to ensure that it is healthy and being maintained.

## **16.94 OFF STREET PARKING AND LOADING**

### **16.94.010 - General Requirements**

#### **E. Location**

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

**FINDING:** The applicants is proposing 13 parking spaces, including 1 ADA space. Six (6) of the proposed spaces are located to the front of the building, with the remaining 7 spaces located to the side of the building. The loading areas, which are to be used primarily to allow the trucks to enter the building, are located in the front of the building. Based on the size of the lot, the front appears to be the only feasible location for the loading areas. The applicant has met this criterion.

#### **F. Marking**

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

**FINDING:** The applicant provided a parking plan with markings. The parking and maneuvering areas are not typical, as they are in 2 distinct locations, but they do meet the criterion.

**G. Surface and Drainage**

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

**FINDING:** The applicant proposes to use asphalt paving for the parking and loading area on site. This criterion is met.

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

**FINDING:** Currently, a public storm sewer main exists within SW Olds Place along the subject property frontage. Parking and loading area runoff will be directed into the system. The Engineering Department does not require any additional public storm sewer main extension. There is an existing water quality swale that was constructed with the original subdivision that according to the Engineering Department is large enough to accommodate the storm water from this development. This criterion is met.

**H. Repairs**

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

**FINDING:** The site will be inspected before the Certificate of Final Occupancy is granted and will need to be in good condition and repair. After that, any necessary repairs would become a Code Compliance issue. Based on the discussion, the applicant has not met this criterion, but can do so with the following condition.

**RECOMMENDED CONDITION:** Prior to Final Occupancy, ensure that the parking and loading areas are kept in good repair, wheel stops in good condition and the painted parking space boundaries and directional symbols are maintained in a readable condition.

**I. Parking and Loading Plan**

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

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

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

#### **16.94.020 - Off-Street Parking Standards**

##### **A. Generally**

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

**FINDING:** The proposed building will contain 6175 square feet of gross floor area, and the parking standard of this use is 1.6 spaces per 1000 square feet of gross floor area, therefore the parking required is 10 spaces. Since the site plan (Sheet 4) indicated that 13 spaces are being provided, this criterion is met.

##### **B. Dimensional and General Configuration Standards**

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

**FINDING:** The applicant showed one ADA space and 12 standard parking spaces. Based on the 25% allowance for compact spaces, the applicant may have up to three compact parking spaces. This criterion can be met, and the applicant could have as many as 3 of the parking spaces be designated as compact.

##### **2. Layout**

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

**FINDING:** The applicant provided a site plan showing the individual parking spaces dimensions that meet the standards identified above. Therefore the applicant meets this criterion.

##### **3. Wheel Stops**

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

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

**FINDING:** The applicant has not indicated that wheel stops are to be installed where parking abuts a sidewalk or walkway. Based on the finding, the applicant has not met this criterion, but can do so with the following condition.

**RECOMMENDED CONDITION:** Prior to final site plan approval the site plan shall be modified to include wheel stops meeting the standards of section 16.94.020 B3 of the Development Code.

## **C. Bicycle Parking Facilities**

### **1. General Provisions**

- a. **Applicability.** Bicycle parking spaces shall be provided for new development, changes of use, and major renovations, defined as construction valued at twenty-five (25) percent or more of the assessed value of the existing structure.
- b. **Types of Spaces.** Bicycle parking facilities shall be provided in terms of short-term bicycle parking and long-term bicycle parking. Short-term bicycle parking is intended to encourage customers and other visitors to use bicycles by providing a convenient and readily accessible place to park bicycles. Long-term bicycle parking provides employees, students, residents, commuters, and others who generally stay at a site for at least several hours a weather-protected place to park bicycles.
- c. **Minimum Number of Spaces.** The required total minimum number of bicycle parking spaces for each use category is shown in Table 4, Minimum Required Bicycle Parking Spaces.
- d. **Minimum Number of Long-term Spaces.** If a development is required to provide eight (8) or more required bicycle parking spaces in Table 4, at least twenty-five (25) percent shall be provided as long-term bicycle with a minimum of one (1) long-term bicycle parking space.
- e. **Multiple Uses.** When there are two or more primary uses on a site, the required bicycle parking for the site is the sum of the required bicycle parking for the individual primary uses.

**FINDING:** The applicant provides for two bicycle spaces. However, the spaces are not located in an area that meets the design standards found elsewhere, and a condition regarding these standards is found elsewhere within this report.

### **2. Location and Design.**

#### **a. General Provisions**

- (1) Each space must be at least two (2) feet by six (6) feet in area, be accessible without moving another bicycle, and provide enough space between the rack and any obstructions to use the space properly.
- (2) There must be an aisle at least five (5) feet wide behind all required bicycle parking to allow room for bicycle maneuvering. Where the bicycle parking is adjacent to a sidewalk, the maneuvering area may extend into the right-of-way.
- (3) **Lighting.** Bicycle parking shall be at least as well lit as vehicle parking for security.
- (4) **Reserved Areas.** Areas set aside for bicycle parking shall be clearly marked and reserved for bicycle parking only.
- (5) Bicycle parking in the Old Town Overlay District can be located on the sidewalk within the right-of-way. A standard inverted "U shaped" or staple design is appropriate. Alternative, creative designs are strongly encouraged.
- (6) **Hazards.** Bicycle parking shall not impede or create a hazard to pedestrians. Parking areas shall be located so as to not conflict with vision clearance standards.

#### **b. Short-term Bicycle Parking**

- (1) Provide lockers or racks that meet the standards of this section.
- (2) Locate inside or outside the building within thirty (30) feet of the main entrance to the building or at least as close as the nearest vehicle parking space, whichever is closer.
- c. Long-term Bicycle Parking
  - (1) Provide racks, storage rooms, or lockers in areas that are secure or monitored (e.g., visible to employees or customers or monitored by security guards).
  - (2) Locate the outside bicycle parking spaces within one hundred (100) feet of the entrance that will be accessed by the intended users.
  - (3) All of the spaces shall be covered.
- d. Covered Parking (Weather Protection)
  - (1) When required, covered bicycle parking shall be provided in one (1) of the following ways: inside buildings, under roof overhangs or awnings, in bicycle lockers, or within or under other structures.
  - (2) Where required covered bicycle parking is not within a building or locker, the cover must be permanent and designed to protect the bicycle from rainfall and provide seven-foot minimum overhead clearance.
  - (3) Where required bicycle parking is provided in lockers, the lockers shall be securely anchored.

**Table 4: Minimum Required Bicycle Parking Spaces**

**Industrial Categories**

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

**FINDING:** The applicant has indicated 2 bicycle parking spaces near the entrance drive, but they do not meet the standards of this section of the Code. Primarily, the spaces are located too far from the entrance to the building and are not covered. Based on the discussion, the applicant has not met this criterion, but can do so with the following condition.

**RECOMMENDED CONDITION:** Prior to final site plan approval the site plan shall be modified to show the location of 2 bicycle parking spaces meeting the standards of section 16.94.020(c) of the Community Development Code.

**16.94.030 - Off-Street Loading Standards**

**A. Minimum Standards**

- 2. The minimum loading area for non-residential uses shall not be less than ten (10) feet in width by twenty-five (25) feet in length and shall have an unobstructed height of fourteen (14) feet.
- 3. Multiple uses on the same parcel or adjacent parcels may utilize the same loading area if it is shown in the development application that the uses will not have substantially overlapping delivery times.
- 4. The following additional minimum loading space is required for buildings in excess of twenty thousand (20,000) square feet of gross floor area:
  - a. Twenty thousand (20,000) to fifty (50,000) sq. ft. - five hundred (500) sq. ft.
  - b. Fifty (50,000) sq. ft. or more - seven hundred fifty (750) sq. ft.

**FINDING:** The proposed building is to have four (4) loading bays along its south side. These loading bays are within the parking area of the site. This is acceptable however, the applicant will need to mark the loading

areas separate from the parking area with signage or striping. Based on the above discussion, the applicant does not meet this criterion, but can do so with the following condition.

**RECOMMENDED CONDITION:** Prior to final site plan approval, indicate how the loading areas will be separately marked either with signage or striping.

**B. Separation of Areas**

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

**FINDING:** The site contains four (4) loading bays along the south side of the building. These loading bays are within the parking area of the site. This is acceptable however, the applicant will need to demark the loading areas separate from the parking area with signage or striping. Based on the above discussion, the applicant does not meet this criterion but it has been conditioned above.

**16.96 ONSITE CIRCULATION**

**16.96.030 - Minimum Non-Residential Standards**

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

**Industrial: Improved hard surfaced driveways are required as follows:**

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

**FINDING:** The applicant proposes 13 onsite parking spaces. Therefore only one driveway is required. There is one two-way drive approximately 24 feet wide illustrated on the site plan. The applicant meets this criterion.

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

**B. Sidewalks and Curbs**

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

**FINDING:** There is a sidewalk or walkway that connects with the sidewalk on SW Olds Place to the front entrance of the building. The applicant meets this criterion.

**16.98.020 - Solid Waste and Recycling Storage**

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

**FINDING:** According to Kristen Leichner, Pride Disposal, the site plan shows an area for trash and recycling that allows adequate access. However, not enough details have been shown to indicate if all of Pride's standards are being met. Therefore, the following condition is recommended.

**RECOMMENDED CONDITION:** Prior to final site plan approval, submit plans for the solid waste and recycling storage that meet Pride Disposal standards and Chapter 16.98.020.

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

**16.106.020 Required Improvements**

**A. Generally**

**Except as otherwise provided, all developments containing or abutting an existing or proposed street, that is either unimproved or substandard in right-of-way width or improvement, shall dedicate the necessary right-of-way prior to the issuance of building permits and/or complete acceptable improvements prior to issuance of occupancy permits. The following figure provides the depiction of the functional classification of the street network as found in the Transportation System Plan, Figure 8-1.**

**FINDING:** The property is bordered by SW Olds Place to the south. The existing street has a 45-foot radius of paved cul-de-sac with 5-foot wide curb tight sidewalk within a 52-foot radius right-of-way section. A standard city cul-de-sac should have a 48-foot radius paved width with a 5-foot wide landscape strip and 6-foot wide sidewalk within a 60-foot radius right-of-way section. Due to the street being fully developed and the same as surrounding properties, no street improvements are being required. However, there is not a driveway access to the site, which necessitates the following recommended condition.

**RECOMMENDED CONDITION:** The new driveway shall meet Sherwood Engineering Department standards.

**16.110 – SANITARY SEWERS**

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

**FINDING:** According to the Engineering Department, a public sanitary sewer main is located in SW Olds Place along the frontage. The applicant will need to use the existing lateral to connect with the building. The applicant does not meet the criterion, but can comply with the following conditions.

**RECOMMENDED CONDITION:** As a general condition, the development shall use the existing sanitary lateral to supply service to the new buildings unless otherwise approved by the Sherwood Engineering Department.

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

## **16.112– WATER SUPPLY**

### **16.112.010 Required Improvements**

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

**FINDING:** According to the Engineering comments, there is a public water main existing within SW Olds Place along the subject property frontage. The existing main on the east side provides service to the property and therefore no improvements will be required. The applicant will be required to connect to this existing service.

The Engineering Department will need to confirm the water flow calculations that include domestic, irrigation and fire. Additionally, the Engineering Department will need to receive a statement of business activities and operations to determine if a Reduced Pressure Backflow Assembly is required. The applicant has not met this criterion, but can do so with the following conditions.

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

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

**RECOMMENDED CONDITION:** Prior to Final Occupancy, the applicant shall submit a statement of business activities and operations to determine if a Reduced Pressure Backflow Assembly is required.

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

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

## **16.114 – STORM WATER**

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

**FINDING:** The Engineering Department has reviewed the proposal and provided the following comments concerning the storm water detention and treatment. There is an existing water quality swale which was constructed with the original subdivision. This swale will receive the runoff from the development of the property. Clean Water Services requires a Storm Water Connection Permit. Based on the above discussion the applicant does not fully meet the criterion, but can do so with the following condition.

**RECOMMENDED CONDITION:** The proposed development shall use the existing storm lateral to supply service to the development unless otherwise approved by the Sherwood Engineering Department.

**RECOMMENDED CONDITION:** Prior to Engineering Approval of the Public Improvement Plans, provide calculations from a qualified professional showing that the existing water quality swale has the capacity to treat the new impervious area from the proposed development.

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

**RECOMMENDED CONDITION:** Prior to Engineering Approval of the Public Improvement Plans, submit a Clean Water Services Storm Water Connection Permit Authorization that includes the standards identified in the comments submitted by Clean Water Services on May 13, 2016.

## **16.116 FIRE PROTECTION**

### **16.116.010 Required Improvements**

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

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

**RECOMMENDED CONDITON:** Prior to Final Site Plan Approval, receive approval of the plans from TVF&R.

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

## **16.118 PUBLIC AND PRIVATE UTILITIES\***

### **16.118.010 Purpose**

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

### **16.118.020 Standard**

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

- B. Public utility easements shall be a minimum of eight (8) feet in width unless a reduced width is specifically exempted by the City Engineer. An eight-foot wide public utility easement (PUE) shall be provided on private property along all public street frontages. This standard does not apply to developments within the Old Town Overlay.**

**FINDING:** There is an existing public utility easement across the frontage of the property. Per City Ordinance 2005-017 and City Resolution 2005-074, Sherwood Broadband utilities are required along the frontage of the site. Since no widening improvements are to be constructed as part of this project the applicant can elect to submit a payment in lieu of constructing these facilities.

**RECOMMENDED CONDITION:** Prior to approval of the public improvement plans, construct or pay the fee in lieu for Sherwood Broadband along the sites frontage.

## **E. Division VIII. Environmental Resources**

### **16.142.060: STREET TREES**

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

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

**FINDING:** The applicant's landscape plan does not show any street trees as required. This standard is not met. In order to meet the requirements of the Development Code the condition found below shall be satisfied.

**RECOMMENDED CONDITION:** Prior to final site plan approval submit a revised landscape plan showing two (2) street trees which will be located outside of the required Clear Vision Triangles.

### **16.142.070 Trees on Property Subject to Certain Land Use Applications**

#### **B. Applicability**

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

#### **C. Inventory**

1. To assist the City in making its determinations on the retention of trees and woodlands, land use applications including Type II - IV development shall include a tree and woodland inventory and report. The report shall be prepared by a qualified professional and must contain the following information:

**FINDING:** There are no trees on site and thus this criterion is not applicable.

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

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

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

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

**FINDING:** The applicant has identified 15,548 square feet of tree canopy on site. The site is 40,166 square feet in size and the proposed tree canopy covers 38% of the site. Therefore the applicant meets this criterion.

**16.148.010 - Vibrations**

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

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

**16.150.010 – Air Quality**

State air quality rules and statutes:

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

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

**16.152.010 - Odors**

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

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

**16.154.010 – Heat and Glare**

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

**FINDING:** The applicant did not provide a proposed lighting plan, but did indicate that they plan to have lights on the front and sides of the building. However, there is not enough information provided to ensure that the proposed development satisfies the standards of this section, so the following condition is recommended.

**RECOMMENDED CONDITION:** Prior to final site plan approval, submit a revised lighting plan showing that the lighting will not project more than 0.5 foot candle from the property onto adjacent properties.

Based upon review of the applicant’s submittal information, review of the code, agency comments and consideration of the applicant’s submittal, staff finds that the proposed site plan does not fully comply with the standards but can be conditioned to comply. Therefore, staff recommends Approval of **Semi Truck Centers Inc. (SP 16-05/CUP 16-02)** with the following conditions of approval:

**VI. CONDITIONS OF APPROVAL**

**A. General Conditions**

1. Compliance with the Conditions of Approval is the responsibility of the developer or its successor in interest.
2. This land use approval shall substantially comply with the submitted preliminary site plans and narrative dated April 20, 2016 and prepared by Matt Newman of NW Engineers, LLC, except as indicated in the following conditions of the Notice of Decision. Additional development or change of use may require a new development application and approval.
3. The developer/owner/applicant is responsible for all costs associated with private/public facility improvements.

4. This approval is valid for a period of two (2) years from the date of the decision notice. Extensions may be granted by the City as afforded by the Sherwood Zoning and Community Development Code.
5. The continual operation of the property shall comply with the applicable requirements of the Sherwood Zoning and Community Development Code and Municipal Code.
6. This approval does not negate the need to obtain permits, as appropriate from other local, state or federal agencies even if not specifically required by this decision.
7. Retaining walls are not allowed within public easements or the public right of way.
8. Retaining walls with a height of four feet or higher located on private property will require a building permit.
9. After one year after final inspection for occupancy, contact the Sherwood Planning Department, 503-925-5522 for an inspection of the onsite landscaping to ensure that it is healthy and being maintained.
10. The development must use the existing sanitary lateral to supply service to the new buildings unless otherwise approved by the Sherwood Engineering Department.
11. The proposed development shall use the existing water service to supply domestic, irrigation and fire water to the development as needed unless otherwise approved by the Sherwood Engineering Department.
12. Water flows calculations (domestic, irrigation and fire) shall be provided by the developer.
13. Private water lines shall be installed in compliance with the current Oregon Plumbing Specialty Code.

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

1. Submit plans that show that there are no site obstructing objects within the clear vision area.
2. Submit a revised landscape plan that has been verified by a landscape professional and includes the addition of two (2) street trees.
3. Submit site plans that comply with ADA parking standards.
4. Submit plans that show how the loading areas will be separately marked either with signage or striping.
5. Submit plans for the solid waste and recycling storage that meet Pride Disposal standards and Chapter 16.98.020.
6. Receive final approval of the plans from Tualatin Valley Fire and Rescue.

7. Submit a revised lighting plan showing that the lighting will not project more than 0.5 foot candle from the property onto adjacent properties.
8. Revise the site plan to show the inclusion of wheel stops meeting the standards of Section 16.94.020 B3 of the Development Code.

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

1. Provide calculations from a qualified professional showing that the existing water quality swale has the capacity to treat the new impervious area from the proposed development.
2. Submit a Clean Water Services Storm Water Connection Permit Authorization that includes the standards identified in the comments submitted by Clean Water Services on May 31, 2016.
3. Construct the improvements or pay the fee in lieu for Sherwood Broadband along the site's frontage.
4. The new driveway shall meet Sherwood Engineering Department standards.

**D. Prior to Building Permit Approval:**

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

**E. Prior to Final Occupancy:**

1. Ensure that the parking and loading areas are kept in good repair, wheel stops in good condition and the painted parking spaces and directional symbols are maintained in a readable condition.
2. Install the private sanitary sewer in compliance with the current Oregon Plumbing Specialty Code.
3. Install a Reduced Pressure Backflow Assembly meeting Sherwood Engineering Department standards if required by Sherwood Public Works.
4. If on-site fire protection is required, install backflow protection meeting Sherwood Engineering Department standards.
5. Ensure that site meets all TVF&R requirements.

6. Plant the street trees in accordance with the revised landscape plan.

**VII. Exhibits**

- A. Applicant's submittal with narrative and supporting documents dated April 20, 2016.
- B. Engineering Comments submitted by Craig Christensen P.E., Civil Engineer on May 25, 2016
- C. Clean Water Services comments submitted on May 31, 2016.
- D. Pride Disposal comments submitted on May 31, 2016.
- E. Tualatin Valley Fire and Rescue Department Comments submitted by John Wolff on May 30, 2016

**END OF REPORT**