



Home of the Tualatin River National Wildlife Refuge

ORDINANCE 2009-005

AN ORDINANCE AMENDING THE COMMERCIAL DESIGN STANDARDS IN THE SHERWOOD ZONING AND COMMUNITY DEVELOPMENT CODE

WHEREAS, The City Council adopted Ordinance 2005-009 which included prescriptive design standards for commercial developments; and

WHEREAS, Since the adoption of Ordinance 2005-009, developers have indicated that the prescriptive design standards are difficult to meet in certain development scenarios; and

WHEREAS, Staff and the Planning Commission recognize that quality development appropriate for Sherwood can be constructed with less prescriptive standards; and

WHEREAS, Staff has worked with the Planning Commission and the development community to create commercial design standards that provide an alternative to the existing standards; and

WHEREAS, The Planning Commission also identified the need for more flexibility in the design review process while ensuring high quality design; and

WHEREAS, The proposed code changes also include housekeeping updates to the off-street loading standards, public and private utility standards, private street standards, and visual corridor standards; and

WHEREAS, The proposed amendments were subject to full and proper review and public hearings were held before the Planning Commission on February 10 and 24, 2009 and the Planning Commission voted to forward a recommendation of approval to the City Council on February 24, 2009; and

WHEREAS, The City Council held a public hearing on May 19, 2009; and

WHEREAS, After full consideration of the public input, Planning Commission recommendation, staff recommendation, and community values, the Council determines that the proposed changes to Sections 16.72.010, 16.90, 16.94.030, 16.118 and 16.142.030 in the Sherwood Zoning and Community Development Code meet the applicable Comprehensive Plan criteria and are consistent with regional and state standards; and

WHEREAS, immediate implementation of these standards would foster commercial project development and potentially save developers from fee increases.

NOW, THEREFORE, THE CITY OF SHERWOOD ORDAINS AS FOLLOWS:

Ordinance 2009-005

June 2, 2009

Page 1 of 2, with exhibits: Exhibit 1 and 1A through 1E

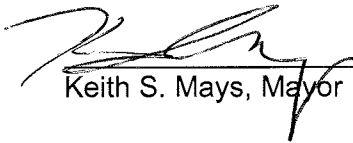
Section 1. Findings. After full and due consideration of the proposal, the Planning Commission recommendation, the record, findings, and the evidence presented at the public hearing, the Council adopts the findings of fact related to the modifications to the commercial design contained Exhibit 1 and amends the text of the SZCDC contained in Exhibits 1A through 1E.

Section 2. Approval. The proposed amendments for commercial design standards (PA 08-04) identified in Exhibits 1-A through 1-E, are hereby **APPROVED**.

Section 3. Manager Authorized. The Planning Department is hereby directed to take such action as may be necessary to document this amendment, including notice of adoption to the Department of Land Conservation and Development and necessary updates to Chapter 16 of the municipal code in accordance with City ordinances and regulations.

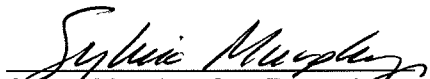
Section 4. Effective Date. An emergency is declared to exist and this ordinance becomes effective immediately after its enactment by the City Council and approval by the Mayor.

Duly passed by the City Council this 2nd day of June 2009.



Keith S. Mays, Mayor

ATTEST:



Sylvia Murphy, City Recorder

	<u>AYE</u>	<u>NAY</u>
Folsom	<u>✓</u>	___
Clark	<u>✓</u>	___
Weislogel	<u>✓</u>	___
Henderson	<u>✓</u>	___
Grant	<u>✓</u>	___
Heironimus	<u>✓</u>	___
Mays	<u>✓</u>	___

**CITY OF SHERWOOD
Planning Commission Recommendation**

**Council Hearing Date: May 19, 2009
File No: PA 08-04
Commercial Design Standards Update**

On February 24, 2009, the Planning Commission recommended approval of the proposed Commercial Design Standards Update (PA 08-04) to the City Council. The Planning Commission held public hearings on this matter on February 10 and 24, 2009. The information below includes the background information, findings of fact and public testimony used by the Planning Commission in making the decision to recommend approval of this proposal.

Proposal: The purpose of this staff report is to summarize proposed changes to the existing commercial design standards in "Division V. Community Design" of the Sherwood Zoning and Community Development Code. The proposed code changes provide alternate design review criteria to be used in lieu of existing standards. The purpose of the code changes is to make the design review standards more flexible, allowing a developer several ways to propose a quality design. There are also several "housekeeping" code changes proposed that directly affect commercial development and are appropriate changes to be made at the same time as commercial design standards. These proposed changes include: revising off-street loading standards to allow uses to share loading areas; exempting the standard 8-foot public utility easement (PUE) in Old Town; revising the private street standard to expressly apply to residential developments (for which it was intended); and revising the visual corridor standard to exempt developments in Old Town.

I. BACKGROUND

Background

In 2005, the City of Sherwood updated the Development Code, adding Section 16.90.020.4.F,

"The proposed commercial, multi-family 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."

Since adoption of this Code language, feedback from developers and staff has been that these standards do not allow consideration of location on busier streets, are too prescriptive

and are not flexible enough to allow a variety of designs appropriate for Sherwood. The Planning Commission directed staff to review the standards and propose revisions to address these concerns. Staff did this with a mixture of reviewing design standards of other jurisdictions and obtaining feedback from the development community via online surveys and work sessions with the Planning Commission.

The evaluation tool designed to review a commercial project is a matrix of design options a developer can use to decide which areas of development to enhance (see Exhibit B-proposed Site Plan Review Matrix). The matrix was used to test existing developments in Sherwood to ensure the results from applying this alternative review process would be higher quality development. Staff also tested the matrix of design options to ensure ease of evaluation.

At the same time the Planning Commission directed staff to research and propose industrial design standards but it was decided to separate these two types of standards and a review of industrial design standards will the commercial design review.

- B. Review Type: The legislative change to the development code requires a Type V review with a public hearing before the Planning Commission who will make a recommendation to the City Council. The City Council will then hold a public hearing and make a decision after consideration of public comment. An appeal would be heard by the Land Use Board of Appeals (LUBA).
- C. Public Notice and Hearing: Notice of the application was posted in five locations throughout the City on January 21, 2009. The notice was published in the Tigard/Tualatin Times on January 29 and February 5, 2009 in accordance with Section 16.72.020 of the SZCDC.
- D. Review Criteria: The required findings for a "Plan Amendment" are identified in Section 16.80 of the Sherwood Zoning and Community Development Code. In addition, applicable Comprehensive Plan policies are found in Chapter 4 – Land Use. Statewide Land Use Planning Goal 9- Economic Development is applicable to this application. Compliance with the applicable criteria is discussed further in this report.

II. PUBLIC COMMENTS

Public notice was posted in five locations throughout the City on January 21, 2009. Notice was published in The Times on January 29 and February 5, 2009. Staff received no written comments.

At the hearing on the 10th, public testimony was provided by the following three parties.

Patrick Lucas, 20512 SW Roy Rogers Road, Sherwood, OR 97140, testified that the current standards requiring buildings to be oriented to and flush with the street was too hard to meet for his Cedar Brook Way development, and that he wanted to ensure that the proposed language for private streets would not affect his proposed assisted living facility on Cedar Brook Way.

Ryan Givens, 5415 SW Westgate Drive, Portland, OR 97221, testified that generally the proposed changes are good but he would suggest changing Section 16.90.020.4.G.4.C.1 from

“required parking is located to the front or side of building(s)” to “required parking is located between any building and a public street”; this would better serve developments consisting of multiple buildings.

Eugene Stewart, PO Box 534, Sherwood, OR 97140, testified that he does not believe the City is accurately following Oregon Statewide Planning Goal 1: Citizen Involvement. Mr. Stewart submitted a copy of Goal 1, the definitions section of “Oregon’s Statewide Planning Goals and Guidelines”, Chapter 16.02 of the Sherwood Zoning and Community Development Code, pages 1-6 of Chapter 1 of the Sherwood Comprehensive Plan and pages 1-4 of Chapter 2 of the Sherwood Comprehensive Plan. These documents were all submitted as Exhibit E.

III. AGENCY COMMENTS

Staff sent e-notice to affected agencies on January 21, 2009. The following is a summary of the comments received. Copies of full comments are included in the record unless otherwise noted.

No agency comments have been received as of the date of this report.

IV. PLAN AMENDMENT REVIEW

A. APPLICABLE DEVELOPMENT CODE CRITERIA

16.80.030.1

Text Amendment- This section states that an amendment to the text of the Comprehensive Plan may be granted, provided that the proposal satisfies all applicable requirements of the adopted Sherwood Comprehensive Plan, the Transportation System Plan and the Zoning and Community Development Code.

The plan amendment for PA 08-04 is reviewed for compliance with applicable Comprehensive Plan policies and the statewide planning goals within this report. There are no applicable Metro Functional Plan policies.

The proposed code changes include two new processes for site plan review- a matrix of design options a developer may choose from and a more discretionary review route that requires a hearing before the Planning Commission if an application does not meet the existing site plan criteria and/or the matrix. Both new processes provide a clear and objective review standard and are alternatives to the existing design standards, which will be maintained. The new processes are intended to provide options to developers while potentially expediting the development review process.

FINDING: As discussed in detail throughout this report, the proposed amendment complies with this standard.

16.80.030.3 - Transportation Planning Rule Consistency

- A. Review of plan and text amendment applications for effect on transportation facilities. Proposals shall be reviewed to determine whether it significantly affects a transportation facility, in accordance with OAR 660-12-0060 (the TPR). Review is required when a development application includes a proposed amendment to the Comprehensive Plan or changes to land use regulations.

- B. “Significant” means that the transportation facility would change the functional classification of an existing or planned transportation facility, change the standards implementing a functional classification, allow types of land use, allow types or levels of land use that would result in levels of travel or access that are inconsistent with the functional classification of a transportation facility, or would reduce the level of service of the facility below the minimum level identified on the Transportation System Plan**
- C. Per OAR 660-12-0060, Amendments to the Comprehensive Plan or changes to land use regulations which significantly affect a transportation facility shall assure that allowed land uses are consistent with the function, capacity, and level of service of the facility identified in the Transportation System Plan.**

DISCUSSION: The modifications in the Sherwood Zoning and Community Development Code to provide flexibility in building and site design will not negatively affect any transportation facilities in the City or surrounding areas. Rather, the proposed changes provide flexibility that can help to ensure development is respectful of site-specific limitations while ensuring a safe transportation system. The proposed code changes do not affect current standards limiting access to major roadways or otherwise change any standards that would affect a transportation facility.

FINDING: The proposed changes to implement the Commercial Design Standards Update are consistent with the Transportation Planning Rule and this standard has been met.

B. APPLICABLE COMPREHENSIVE PLAN POLICIES

The applicable Comprehensive Plan Policies for Economic Development and Commercial Land Use are found in Chapter 4 – Land Use. The following policies from Chapter 4 of the Comprehensive Plan are applicable:

- **Commercial Land Use Policy 2: “Commercial uses will be developed so as to complement rather than detract from adjoining uses.”**
- **Community Design Policy 4: “Promote creativity, innovation and flexibility in structural and site design.”**

The proposed changes are consistent with both of the above policies. The proposed code changes allow flexibility in site design which will allow sites to complement adjoining uses. Also, because the proposed standards provide a point system that allows a developer to choose varying levels of design in several categories, creativity, innovation and flexibility in structural and site design is promoted.

FINDING: As discussed above, the proposed Commercial Design Standards Update amendments to the Development Code are consistent with and supportive of existing Comprehensive Plan policies.

C. APPLICABLE STATEWIDE PLANNING GOALS

Goal 1 (Citizen Involvement)

FINDING: Staff utilized the public notice requirements of the Code to notify the public of this proposed plan amendment. The City’s public notice requirements have been found to comply with Goal 1 and, therefore, this proposal meets Goal 1.

- Goal 2 (Land Use Planning)**
- Goal 3 (Agricultural Lands)**
- Goal 4 (Forest Lands)**
- Goal 5 (Natural Resources, Scenic and Historic Areas and Open Spaces)**
- Goal 6 (Air, Water and Land Resources Quality)**
- Goal 7 (Areas Subject to Natural Hazards)**
- Goal 8 (Recreational Needs)**

FINDING: The Statewide Planning Goals 2-8 do not specifically apply to this proposed plan amendment; however, the proposal does not conflict with the stated goals.

Goal 9 (ECONOMIC DEVELOPMENT)- To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.

The proposed amendments are consistent with Statewide Planning Goal 9 in that they provide flexibility in site and building design for commercial developers. The current commercial design standards are prescriptive and do not provide much-needed flexibility in design. The proposed standards maintain a high level of design requirement while allowing the developer to choose areas on which to focus resources, thus increasing opportunities for economic growth.

FINDING: As discussed above, the proposed amendments are consistent with Statewide Planning Goal 9.

- Goal 10 (Housing)**
- Goal 11 (Public Facilities and Services)**
- Goal 12 (Transportation)**
- Goal 13 (Energy Conservation)**
- Goal 14 (Urbanization)**
- Goal 15 (Willamette River Greenway)**
- Goal 16 (Estuarine Resources)**
- Goal 17 (Coastal Shorelands)**
- Goal 18 (Beaches and Dunes)**
- Goal 19 (Ocean Resources)**

FINDING: The Statewide Planning Goals 10-19 do not specifically apply to this proposed plan amendment; however, the proposal does not conflict with the stated goals.

Exhibits

- A. Proposed changes to Code section 16.72.010
- B. Proposed changes to Code section 16.90
- C. Proposed changes to Code section 16.94.030
- D. Proposed changes to Code section 16.118
- E. Proposed changes to Code section 16.142.030

16.72.010 GENERALLY

1. Classifications

Except for Administrative Variances, which are reviewed per Section 16.84.020, and Final Development Plans for Planned Unit Developments, which are reviewed per Section 16.40.030, all quasi-judicial development permit applications and legislative land use actions shall be classified as one of the following:

A. Type I

The following quasi-judicial actions shall be subject to a Type I review process:

1. Signs
2. Property Line Adjustments
3. Interpretation of Similar Uses
4. Temporary Uses
5. Final Subdivision Plats
6. Final Site Plan Review
7. Time extensions of approval, per Sections 16.90.020; 16.124.010

B. Type II

The following quasi-judicial actions shall be subject to a Type II review process:

1. Minor Land Partitions
2. Expedited Land Divisions - The Planning Director shall make a decision based on the information presented, and shall issue a development permit if the applicant has complied with all of the relevant requirements of the Zoning and Community Development Code. Conditions may be imposed by the Planning Director if necessary to fulfill the requirements of the adopted Comprehensive Plan, Transportation System Plan or the Zoning and Community Development Code.
3. "Fast-track" Site Plan review, defined as those site plan applications which propose less than 15,000 square feet of floor area, parking or seating capacity of public, institutional, commercial or industrial use permitted by the underlying zone, or up to a total of 20% increase in floor area, parking or seating capacity for a land use or structure subject to conditional use permit, except as follows: auditoriums, theaters, stadiums, and those applications subject to Section 16.72.010D, below.

4. "Design Upgraded" Site Plan review, defined as those site plan applications which propose between 15,001 and 40,000 square feet of floor area, parking or seating capacity and which propose a minimum of eighty percent (80%) of the total possible points of design criteria in the "Commercial Design Review Matrix" found in Section 16.90.020.4.G.4.

Formatted: Indent: Left: 0.44"

C. Type III

The following quasi-judicial actions shall be subject to a Type III review process:

1. Conditional Uses
2. Variances, including Administrative Variances if a hearing is requested per Section 16.84.020.
3. Site Plan Review -- between 15,001 and 40,000 square feet of floor area, parking or seating capacity except those within the Old Town Overlay District, per Section 16.72.010D, below.
4. Subdivisions -- Less than 50 lots.

D. Type IV

The following quasi-judicial actions shall be subject to a Type IV review process:

1. Site Plan review and/or "Fast Track" Site Plan review of new or existing structures in the Old Town Overlay District.
2. All quasi-judicial actions not otherwise assigned to a Hearing Authority under this section.
3. Site Plans -- Greater than 40,000 square feet of floor area, parking or seating capacity.
4. Subdivisions -- More than 50 lots.

E. Type V

The following legislative actions shall be subject to a Type V review process:

1. Plan Map Amendments
2. Plan Text Amendments
3. Planned Unit Development -- Preliminary Development Plan and Overlay District.
(Ord. 2003-1148 § 3; 2001-1119; 99-1079; 98-1053)

PA 08-04 Commercial Design Standards
Exhibit 1A

Chapter 16.90 SITE PLANNING*

16.90.010 PURPOSE

16.90.020 SITE PLAN REVIEW

* Editor's Note: Some sections may not contain a history.

16.90.010 PURPOSE

1. Generally

This Division is intended to establish a process and define a set of development standards to guide physical development in the City consistent with the Community Development Plan and this Code. (Ord. 86-851 § 3)

2. Objectives

Site planning review is intended to:

A. Encourage development that is compatible with the existing natural and manmade environment, existing community activity patterns, and community identity.

B. Minimize or eliminate adverse visual, aesthetic or environmental effects caused by the design and location of new development, including but not limited to effects from:

1. The scale, mass, height, areas, appearance and architectural design of buildings and other development structures and features.

2. Vehicular and pedestrian ways and parking areas.

3. Existing or proposed alteration of natural topographic features, vegetation and water-ways.

(Ord. 86-851 § 3)

16.90.020 SITE PLAN REVIEW

1. Review Required

Except for single and two family uses, and manufactured homes located on individual residential lots as per Section 16.46.010, but including manufactured home parks, no building permit shall be issued for a new building or structure, or for the substantial alteration of an existing structure or use, and no sign permit shall be issued for the erection or construction of a sign relating to such building or structure until the proposed development has been reviewed in accordance with Chapter 16.72. For the purposes of Section 16.90.020, the term "substantial alteration" shall mean any development activity as defined by this Code that generally requires a building permit and may exhibit one or more of the following characteristics:

A. The activity alters the exterior appearance of a structure, building or property.

B. The activity involves changes in the use of a structure, building, or property from residential to commercial or industrial.

C. The activity involves non-conforming uses as defined in Chapter 16.48.

D. The activity constitutes a change in a City approved plan, as per Section 16.90.020.

E. The activity involves the cutting of more than five (5) existing mature trees per acre, per calendar year.

F. The activity is subject to site plan review by other requirements of this Code.

G. Review of any proposed activity indicates that the project does not meet the standards of Section 16.90.020.

(Ord. 2006-021)

2. Exemptions

The City shall make an initial determination whether a proposed project requires a site plan review or whether the project is exempt. The City Manager or his or her designee is authorized to waive site plan review when a proposed development activity clearly does not represent a substantial alteration to the building or site involved. The findings of the City

Manager or his or her designee shall be made in writing to the applicant. The action of the City Manager or his or her designee may be appealed as per Chapter 16.76. (Ord. 98-1053 § 1; 86-851)

3. Plan Changes and Revocation

A. Changes

Construction, site development, landscaping, tree mitigation, habitat preservation, and other development activities shall be carried out in accordance with the site development plans per Chapter 16.72. Any proposed changes to approved plans shall be submitted for review to the City. Changes that are found to be substantial, as defined by Section 16.90.020, that conflict with original approvals, or that otherwise may conflict with the standards of Section 16.90.020, shall be submitted for supplemental review together with a fee equal to one-half (1/2) the original site plan review fee. (Ord. 2006-021; 98-1053 § 1; 86-851)

B. Revocation

Any departure from approved plans shall be cause for revocation of applicable building and occupancy permits. Furthermore if, in the City's determination, a condition or conditions of site plan approval are not or cannot be satisfied, the site plan approval, or building and occupancy permits, shall be revoked. (Ord. 98-1053 § 1; 86-851)

4. Required Findings

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

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

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.

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.

D. The proposed development preserves significant natural features to the maximum extent feasible, including but not limited to natural drainage ways, wetlands, trees, vegetation, 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. (Ord. 2006-021; 91-922 § 3; 86-851)

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. (Ord. 2005-009 § 8)

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.

G. The proposed ~~office, retail multi-family, institutional or 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 shall be prohibited.

Deleted: commercial,

Deleted: development, and

Deleted: , metal roofs, and artificial stucco material

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 following Commercial Design Review Matrix may be applied to any commercial, multi-family, institutional and/or mixed use development (this matrix may NOT be utilized for developments within the Old Town Overlay). A development must propose a minimum of sixty percent (60%) of the total possible points to be eligible for exemption from standards G. 1-3 above. In addition, a development proposing between 15,001 and 40,000 square feet of floor area, parking or seating capacity and proposing a minimum of eighty percent (80%) of the total possible points from the matrix below may be reviewed as a Type II administrative review, per the standards of Section 16.72.010.1.B.

Formatted: Indent: Left: 0.81"

COMMERCIAL DESIGN REVIEW MATRIX

A. Building Design (21 Total Points Possible, Minimum 12 Points Required) Note: These standards may be applied to individual buildings or developments with multiple buildings.

1. Materials: Concrete, Artificial Materials (artificial or "spray" stucco, etc)=0; cultured stone, brick, stone, decorative-patterned masonry, wood=1; a mixture of at least 2 materials (i.e. to break up vertical façade)=2; a mixture of at least 3 materials (i.e. to break up vertical façade)=3; a mixture of at least 3 of the following materials: brick, stone, cultured stone, decorative-patterned masonry, wood=4. Note: No aluminum or T-111 siding permitted.
2. Roof Form: Flat (no cornice) or single-pitch (no variation)=0; distinctive from existing adjacent structures (not applicable to expansion of same building) OR either variation in pitch or flat roof with cornice treatment=1; distinctive from existing adjacent structures (not applicable to expansion of same building) AND either variation in pitch or flat roof with cornice treatment=2 Note: Pictures and/or artistic renderings must be submitted for review by the Planning Commission if metal roofs are proposed.
3. Glazing: 0-20% glazing on street-facing side(s)=0; >20% glazing on at least one street-facing side (inactive, display or façade windows)=1; >20% glazing on all street-facing sides (inactive, display or façade windows)=2 (2 points if there is only one street-facing side and it is >20% glazing with inactive windows); >20% glazing on at least one street-facing side (active glazing- actual windows) =3; >20% glazing on all street-facing sides (active glazing- actual windows)=4.
4. Fenestration (on street-facing elevation(s): One distinct "bay" with no vertical building elements=0; multiple "bays" with one or more "bay" exceeding 30 feet in width=1; vertical building elements with no "bay" exceeding 30 feet in width=2; vertical building elements with no "bay" exceeding 20 feet in width=3.
5. Entrance Articulation: No weather protection provided=0; weather protection provided via awning, porch, etc. =1; weather protection provided via awning, porch, etc. AND pedestrian amenities such as benches, tables and chairs, etc provided near the entrance but not covered=3; weather protection provided via awning, porch, etc. AND pedestrian amenities such as benches, tables and chairs, etc provided near the entrance and covered=4.
6. Structure Size: To discourage "big box" style development, Greater than 80,000 square feet=0; 60,000-79,999 square feet=1; 40,000=59,999 square feet=2; 20,000-39,999=3; less than 20,000 square feet=4. (Note: If multiple buildings are proposed, average the building sizes in the development)

PA 08-04 Commercial Design Standards
Exhibit 1B

B. Building Location and Orientation (6 Total Points Possible, Minimum 3 Points Required)

1. Location: Building(s) not flush to any right-of-way (including required PUE adjacent to ROW, setbacks or visual corridor) (i.e. parking or drive aisle intervening)=0; Building(s) located flush to right-of-way on at least one side (with the exception of required setbacks, easements or visual corridors)=1; Building(s) flush to all possible right-of-way (with the exception of required setbacks, easements or visual corridors) (i.e. "built to the corner")=2
Note: If multiple buildings are proposed in one development, one point is awarded if one or more buildings are located adjacent to one or more right-of-way and two points are awarded if there is at least one building adjacent to each right-of-way.
2. Orientation: Single-building site primary entrance oriented to parking lot=0; Single-building site primary entrance oriented to the pedestrian (i.e. entrance is adjacent to public sidewalk or adjacent to plaza area connected to public sidewalk and does not cross a parking area)=2; Multiple-building site primary entrance to anchor tenant or primary entrance to development oriented to parking lot=0; Multiple-building site primary entrance to anchor tenant or primary entrance to development oriented to the pedestrian=2.
3. Secondary Public Entrance: Secondary public pedestrian entrance provided adjacent to public sidewalk or adjacent to plaza area connected to public sidewalk=2 (Note: if primary entrance is oriented to the pedestrian, the project is automatically given these points without need for a second entrance).

Formatted: List Paragraph, Indent: Left: 0.56", Numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 0.33" + Indent at: 0.58"

Formatted: Font: (Default) Arial, 10 pt

C. Parking and Loading Areas (13 Total Points Possible, Minimum 7 Points Required)

1. Location of Parking: Greater than fifty percent (50%) of required parking is located between any building and a public street=0; Twenty-five to fifty percent (25-50%) of required parking is located between any building and a public street=1; Less than twenty-five percent (25%) of required parking is located between any building and a public street=2; No parking is located between any building and a public street=3.
2. Loading Areas: Visible from public street and not screened=0; visible from public street and screened=1; not visible from public street=2.
3. Vegetation: At least one "landscaped" island every 13-15 parking spaces in a row=0; at least one landscaped "island" every 10-12 parking spaces in a row=1; at least one landscaped "island" every 8-9 parking spaces in a row=2; at least one landscaped island every 6-7 parking spaces in a row=3.
4. Number of Parking Spaces (% of minimum required): >120%=0; 101-120%=1; 100%=2; <100% (i.e. joint use or multiple use reduction)=one (1) bonus point.
5. Parking surface: Impervious=0; some pervious paving (10-25%)=1; partially pervious(26-50%)=2; mostly pervious(>50%)=3.

Formatted: Numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 0.58" + Indent at: 0.83"

Formatted: Font: (Default) Arial, 10 pt

D. Landscaping (24 Total Points Possible, Minimum 14 Points Required)

1. Tree Retention (based on tree inventory submitted with development application): Less than 50% of existing trees on-site retained=0; 51-60% of existing trees on-site retained=1; 61-70% of existing trees on-site retained=2; 71-80% of existing trees on-site retained=3; 81-100% of existing trees on-site retained=4.

2. Mitigation trees: Trees mitigated off-site or fee-in-lieu=0; 25-50% of trees mitigated on-site = 1; 51-75% of trees mitigated on-site=2; 76-100% of trees mitigated on-site=3. Note: When no mitigation is required, the project receives zero (0) points.
3. Landscaping trees (in addition to mitigated trees on-site, does not include Water Quality Facility Plantings): Less than one tree for every 500 square feet of landscaping=0; 1 tree for every 500 square feet of landscaping=1; 2 trees for every 500 square feet of landscaping=2; 3 trees for every 500 square feet of landscaping=3; 4 trees for every 500 square feet of landscaping=4.
4. Landscaped areas: Greater than twenty-five percent (25%) of landscaped areas are less than 100 square feet in size=0; Less than twenty-five percent (25%) of landscaped areas are less than 100 square feet in size=1; No landscaped areas are less than 100 square feet in size=2.
5. Landscaping trees greater than 3" caliper: <25%=0; 25-50%=1; >50%=2.
6. Amount of Grass (shrubs and drought resistant ground cover are better): >75% of landscaped areas=0; 50-75% of landscaped areas=1; 25-49% of landscaped areas=2; <25% of landscaped areas=3. Note: Schools automatically receive the full three (3) points and are not penalized for amount of grass.
7. Total amount of site landscaping (including visual corridor): <10% of gross site=0; 10-15% of gross site=1; 16-20% of gross site=2; 21-25% of gross site=3; >25% of gross site=4.
8. Automatic Irrigation: No=0; Partial=1; Yes=2.

E. Miscellaneous (10 Total Points Possible, Minimum 5 Points Required)

1. Equipment Screening (roof): Equipment not screened=0; equipment partially screened=1; equipment fully screened=2; equipment fully screened by materials matching building architecture/finishing=3.
2. Fences and Walls (including retaining walls): Standard fencing and wall materials (i.e. wood fences, CMU walls, etc)=0; Fencing and wall materials match building materials=2.
3. On-site pedestrian amenities not adjacent to building entrances (benches, tables, plazas, water fountains, etc): No=0; Yes (1 per building)=1; Yes (more than 1 per building)=2.
4. Open Space provided for Public Use: No=0; Yes (<500 square feet)=1; Yes (500-1,000 square feet)=2; Yes (>1,000 square feet)=3.
5. Green Building Certification (LEED, Earth Advantage, etc)=3 bonus points.

5. As an alternative to the above standards G.1-4, the Old Town Design Standards (Chapter 16.162) may be applied to achieve this performance measure.

6. As an alternative to the above standards G. 1-5, an applicant may opt to have a design review hearing before the Planning Commission to demonstrate how the proposed development meets or exceeds the objectives in Section 16.90.010.020 of this Code. This design review hearing will be processed as a Type IV review with public notice and a public hearing.

Formatted: Indent: Left: 0.56", Hanging: 0.31", Space After: 0 pt, Line spacing: single, Numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 0.25" + Indent at: 0.5"
 Formatted: Font: (Default) Arial, 10 pt
 Formatted: Normal

Deleted: 3

Formatted: Indent: Left: 0.83", Space After: 0 pt, Line spacing: single

16.94.030 OFF-STREET LOADING STANDARDS

1. Minimum Standards

A. A driveway designed for continuous forward flow of passenger vehicles for the purpose of loading and unloading passengers shall be located on the site of any school, or other public meeting place, which is designed to accommodate more than twenty five (25) persons at one time. (Ord. 86-851 § 3)

B. 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.

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. The following additional minimum loading space is required for buildings in excess of

twenty thousand (20,000) square feet of gross floor area:

1. 20,000 to 50,000 sq. ft. - 500 sq. ft.
2. 50,000 sq. ft. or more - 750 sq. ft.

(Ord. 86-851 § 3)

2. 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. (Ord. 86-851 § 3)

Chapter 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 feet in width unless a reduced width is specifically exempted by the City Engineer. An eight (8) 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.

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.

16.118.030 UNDERGROUND FACILITIES

Except as otherwise provided, all utility facilities, including but not limited to, electric power, telephone, natural gas, lighting, cable television, and telecommunication cable, 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 City.

16.118.040 EXCEPTIONS

Surface-mounted transformers, surface-mounted connection boxes and meter cabinets, temporary utility service facilities during construction, high capacity electric and communication feeder lines, and utility transmission lines operating at fifty thousand (50,000) volts or more may be located above ground. The City reserves the right to approve location of all surface-mounted transformers.

(Ord. 2005-17 § 5; 91-922)

16.118.050 PRIVATE STREETS

The construction of new private streets servicing single-family residential developments shall be prohibited unless it provides principal access to two or fewer residential lots or parcels i.e. flag lots. Provisions shall be made to assure private responsibility for future access and maintenance through recorded easements. Unless otherwise specifically authorized, a private street shall comply with the same standards as a public street identified in the Community Development Code and the Transportation System Plan. A private street shall be distinguished from public streets and reservations or restrictions relating to the private street shall be described in land division documents and deed records. A private street shall also be signed differently from public streets and include the words "Private Street". (Ord. 2005-009 § 5; 86-851)

PA 08-04 Commercial Design Standards

Exhibit 1D

16.142.030 Visual Corridors

A. Corridors Required

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

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

In residential developments where fences are typically desired adjoining the above described major street the corridor may be placed in the road right-of-way between the property line and the sidewalk. In all other developments, the visual corridor shall be on private property adjacent to the right-of-way. (Ord. 2006-021)

B. Landscape Materials

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

C. Establishment and Maintenance

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

D. Required Yard

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

E. Pacific Highway 99W Visual Corridor

1. Provide a landscape plan for the highway median paralleling the subject frontage. In order to assure continuity, appropriate plant materials and spacing, the plan shall be coordinated with the City Planning Department and ODOT.

2. Provide a visual corridor landscape plan with a variety of trees and shrubs. Fifty percent (50%) of the visual corridor plant materials shall consist of groupings of at least five (5) native evergreen trees a minimum of ten (10) feet in height each, spaced no less than fifty (50) feet apart, if feasible. Deciduous trees shall be a minimum of four (4) inches DBH and twelve (12) feet high, spaced no less than twenty-five (25) feet apart, if feasible.