



Home of the Tualatin River National Wildlife Refuge

ORDINANCE 2019-012

APPROVING A PLANNED UNIT DEVELOPMENT (PUD) TO BE KNOWN AS THE DENALI MEADOWS PLANNED UNIT DEVELOPMENT

WHEREAS, the applicant, Tim Roth, requested a planned unit development on 5.27 acres zoned Very Low Density Residential in the Southeast Sherwood Master Plan area, located off SW Murdock Road and north of SW Ironwood Lane; and

WHEREAS, the request is to create a thirteen (13) lot subdivision for single family homes on lots ranging from 10,031 square feet to 13,630 square feet with the creation of a north/south public street connecting to SW Ironwood Lane to the south; and

WHEREAS, the project would provide for single family detached homes; and

WHEREAS, the Planned Unit Development (PUD) approval would allow the applicant some flexibility in standards, particularly density and driveway access; and

WHEREAS, the proposed project was subject to full and proper notice and review by the Planning Commission including a public hearing on September 24, 2019 to take testimony and consider the proposed project; and

WHEREAS, the Planning Commission recommended approval with conditions on September 24, 2019; and

WHEREAS, the City Council held two public hearings on November 5, 2019 and November 19, 2019 to take public testimony and deliberate; and

WHEREAS, the analysis and findings to support the Planning Commission recommendation are identified in Exhibit 1 to the City Council Staff Report; and

WHEREAS, the Sherwood City Council has received the proposal materials, the Planning Commission recommendation, including all exhibits entered into the record (PUD 19-02) and, after considering the applicable criteria, the Planning Commission recommendation, applicant testimony, public testimony, and all documents in the land use record, the City Council determined that the PUD as conditioned meets the applicable criteria.

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

Section 1. Review and Public Hearings. The application for a PUD for a thirteen (13) lot subdivision on Tax Lot 300 and a portion of Tax Lot 100 of Washington County Tax Map 2S133CB, was subject to full and proper review and public hearings were held before the Planning Commission on September 24, 2019 and the City Council on November 5, 2019.

Section 2. Findings. After full and due consideration of the project, the Planning Commission recommendation, the record, findings, and evidence presented at the public hearing, the City Council finds that the proposed PUD, as conditioned, meets the applicable criteria in the Sherwood Zoning and Community Development Code. The findings of fact relied upon by the City are attached to the Staff Report as Exhibit 1.

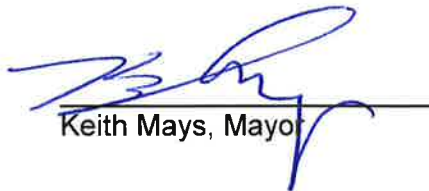
Section 3. Approval.

- A. The above-described PUD is **APPROVED** as conditioned in the Planning Commission recommendation (Exhibit 1). The City Council adopts their Findings attached to this ordinance, as Exhibit A.

- B. The Plan and Zone Map shall be updated to reflect the approved PUD overlay applied to the parcels identified as Tax Map 2S133CB, Tax Lot 300 and a portion of Tax Lot 100.

Section 4. Effective Date. This ordinance shall become effective the 30th day after its enactment by the City Council and approval by the Mayor.

Duly passed by the City Council this 19th of November 2019.



Keith Mays, Mayor

11/19/19

Date

Attest:



Sylvia Murphy, MMC, City Recorder

	<u>AYE</u>	<u>NAY</u>
Scott	<input checked="" type="checkbox"/>	_____
Griffin	<input checked="" type="checkbox"/>	_____
Brouse	<input checked="" type="checkbox"/>	_____
Young	<input checked="" type="checkbox"/>	_____
Garland	<input checked="" type="checkbox"/>	_____
Rosener	<input checked="" type="checkbox"/>	_____
Mays	_____	<input checked="" type="checkbox"/>

CITY OF SHERWOOD
City Council Decision – Findings
November 19, 2019
Denali Meadows Planned Unit Development Subdivision
Case File No. PUD 19-02

Pre App. Meeting: November 1, 2018
App. Submitted: January 18, 2019
App. Complete: August 7, 2019
Revised 120 Day Deadline: January 4, 2020
Planning Commission Public Hearing: September 24, 2019
City Council Public Hearing: November 5, 2019

Proposal: The applicant is requesting to develop 5.27 acres of land into a 13-lot Planned Unit Development Subdivision with areas of open space. Single-family detached residential housing units are proposed. Adjustments to setbacks (front, rear and street) for some on the lots is also requested. The site is located in southeast Sherwood, off SW Murdock Road and north of SW Ironwood Lane with a zoning designation of Very Low Density Residential (VLDR). The lots range in size from 10,031 to 13,630 square feet. The applicant proposes a Planned Unit Development (PUD) in this zone in order to utilize the special density allowance of 10,000 square foot minimum lot size. The applicant proposes areas of open space in order to comply with the PUD requirements. The applicant also proposes construction of a local street through the site to connect to SW Ironwood Lane to the south. The original proposal included Tract "E", a usable Open Space tract, that was included as part of the open space calculations and density requirement. The applicant has requested that Tract "E" be not included as part of these calculations so in the future, Tract "E" could be sold to an abutting property owner for future use. Tract "E" will be owned and maintained by the applicant, until the tract is transferred to another entity.

I. BACKGROUND

A. Applicant / Owner:

Tim Roth
12600 SW 72nd #200
Portland OR 97223

Applicant's Representative:

Steve Miller, Emerio Design
6445 SW Fallbrook Place, Suite 100
Beaverton OR 97008
541-318-7487 or stevem@emeriodesign.com

B. Assessor's Information:

Tax Map 2S133CB, Tax Lot 300 and a portion of TL 100

C. Property Description:

The site address is 23000 SW Murdock Road and is approximately 5.27 acres in size and generally rectangular in shape with the exception of a narrow strip (Tax Lot 100), southeast of the site, that extends along SW Ironwood Lane (approximately 270 feet long and 24 feet wide).

- D. Existing Development and Site Characteristics:** The site is developed with a single-family dwelling and an accessory structure. The property is vegetated with a mix of trees, shrubs, and grass fields, and has an undulating topography contours ranging from 260 to 290.
- F. Site History:** A Lot Line Adjustment (LLA 19-03) was recently approved between Tax Lot 300 and Tax Lot 100. Through the Lot Line Adjustment, the flag portion of Tax Lot 100 was moved to Tax Lot 300. With the approved and recorded Lot Line Adjustment, Tax Lot 300 will have access from SW Ironwood Lane.

The site is part of the SE Sherwood Master Plan, which was approved in concept by the Planning Commission via resolution in 2006. Although not formally adopted and incorporated into the Comprehensive Plan nor adopted by the City Council, it does provide guidance for development and the intention of the community and surrounding property owners for the area. A piece of the SE Sherwood Master Plan was incorporated into the Sherwood Zoning and Community Development Plan, specifically Section 16.12.010.A.3 that addresses SE Sherwood Master Planned Unit Development.

Additionally, the site was part of the "Ken Foster Farm" site, originally about 40 acres and was used for farming. It was subdivided approximately twenty years ago a portion of which is this 5.27 acre parcel. It is known that portions of the larger Ken Foster Farm site had been used for discarding animal hides and carcasses that were remnants from the local tannery operation in the city. As part of the Department of Environmental Quality (DEQ) investigation of the Tannery site on SW Oregon Street, it was discovered that the soil on the Ken Foster Farm site was contaminated. The property to the northeast, Ironwood Subdivision, was in development when the issue became known which required significant soil removal and oversight from the Department of Environmental Quality (DEQ).

An excerpt from the Department of Environmental Quality Technical Memorandum dated July 13, 2005 describes that from 1962 to 1971, tannery wastes from the Frontier Leather Company were applied by Mr. Foster to several areas of pasture land. Liquid sludge from tannery's primary wastewater settling tanks was also distributed on the site.

DEQ entered the Ken Foster Farm site into the Environmental Cleanup Site Information Database in 2000, and completed a Preliminary Assessment (PA) in 2004, funded by cooperative grant funds from the Environmental Protection Agency (EPA) Region 10. (DEQ Technical Memorandum) The results of the soil sampling completed for this site listed concentrations of antimony, chromium, lead and mercury above expected background concentrations. In addition, sediment samples from the wetland areas on the site were found to contain elevated concentrations of chromium copper, mercury and zinc on a nearby parcel. They found that the human health risk based upon the soil results from the EPA Impervious Area results and data from property-owner site investigations on two of the properties within the former Farm acreage was relatively low, according to the report. Since valid soil sample tests of the subject site indicate that hexavalent chromium was not present in soils, and that the prevalent form of chromium in soils is trivalent chromium. The other concentrations do not present an unacceptable human health risk on an individual contaminant basis. The DEQ concluded that the chance of significant exposure to residents living around these areas is low under current conditions.

Per applicant's narrative, the applicant is responsible for completing cleanup of all known contamination on the site. The applicant/owner is actively working with DEQ at the time of the application submittal to gain approval on the Remedial Action Work Plan to clean up the contamination. All approvals from DEQ shall be received prior to the applicant proceeding with any development of the subject property.

The applicant has submitted a Revised Remedial Action Work Plan dated August 16, 2017 (part of Exhibit A) with the application. DEQ review and approval of the work plan is required prior to issuance of a grading permit.

- G. Zoning Classification and Comprehensive Plan Designation:** Very Low Density Residential (VLDR) for residential use and single-family homes.
- H. Adjacent Zoning and Land Use:** The surrounding properties to the north and south are zoned VLDR and the properties to west and across SW Murdock Road are zoned Low Density Residential Planned Unit Development (LDR-PUD). The land use is residential.
- I. Review Type:** The Planned Unit Development Conceptual Plan is a Type V decision with the City Council as the approval authority after recommendation by the Planning Commission. A 13-lot subdivision is generally a Type III review; however, it is being processed concurrent with the PUD. An appeal of the City Council decision would go to the Land Use Board of Appeals (LUBA).

After PUD conceptual plan approval, the development or individual phases must receive detailed final development plan approval. The detailed final development plan requires Planning Commission review and approval and ensures compliance with any conditions of conceptual approval as well as applicable community design standards, etc.

- J. Neighborhood Meeting:** The applicant held a neighborhood meeting on November 29, 2018 at Sherwood Center for the Arts; Class Room A. Six individuals signed the Sign-In sheet. Some of the concerns raised consisted of increase of traffic and traffic noise on SW Murdock Road, contamination clean up, access from SW Ironwood, and development of SW Upper Road. The comments are part of the applicant's materials. (Exhibit A)
- K. Public Notice:** Notice of this land use application was posted at three locations at the site and five public locations throughout the city. Notice was also mailed to property owners within 1,000 feet of the site and any other party who expressed an interest in receiving mailed notice on September 4, 2019 in accordance with § 16.72.020 of the Sherwood Zoning and Community Development Code. Notice was also published in The Times newspaper (September 5, 2019 and September 19, 2019).
- L. Review Criteria:** Zoning and Community Development Code Division II: §16.12 (Residential Land Use Districts), §16.40 (Planned Unit Development) §16.58 (Clear Vision and Fence Standards), §16.60 (Yard Requirements), Division III: §16.72 (Procedures for Processing Development Permits), Division IV: §16.92 (Landscaping), §16.94 (Off Street Parking and Loading), All Division VI: §16.104-16.118 (Public Improvements), Division VII Land Divisions: §16.120 (Subdivision), §16.128 (Land Division Design Standards), and Division VIII Environmental Resources: §16.142 (Parks, Trees, and Open Spaces), and §16.144 (Wetland, habitat and natural areas); §16.156 (Energy Conservation).

For the Planned Unit Development - Upon receipt of the findings and recommendations of the Planning Commission, the Council shall conduct a public hearing pursuant to Chapter 16.72. The Council may approve, conditionally approve, or deny the Preliminary Development Plan. A Council decision to approve the Preliminary Development Plan shall, by ordinance, establish a PUD overlay zoning district. The ordinance shall contain findings of fact per this Section, state all conditions of approval, and set an effective date subject to approval of the Final Development Plan per Section 16.40.030.

II. PUBLIC COMMENTS

Public notice was mailed, posted on the property, and posted in five locations throughout the City on September 4, 2019. Staff did not receive any comments from the community at the time of writing 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 August 26, 2019. The following is a summary of the comments received. Copies of full comments are included in the record unless otherwise noted.

Sherwood Engineering Department: The Sherwood Engineering Department has provided comments dated September 6, 2019 that are included in this report and attached as **Exhibit B**.

Clean Water Services (CWS): Jackie Humphreys, from CWS, provided comments dated September 16 2019. She stated that prior to any work on the site and plat recording, a CWS Storm Water Connection Permit Authorization must be obtained (**Exhibit C**). Additionally, an Amended Service Provider Letter (CWS 18-002736) dated August 2, 2019 was submitted with the applicant materials (Exhibit A). It stated that the proposed project would not significantly impact the existing Sensitive Area found near the site.

Tualatin Valley Fire and Rescue (TVF&R): Tom Mooney, Deputy Fire Marshall, provided comments in a letter dated September 4, 2019 (attached as **Exhibit D**) and will be further discussed in this report.

Pride Disposal: Kristen Tabscott provided comments in a letter dated September 9, 2019. She states that Pride Disposal will be above to service the development as proposed. Tract B, the south side of the road will need to be marked with no parking to allow solid waste and recycling trucks access. Lots 9-12 will need to place their totes on the south side of the street on collection day. When parking is allowed on both sides of the street, each residents will need to bring their receptacles to the nearest public road. This requirement will be conditioned further in this report. Her comments are attached as **Exhibit E**.

Oregon Department of Transportation, Sherwood Police and Department of State Lands: Emails were received from these agencies and stated they had no comments on the proposal.

Washington County Land Use & Transportation, Kinder Morgan Energy, METRO, and NW Natural Gas, PGE did not respond or provide no comments to the request for agency comments by the date of this report.

IV. PLANNED UNIT DEVELOPMENT REVIEW REQUIRED FINDINGS (16.40 PLANNED UNIT DEVELOPMENT)

The Commission shall review the application pursuant to Chapter 16.72 and may act to recommend to the Council approval, approval with conditions or denial. The Commission shall make their recommendation based on the following criteria:

16.40.010 Purpose

- A. PUDs integrate buildings, land use, transportation facilities, utility systems and open space through an overall site design on a single parcel of land or multiple properties under one or more ownerships. The PUD process allows creativity and flexibility in site**

design and review which cannot be achieved through a strict adherence to existing zoning and subdivision standards.

B. The PUD district is intended to achieve the following objectives:

- 1. Encourage efficient use of land and resources that can result in savings to the community, consumers and developers.**

STAFF ANALYSIS: This area of the City has remained relatively undeveloped for a lengthy period with the exception of the Denali PUD/Subdivision approved in 2018. The PUD development will preserve significant open space and connect to SW Ironwood Lane in keeping with the street pattern connectivity of the SE Sherwood Master Plan. Additionally, the site will be easily accessible to infrastructure connections due to its proximity to existing development.

Furthermore, this site is constrained with the cost associated with cleanup of the contaminated soils that has made it difficult to develop within the confines of the VLDR zone. A PUD will allow a limited increase in density that will make the project more feasible rather than the primary zoning.

As part of the PUD, the applicant is requesting a modification to the rear and street yard setbacks from 20 feet to 15 feet for five of the lots and front yard setback from 20 feet to 15 feet for all the lots.

Lots	Setback	Standard	Request
All Lots	Front Yard Setback	20 feet	15 feet
Lots 1 and 4	Rear Yard Setback	20 feet	15 feet
Lots 4, 5, and 9	Street/Corner Side Yard	20 feet	15 feet

The requested modifications will allow full development potential for all the proposed lots.

Currently the applicant is proposing shared access for Lots 1-4. Access easements shall be shown on the plat benefiting these lots. The access easement is further discussed in Section 16.96 and conditioned as B6.

FINDING: Based on the above discussion, the applicant meets this objective.

- 2. Preserve valuable landscape, terrain and other environmental features and amenities as described in the Comprehensive Plan or through site investigations.**

STAFF ANALYSIS: The special density allowance within the VLDR provides for a limited amount of increased density and therefore helps preserve the unique landscape and environmental features and amenities of the site.

FINDING: The site does not have identified sensitive areas and the proposal will not significantly impact the existing sensitive area found near the site per CWS SPL 18-002736. Therefore, this criterion is not applicable.

- 3. Provide diversified and innovative living, working or neighborhood shopping environments that take into consideration community needs and activity patterns.**

STAFF ANALYSIS: The proposed lots are similar to the surrounding lots within the VLDR zone. The site design connects with the other surroundings with the connection to SW Ironwood Lane, creating a more walkable neighborhood throughout. The development will have access to a usable open space that is somewhat limited in this area. Murdock Park is the nearest public park and Sherwood View Estates subdivision does not have any usable open space. The area

designated open space within this neighborhood can improve the other neighborhoods with improved connection to usable opens space and an improved street grid.

FINDING: Based on the above discussion the applicant meets this objective.

4. Achieve maximum energy efficiency in land uses.

STAFF ANALYSIS: The applicant proposes to connect with the existing main lines and utilize the existing services such as roadway infrastructure and water, sanitary and sewer lines. This promotes energy efficiency in land uses as it is nearby already developed properties.

FINDING: Based on the above discussion, the applicant meets this objective.

5. Promote innovative, pedestrian-friendly, and human scale design in architecture and/or other site features that enhance the community or natural environment.

STAFF ANALYSIS: The applicant has proposed a development that connects with the surrounding neighborhood. The applicant chose a type of architecture from the architectural pattern book that will be compatible with the existing neighborhood as the surrounding properties have Pacific Northwest style architecture and are all larger single-family homes. The applicant shows that the neighborhood will connect on a human scale by creating sidewalks along its frontages of SW Murdock Road and SW Ironwood Lane. Additionally, the applicant proposes that the area of usable open spaces (Tracts A, C and E), be accessed with pathways. This will enhance the neighborhood feel in the area and will make the open space inviting for pedestrians.

FINDING: Based on the above discussion, the applicant meets this objective.

16.40.020 Preliminary Development Plan

A. Generally

A PUD Preliminary Development Plan shall be submitted for the review and approval in accordance with Chapter 16.72. PUDs shall be considered: a.) on sites that are unusually constrained or limited in development potential, as compared to other land with the same underlying zoning designation, because of: natural features such as floodplains, wetlands, and extreme topography, or man-made features, such as parcel configuration and surrounding development; b.) on parcels of land within the Urban Renewal District where flexibility and creativity in design may result in greater public benefit than strict adherence to the code; or c.) in other areas deemed appropriated by Council during the adoption of a concept plan required by a Metro UGB expansion.

STAFF ANALYSIS: The applicant proposes a development that is in conformance with the Comprehensive Plan as it meets or can meet with conditions the criteria of the adopted SZDC. It is capable of consideration for a PUD as it is within the VLDR zone, which based on its zoning, is classified as an environmentally sensitive area.

The applicant contends and staff agrees that in its present zoning category has limited development potential due to the cost of cleaning up the contaminated soils on the site. Cleaning up the contaminated soils will satisfy the public benefit of making the site useable and safe for the surrounding area.

FINDING: Based on the above discussion, the applicant meets this criterion.

16.40.020.C. Commission Review

The Commission shall review the application pursuant to Chapter 16.72 and may act to recommend to the Council approval, approval with conditions or denial. The Commission shall make their decision based on the following criteria:

1. The proposed development is in substantial conformance with the Comprehensive Plan and is eligible for PUD consideration per 16.40.020.A.

16.40.020 - Preliminary Development Plan

A. Generally

A PUD Preliminary Development Plan shall be submitted for the review and approval in accordance with Chapter 16.72. PUDs shall be considered: a.) on sites that are unusually constrained or limited in development potential, as compared to other land with the same underlying zoning designation, because of: natural features such as floodplains, wetlands, and extreme topography, or man-made features, such as parcel configuration and surrounding development; b.) on parcels of land within the Urban Renewal District where flexibility and creativity in design may result in greater public benefit than strict adherence to the code; or c.) in other areas deemed appropriated by Council during the adoption of a concept plan required by a Metro UGB expansion.

STAFF ANALYSIS: The applicant proposes a development that is in conformance with the Comprehensive Plan as it meets or can meet with conditions the criteria of the adopted SZDC. It is capable of consideration for a PUD as it is within the VLDR zone, which based on its zoning, is classified as an environmentally sensitive area.

The applicant contends and staff agrees that in its present zoning category has limited development potential due to the cost of cleaning up the contaminated soils on the site. Cleaning up the contaminated soils will satisfy the public benefit of making the site useable and safe for the surrounding area.

FINDING: Based on the above discussion the applicant can meet this criterion or is able to meet the criterion as conditioned further within this report based on the applicable code provisions.

2. The preliminary development plans include dedication of at least 15 percent of the buildable portion of the site to the public in the form of usable open space, park or other public space, (subject to the review of the Parks & Recreation Board) or to a private entity managed by a homeowners association. Alternatively, if the project is located within close proximity to existing public spaces such as parks, libraries or plazas the development plan may propose no less than 5% on-site public space with a detailed explanation of how the proposed development and existing public spaces will together equally or better meet community needs.

REVISED APPLICANT'S RESPONSE: The buildable area of the site is 143,761 square feet and 15% of the buildable area is 21,564 square feet. Tracts A, and C have been designated as usable open space tracts comprising 30,190 square feet. Tract A will run along the sites SW Murdock Road frontage and then widen in the middle to provide for pedestrian connectivity between the proposed public street and SW Murdock Road.

Tract A will also contain a preserved grove of pine trees, shrubs and ground cover. Tract C contains 7,916 square feet of open-space and will provide connectivity with the property to

the east to expand the open-space as contemplated in the SE Sherwood Master Plan when that property redevelops.

Tracts A and C will be conveyed by title to the homeowners' association for maintenance and management. Tracts A, and C, as the designated usable open space, total 30,190 square feet which exceeds the minimum requirement of 21,564 square feet.

STAFF ANALYSIS: Tracts A, and C exceeds the required minimum 15% of building open space. The applicant is proposing over 20% of usable open space for the site.

FINDING: Based on the above discussion, the applicant meets this criterion on the concept of open space.

3. That exceptions from the standards of the underlying zoning district are warranted by the unique design and amenities incorporated in the development plan.

STAFF ANALYSIS: The VLDR is unique from the other residential zones in that it specifically identifies a special density allowance for a PUD because of distinctiveness of the area and the community's desire to preserve the natural resource and landscape with limited development. The applicant provides for the required open space and creates a roadway that connects to SW Ironwood Lane. Additionally, the applicant proposes to clean up the soil contamination that has been present for at least 30 years. These amenities and improvements unique to the site warrant consideration of a planned unit development. By creating a PUD in this area, it ensures that open space will be incorporated into the development rather than larger privately held lots. The amenities will be part of the PUD and unique to this development.

As part of the PUD, the applicant proposes setback modifications to five of the lots (from 20-foot to 15-foot setbacks) to fully development the lots.

FINDING: Based on the above discussion the applicant meets this criterion.

4. That the proposal is in harmony with the surrounding area or its potential future use, and incorporates unified or internally compatible architectural treatments, vernacular, and scale subject to review and approval in Subsection (B)(6).

STAFF ANALYSIS: The larger lot sizes are compatible with the surrounding developments as Sherwood View Estates and Denali Subdivision are also zoned VLDR-PUD. The properties to the north and east of the site are zoned VLDR and have not been developed to their full potential. The applicant has identified in the architectural pattern book that they will use Traditional to Contemporary and Modern styles that will complement the surrounding community.

FINDING: Based on the above discussion, the applicant meets this criterion.

5. That the system of ownership and the means of developing, preserving and maintaining parks and open spaces are acceptable.

STAFF ANALYSIS: Per applicant's revised narrative, Tracts A, B, and C will be dedicated to the homeowners' association for maintenance, preservation and management. These tracts will be developed by the applicant as part of the subdivision site development.

The applicant proposes that the open spaces be monitored through a homeowner's association and developed as conditions within the CC & R's. This is a suitable resolution, but a condition is required in order to fully comply.

FINDING: Based on the above discussion, the applicant does not meet this criterion, but can do so with the following condition.

RECOMMENDED CONDITION: (A8) Tracts "A", "B", and "C" shall be owned and maintained by the homeowners' association.

RECOMMENDED CONDITION: (B1) Prior to the final development plan approval, provide CC & R's that document how the private street and open spaces (Tracts A, B, and C) will be maintained by the neighborhood association.

6. That the PUD will have a beneficial effect on the area which could not be achieved using the underlying zoning district.

STAFF ANALYSIS: The underlying zoning district allows for a density of up to one unit per acre. Because development is very limited on the site coupled with the known soil contamination constraints, the site would likely continue to remain undeveloped for many years to come if the developer was required to adhere to the regular density standard of one dwelling unit per acre. The applicant argues that the special density allowance of the planned unit development process in the SE Sherwood Master Plan allows the site to be developed in a more financially feasible manner in order to install the appropriate infrastructure and remediate the soil. The applicant believed that they could not recoup the cost of the cleanup if the larger lot size was required through the standard zoning.

The proposed development also will have a beneficial effect on the area by creating a local street connection to SW Ironwood Lane and a stub street to the north for future connection. The proposed street connection follow the intention of the SE Sherwood Master Plan.

The applicant submitted an environmental assessment report prepared by Creekside Environmental Consulting LLC and Evrennorthwest Inc., August 16, 2017. The site currently has a remedial action work plan on file with DEQ for the cleanup of the subject property. Approval by DEQ will be required prior to Sherwood Engineering Department acceptance of the public improvements.

Additionally, as previously discussed, the applicant proposes open space areas, Tracts A and C that will be a beneficial amenity for the surrounding neighborhood.

FINDING: Based on the above discussion, the applicant does not meet the criterion, but can do so with the following conditions.

RECOMMENDED CONDITION: (C2) Prior to acceptance of public improvements, the applicant shall submit a copy of the DEQ "No Further Action" confirmation letter, to the Sherwood Engineering Department.

RECOMMENDED CONDITION: (G1) Prior to obtaining any Certificate of Final Occupancy, construct and install the pathway on Tracts A and C open space.

7. That the proposed development, or an independent phase of the development, can be substantially completed within one (1) year from date of approval.

STAFF ANALYSIS: The applicant proposes to complete the development within one year and therefore able to satisfy this condition. Per applicant' narrative, the developer intends to begin final engineering drawings upon receipt of preliminary approval so that site development will be substantially completed within one year from date of preliminary approval. In the alternative, if the applicant is unable to complete the project, safeguards are in place including creating a phasing plan or lapsing of the land use approval in order to meet this criterion.

FINDING: Based on the above discussion, the applicant can meet standard as condition below.

RECOMMEND CONDITION: (A11) A Detailed Final Development Plan shall be submitted for review and approval, by the Planning Commission, within one (1) year of the preliminary PUD approval.

8. That adequate public facilities and services are available or are made available by the construction of the project.

STAFF ANALYSIS: The City Engineer has reviewed the preliminary plat and determined that the site is serviceable or able to be served with conditions outlined further within this report.

FINDING: Based on the above discussion, the applicant meets this criterion or may be conditioned to meet this criterion further within this report.

9. That the general objectives of the PUD concept and the specific objectives of the various categories of the PUDs described in this Chapter have been met.

FINDING: Based on the above discussion earlier within this report, the applicant meets this criterion.

10. The minimum area for a Residential PUD shall be five (5) acres, unless the Commission finds that a specific property of lesser area is suitable as a PUD because it is unusually constrained by topography, landscape features, location, or surrounding development, or qualifies as "infill" as defined in Section 16.40.050(C)(3).

FINDING: The site is 5.27 gross acres meeting the minimum area of five acres for a Residential PUD. Therefore, this criteria is met.

16.40.020.E

E. Effect of Decision

Approval of the Preliminary Development Plan shall not constitute final acceptance of the PUD. Approval shall, however, be binding upon the City for the purpose of preparation of the Final Development Plan, and the City may require only such changes in the plan as are necessary for compliance with the terms of preliminary approvals.

FINDING: The applicant is aware that a final development plan will be required upon approval of the preliminary development plan. This criterion cannot be met at this time, but can be met with the final development phase submittal that is in substantial compliance with the approval of the PUD.

16.40.050 - Residential PUD

A. Permitted Uses

The following uses are permitted outright in Residential PUD when approved as part of a Final Development Plan:

1. Varied housing types, including but not limited to single-family attached dwellings, zero-lot line housing, row houses, duplexes, cluster units, and multi-family dwellings.
2. Related NC uses which are designed and located so as to serve the PUD district and neighborhood.
3. All other uses permitted within the underlying zoning district in which the PUD is located.

FINDING: The applicant proposes residential uses and all lots will be for single-family homes, the only permitted housing type within this zone.

B. Conditional Uses

A conditional use permitted in the underlying zone in which the PUD is located may be allowed as a part of the PUD upon payment of the required application fee and approval by the Commission as per Chapter 16.82.

FINDING: The applicant does not propose a conditional use, and thus this criterion is not applicable.

C. Development Standards

1. Density

The number of dwelling units permitted in a Residential PUD is the same as that allowed in the underlying zoning district, except as provided in Sections 16.40.040.D and 16.40.050.C.2.

STAFF ANALYSIS: Under Section 16.10.020 Density is defined as the intensity of residential land uses per acre, stated as the number of dwelling units per net buildable acre. Net building acre is further defined as an area measuring 43,560 square feet after excluding present and future rights-of-way and environmentally constrained area. Usable Open Space is included in the calculations of net buildable acre.

The site is 5.27 acres in area or per engineering plans 229,432 square feet of gross area (details shown below).

Name	Size	Purpose
Lot 1	11,355 sq. ft.	Single Family Residence
Lot 2	10,572 sq. ft.	Single Family Residence
Lot 3	12,177 sq. ft.	Single Family Residence
Lot 4	10,117 sq. ft.	Single Family Residence
Lot 5	11,116 sq. ft.	Single Family Residence
Lot 6	10,032 sq. ft.	Single Family Residence
Lot 7	10,031 sq. ft.	Single Family Residence
Lot 8	10,725 sq. ft.	Single Family Residence
Lot 9	10,455 sq. ft.	Single Family Residence
Lot 10	11,233 sq. ft.	Single Family Residence
Lot 11	13,630 sq. ft.	Single Family Residence
Lot 12	12,777 sq. ft.	Single Family Residence
Lot 13	10,260 sq. ft.	Single Family Residence
Sub Total Lots	144,480 sq. ft.	

Tract A	22,274 sq. ft.	Usable Open Space
Tract C	7,916 sq. ft.	Usable Open Space
Tract D	2,828 sq. ft.	Water quality bio-swale
Sub Total Usable Tracts	33,018 sq. ft.	
SW Murdock	8,222 sq. ft.	Right-of-Way dedication
SW Ironwood	656 sq. ft.	Right-of-Way dedication
New Street	33,514 sq. ft.	Public Street Right-of-Way dedication
Tract B	3,138 sq. ft.	Private Street
Sub Total ROW	45,530 sq. ft.	
TOTAL Area	223,028 sq. ft.	

Gross square footage of the area = 223,028 sq. ft.
 Minus Right-of-Way Dedication = 45,530 sq. ft.
Minus Open Space Tracts = 33,018 sq. ft.
 Net Buildable Area = 144,480 sq. ft.

Net Buildable area is 144,480 square feet or 3.32 net acres

3.32 acres X 4 dwelling units per acre (maximum density for SE Sherwood Master Plan PUD) =13 lots maximum density

The maximum density allowance is clearly stated in Section 16.12.010.A.3.a. However, minimum density allowance isn't identified within the section. The VLDR PUD, Section 16.12.010.2, allows for a density of 1.4 to 2.0 dwelling units per net buildable acre. Based on this information, the minimum density requirement for 3.32 net buildable area is 4.6 or 5 units (3.32 X 1.4).

Minimum density of five (5) units and a maximum density of 13 units.

FINDING: Based on the discussion above, the minimum density for the site is five (5) units and the maximum is thirteen (13) units. The applicant is proposing thirteen (13) units (lots) meeting both minimum and maximum density requirements. This criterion is met.

2. Density Transfer

Where the proposed PUD site includes lands within the base floodplain, wetlands and buffers, or steeply sloped areas which are proposed for public dedication, and such dedication is approved as a part of the preliminary development plan, then a density transfer may be allowed adding a maximum of 20% to the overall density of the land to be developed.

FINDING: Density transfers are not proposed, nor are they allowed under Section 16.12.0103.A.3. This criterion is not applicable.

3. Minimum Lot Size

The minimum lot size required for single-family, detached dwellings is 5,000 square feet, unless the subject property is either:

- a. Located within the High Density Residential zone (HDR). In that case, there is no minimum lot size provided the applicant demonstrates that the proposal meets the

purpose and intent of the Zoning and Development Code and the Sherwood Comprehensive Plan until February 4, 2015.

- b. Or qualifies as infill, defined as: parent parcel of 1.5 acres or less proposed for land division, where a maximum 15% reduction in lot size may be allowed from the minimum lot size.**

FINDING: The applicant proposes lots sizes of over 10,000 square feet, thus satisfying this criterion.

**V. SUBDIVISION REVIEW REQUIRED FINDINGS
(16.120 Subdivisions and 16.128 Land Division Design Standards)**

16.120.020 - General Subdivision Provisions

A. Approval of a subdivision occurs through a two-step process: the preliminary plat and the final plat.

- 1. The preliminary plat shall be approved by the Approval Authority before the final plat can be submitted for approval consideration; and**
- 2. The final plat shall reflect all conditions of approval of the preliminary plat.**

B. All subdivision proposals shall conform to all state regulations set forth in ORS Chapter 92, Subdivisions and Partitions.

C. Future re-division

When subdividing tracts into large lots, the Approval Authority shall require that the lots be of such size and shape as to facilitate future re-division in accordance with the requirements of the zoning district and this Division.

D. Future Partitioning

When subdividing tracts into large lots which may be resubdivided, the City shall require that the lots be of a size and shape, and apply additional building site restrictions, to allow for the subsequent division of any parcel into lots of smaller size and the creation and extension of future streets.

E. Lot averaging

Lot size may be averaged to allow lots less than the minimum lot size allowed in the underlying zoning district subject to the following regulations:

- 1. The average lot area for all lots is not less than allowed by the underlying zoning district.**
- 2. No lot created under this provision shall be less than 90 % of the minimum lot size allowed in the underlying zoning district.**
- 3. The maximum lot size cannot be greater than 10 % of the minimum lot size.**

F. Required Setbacks

All required building setback lines as established by this Code, shall be shown in the preliminary subdivision plat.

G. Property Sales

No property shall be disposed of, transferred, or sold until required subdivision approvals are obtained, pursuant to this Code.

FINDING: Per applicant's narrative, this application represents the applicant's request for preliminary plat approval. The applicant acknowledges that the final plat will reflect all conditions of approval of this preliminary plat. A licensed land surveyor will prepare the final plat and will ensure that it conforms to all state regulations set forth in ORS Chapter 92, Subdivision and Partitions. None of the lots are large enough to be re-divided or partitioned since the minimum lot size is 40,000 square feet without a planned unit development. Lot averaging is not applicable as all lots meet the minimum lot size of 10,000 square feet in a PUD. Yard setbacks are shown on the preliminary subdivision plat, Sheet 3 of Exhibit A. None of the proposed lots will be

disposed of, transferred, or sold until required subdivision approvals have been obtained. Therefore, these criteria are met.

16.120.030 - Approval Procedure-Preliminary Plat

A. Approval Authority

- 1. The approving authority for preliminary and final plats of subdivisions shall be in accordance with Section 16.72.010 of this Code.**
 - a. A subdivision application for 4-10 lots will follow a Type II review process.**
 - b. A subdivision application for 11-50 lots will follow a Type III review process.**
 - c. A subdivision application for over 50 lots will follow a Type IV review process.**

FINDING: The proposal is for 13 lots and should be processed as a Type III Review. However, since the proposal consist of a PUD the entire review will be processed as a Type V Review. This criterion is met.

- 2. Approval of subdivisions is required in accordance with this Code before a plat for any such subdivision may be filed or recorded with County. Appeals to a decision may be filed pursuant to Chapter 16.76.**

FINDING: Per applicant's narrative, the preliminary plat approval shall be received prior to proceeding to the filing or recording of the final plat. This criterion can be satisfied, if and when this proposal is approved.

B. Phased Development

- 1. The Approval Authority may approve a time schedule for developing a subdivision in phases, but in no case shall the actual construction time period for any phase be greater than two years without reapplying for a preliminary plat.**
- 2. The criteria for approving a phased subdivision review proposal are:**
 - a. The public facilities shall be scheduled to be constructed in conjunction with or prior to each phase to ensure provision of public facilities prior to building occupancy;**
 - b. The development and occupancy of any phase shall not be dependent on the use of temporary public facilities:**
 - (1) For purposes of this subsection, a temporary public facility is an interim facility not constructed to the applicable City or district standard; and**
 - (2) The phased development shall not result in requiring the City or other property owners to construct public facilities that were required as a part of the approval of the preliminary plat.**
- 3. The application for phased development approval shall be reviewed concurrently with the preliminary plat application and the decision may be appealed in the same manner as the preliminary plat.**

FINDING: A Phased Development is not proposed. Per applicant's statement, the subdivision will be developed in one phase. These standards are met.

16.120.040- Approval Criteria: Preliminary Plat **No preliminary plat shall be approved unless:**

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

STAFF ANALYSIS: The applicant proposes to construct a public street through the development to connect with the existing street to the south at SW Ironwood Lane and a street stub to the north for a future street connection.

FINDING: Based on the above discussion, the applicant meets this criterion or can be conditioned further within this report under the public improvement section.

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

STAFF ANALYSIS: A private street, Tract B, is proposed that will allow access for Lots 9-12. It is clearly indicated on the preliminary plat as shown in Sheet 03 of Exhibit A.

FINDING: Based on the above discussion, the applicant meets this criterion or can be conditioned further within this report under the public improvement section.

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

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

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

FINDING: As discussed in Division VI (Public Infrastructure) of this report there are adequate services to support the proposed subdivision. The applicant's exhibits demonstrate that adequate water, sanitary sewer, and other public facilities capacities exist, and facilities will be installed to support the site; and that the proposed public improvements will adequately serve each proposed lot. In addition, the applicant will be required to come in for detailed PUD approval at which time additional review can and will be provided. This standard is met.

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

FINDING: While there are no adjacent properties under the same ownership, the applicant proposes to connect with SW Ironwood Lane and a street stub for a future street connection to the north, which allows development on adjoining properties. Thus, the applicant meets this criterion.

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

FINDING: All adjoining properties have existing access to public streets. Approval of this subdivision and PUD will not prohibit any adjoining properties from being developed. In fact, with the creation of the north-south public street, properties to the north and east of the site will have the opportunity of extending the public street with redevelopment. This criterion is met.

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

STAFF ANALYSIS: Sheet 2 of Exhibit A identifies existing trees and vegetation. The applicant states a mature grove of pine trees and vegetation located within Tract A will remain undisturbed and preserved as part of the PUD.

FINDING: Based on the above discussion, the applicant meets this criterion.

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

FINDING: Proposed lot numbers, setbacks, dimensions, and easements are shown on Sheet 3 of Exhibit A. This standard is met.

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

FINDING: The applicant is proposing a VLDR PUD, which requires a fifteen percent (15%) open space per 16.40.020.C. For this project that equates to 21,672 square feet of open space, which has been exceeded as discussed previously in Section 16.40.020.C, this condition is met.

Chapter 16.128 - LAND DIVISION DESIGN STANDARDS

16.128.010 - Blocks

A. Connectivity

1. Block Size

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

2. Block Length

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

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

STAFF ANALYSIS: Per the applicant's narrative, the proposed development consists of a single block, that being the proposed north/south public street. The extension of the proposed public street from the north to the south will allow connection with SW Ironwood Lane to the south and a future public street to the north when properties to the east redevelop. Additionally, Tracts A and C will be able to connect with future open space when the parcel immediately east of the site redevelops and it will provide a mid-block pedestrian connection to SW Murdock Road. With a pedestrian connection in the open space and the future streets with the development of the surrounding parcels to the east of the site, the length of each block is approximately 345 feet long which is less than the maximum allowed by Code. Sidewalks are being provided on both sides of the proposed public street, as well as along the east side of SW Murdock Road.

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

B. Utilities Easements for sewers, drainage, water mains, electric lines, or other utilities shall be dedicated or provided for by deed. Easements shall be a minimum of ten (10) feet

in width and centered on rear or side lot lines; except for tie-back easements, which shall be six (6) feet wide by twenty (20) feet long on side lot lines at the change of direction.

STAFF ANALYSIS: Per applicant's narrative, the applicant is proposing eight (8) foot wide public utility easement along each lot frontages. Additionally, Sherwood Engineering requires a minimum 8-foot wide PUE along all street frontages. Installation of the utilities necessary to serve the site will occur with construction of the project as shown on the Preliminary Utility Plan, Sheet 9 of Exhibit A.

The submitted plans identify a PGE easement on the northern portion of the subject property exist. It would be desirable for this PGE easement to be quit claimed in order to not encumber the future lots with this easement. Extinguishment of this easement is between the developer and PGE as it is a privately owned easement. Sheet 3 of Exhibit A identifies the six-inch underground distribution easement to be vacated.

FINDING: This criterion can be met as conditioned below.

RECOMMENDED CONDITION: (E6) Prior to Issuance of Building Permit on the affected lots, documentation shall be submitted showing the PGE distribution easement has been vacated or show how the building footprint does not affect the easement.

C. Drainages

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

FINDING: The subject site does not contain any watercourses. This criterion is not applicable.

16.128.020 - Pedestrian and Bicycle Ways

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

FINDING: The site does not include a cul-de-sac nor an irregularly shaped block. Additionally, sidewalks and asphalt-paved pathways are being provided throughout the development to provide adequate pedestrian circulation. The new north-south local street roadway will also provide for increased bicycle circulation. This criterion is met.

16.128.030 - Lots

A. Size and Shape

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

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

FINDING: The Preliminary Subdivision Plat, Sheet 3 of Exhibit A, shows 13 lots that will comply with the applicable requirements. All lots can be served by public sewer and water facilities. This criterion is met.

B. Access

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

FINDING: Proposed Lots 1-9 and 12-13 abut a public street (SW Ironwood Lane and new north-south local public street. Lots 10-11 will gain access from a private street (Tract B). This criterion is met.

C. Double Frontage

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

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

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

FINDING: The preliminary plat, Sheet 3 of Exhibit A, shows that side lot lines run at right angles to the abutting street frontage as far as practicable. This criterion is met.

E. Grading

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

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

STAFF ANALYSIS: The preliminary grading, erosion and sediment control plan shows the project will comply with the applicable grading standards. Furthermore, at time of building permitting, grading of the building sites will be further reviewed and finalized by the city Building Official.

The city Engineering Department requires that prior to grading, a permit is obtained from the Building Department for grading on the private portion of the site. Additionally, a grading permit is required for all areas graded as part of the public improvements.

The proposed development will disturb over 5 acres; therefore, a DEQ NPDES 1200-C is required.

FINDING: These standards have not been met, but can be met as as conditioned below.

RECOMMENDED CONDITION: (C3) Prior Approval of Engineering Public Improvement Plans, the proposed development shall obtain a DEQ NPDES 1200-C permit.

VI. APPLICABLE CODE PROVISIONS

A. Division II– Land Use and Development

Chapter 16.12 - RESIDENTIAL LAND USE DISTRICTS

The residential districts are intended to promote the livability, stability and improvement of the City's neighborhoods.

16.12.010 - Purpose and Density Requirements

PUD 19-02 Murdock Road PUD - City Council Decision - Findings

A. Very Low Density Residential (VLDR)

3. Southeast Sherwood Master Planned Unit Development

- a. **Property in the VLDR zone that is developed through the Planned Unit Development process under Chapter 16.40 and is based on, and generally conforms to the concepts, goals and objectives of the SE Sherwood Master Plan may develop to a maximum density of four (4.0) dwelling units per net buildable acre.**

STAFF ANALYSIS: The proposed project will be a planned unit development in the Southeast Sherwood Master Planned Unit Development area and it generally conforms to the concepts, goals and objectives of the SE Sherwood Master Plan. Accordingly, the maximum density allowed is four dwelling units per net buildable acre. Based on the discussion in Section 16.40.050.C.1 (Residential PUD – Development Standards, Density), the minimum density for the site is five (5) units and the maximum is thirteen (13) units. The applicant is proposing 13 units (lots) meeting both minimum and maximum density requirements.

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

- b. **Development under Section 16.12.010.A.3 must generally follow the development pattern shown as Alternative B/C in the SE Sherwood Master Plan (2006) and address the following factors:**

- (1) Varied lot sizes are allowed with a minimum lot area of 10,000 square feet if it can be shown that adequate buffering exists adjacent to developed properties with screening, landscaping, roadways or open space.**

STAFF ANALYSIS: The proposed lots are sized between 10,031 square feet to 13,630 square feet. All lots either meet or exceed the 10,000 square foot minimum. Buffering is not necessary as all lots meet or exceed the minimum square footage requirement. The applicant also noted that a water quality tract (Tract D) located at the northwest corner and landscaped usable open space along the west (Tract A), east (Tract C), and south (Trace E) of the subject site all act as buffers to adjacent developed properties.

- (2) The open space areas as required by Chapter 16.40 (Planned Unit Development), where feasible, should include parks and pathways that are located within the general vicinity of Alternative B/C in the SE Sherwood Master Plan.**

STAFF ANALYSIS: Open space requirements are further discussed later in the report. Proposed Tracts A, C, and E will provide usable open space areas for the PUD and will be dedicated as usable open space. Tract A will also be utilized to preserve a grove of mature pine trees, which will help maintain the character of the area. Tract C has been located on the eastern boundary of the site and will help facilitate connectivity with future open space to the east as intended in the SE Sherwood Master Plan.

- (3) There is a pedestrian-friendly transportation system that links the site with nearby residential developments, schools, parks, commercial areas and other destinations.**

STAFF ANALYSIS: The subject property is surrounded by various residential development with the developments to the south and west being more densely developed than lands to the north and east. There are no schools, parks or commercial areas nearby which need to be linked with the subject site. The proposed development will link with the surrounding residential sites via installation of a sidewalk along the east side of SW Murdock Road, as well

as along both sides of the proposed local street running north/south through the site. With the construction of these features, pedestrian connectivity will be provided along SW Murdock Road, as well as within the interior of the project by the proposed local roadway and will allow for future connectivity with the redevelopment of the surrounding parcels.

(4) The unique environmental opportunities and constraints identified in the SE Sherwood Master Plan.

APPLICANT'S RESPONSE: Pursuant to the SE Sherwood Master Plan, the subject site does not contain any unique environmental opportunities and/or constraints. With that being said, the applicant is proposing to preserve a large grove of mature pine trees within Tract A. The above criterion does not apply to the applicant's proposal because there are no unique environmental opportunities and constraints identified in the SE Sherwood Master Plan on the site.

(5) The view corridors identified in the SE Sherwood Master Plan.

STAFF ANALYSIS: The site does not have any identified view corridors depicted on the SE Sherwood Master Plan, therefore, this criterion does not apply.

(6) The housing design types that are compatible with both surrounding and existing development.

STAFF ANALYSIS: The proposed housing design types as discussed in the Architectural Pattern Book are Contemporary, Transitional, Modern, Traditional, Early American, and Modern Farmhouse. Early American, Traditional, Transitional and Modern Farmhouse styles are similar and compatible with, the existing houses in the adjacent subdivision and existing surround development. An Architectural Pattern Book has been submitted to further assist on housing design capability.

FINDING: Based on the applicant's responses and staff analyses discussed above, these criteria are met.

c. A density transfer under Chapter 16.40.050.C.2. is not permitted for development under this Section 16.12.010.A.3.

FINDING: The applicant is not requesting any density transfers or required as part of this project. This criterion is not applicable.

d. The Planning Commission will consider the specific housing design types identified and the preservation of the identified view corridors at the time of final development review to ensure compatibility with the existing and surrounding development.

APPLICANT'S RESPONSE: The developer acknowledges that specific housing design types identified in this application will have to be identified again for final review as part of the final development review process. The subject site does not have any identified view corridors on the SE Sherwood Master Plan.

STAFF ANALYSIS: Staff concurs with the applicant's response.

FINDING: Based on the applicant's response and staff analysis, this criterion is met.

16.12.020 Allowed Residential Uses

FINDING: All 13 lots are proposed to be developed with single-family detached dwellings. Single-family detached dwellings are listed as a permitted use in the VLDR zone. This standard is met.

16.12.030 Development Standards

Development Standards	Required VLDR - PUD	Proposed Modification
Lot area – Single Family Detached	10,000 sq. ft.	N/A
Lot width at front property line:	25 feet	N/A
Lot width at building line:	None	N/A
Lot Depth	None	N/A
Front yard setback ⁴	20 feet	15 feet for all lots
Face of garage	20 feet	N/A
Side yard setback - Single Family Detached	5 feet	N/A
Rear yard setback	20 feet	15 feet for Lots 1-4
Corner lot street side	20 feet	15 feet for Lots 4, 5, and 9
Height ²	30 feet or 2 stories	N/A

² Maximum height is the lesser of feet or stories.

⁴ Reductions in front yard setbacks for architectural features as described in 16.50.050 are not permitted in the MDRL, MDRH, or HDR zoning districts.

STAFF ANALYSIS: The table above lists the minimum lot area for single-family detached dwellings in the VLDR-PUD zone as 10,000 square feet. This project proposes thirteen (13) lots, all at 10,000 square feet or larger in area as illustrated on the submitted plan set. This standard has been met.

The table lists the minimum lot width at the front property line as 25 feet in the VLDR-PUD zone. Lots 2 and 3 are flag lots with 12.72 feet of frontage each on the proposed public street; all other proposed lots exceed the minimum lot width requirement of 25 feet. Per applicant’s narrative, Lots 2 and 3 will have a shared driveway over the “flag-pole” portion of the lots, and Lot 3 will have 89-feet of frontage on SW Ironwood Lane once additional right-of-way is dedicated.

As part of the PUD, the applicant is requesting a modification to the rear and street yard setbacks from 20 feet to 15 feet for five of the lots and front yard setback from 20 feet to 15 feet for all the lots. The modifications request are noted on the table above and the adjusted setbacks have been noted on Sheet 3 of Exhibit A.

Due to lot configuration, constraints of the site and the large lot sizes of the lots and abutting parcels, approval of the setback modifications are requested to develop the site fully.

FINDING: Based on the discussion above, these standards are met.

16.12.040 - Community Design

For standards relating to off-street parking and loading, energy conservation, historic resources, environmental resources, landscaping, access and egress, signs, parks and open space, on-site storage, and site design, see Divisions V, VIII, IX.

FINDING: The relevant sections of Divisions V, VIII and IX are addressed further in this report. The proposal either meets or can meet the standards with conditions as discussed further in the relevant sections of this report. This criterion is met.

16.12.050 - Flood Plain

Except as otherwise provided, Section 16.134.020 shall apply.

FINDING: The site is not within a flood plain; neither this section nor Section 16.134.020 apply to this development. This criterion is not applicable.

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.

STAFF ANALYSIS: The applicant shows that the proposed development can comply with this standard. Clear vision areas will be verified at the time of plot plan review prior to issuance of building permits.

FINDING: As proposed, this standard is not met, but can be met as conditioned below.

RECOMMENDED CONDITION: (B2) Prior to approval of the Final Plat, submit a revised tree plan demonstrating compliance with the Clear Vision requirements of Section 16.58 of the Sherwood Zoning and Community Development Code.

Chapter 16.70 General Provisions

16.70.010 Pre-Application Conference

Pre-application conferences are encouraged and shall be scheduled to provide applicants with the informational and procedural requirements of this Code; to exchange information regarding applicable policies, goals and standards of the Comprehensive Plan; to provide technical and design assistance; and to identify opportunities and constraints for a proposed land use action. An applicant may apply at one time for all permits or zone changes needed for a development project as determined in the pre-application conference.

STAFF ANALYSIS: Although not a requirement, the applicant requested and attended a pre-application conference (PAC 18-16) with City staff on November 1, 2018 to discuss developing the property through a planned unit residential development for 12-lots in the Very Low Residential District.

16.70.020 Neighborhood Meeting

- A. The purpose of the neighborhood meeting is to solicit input and exchange information about the proposed development.**
- B. Applicants of Type III, IV and V applications are required to hold a meeting, at a public location for with adjacent property owners and recognized neighborhood organizations that are within 1,000 feet of the subject application, prior to submitting their application to the City. Affidavits of mailing, sign-in sheets and a summary of the meeting notes shall be included with the application when submitted. Applicants for Type II land use action are encouraged, but not required to hold a neighborhood meeting.**

STAFF ANALYSIS: The applicant held a neighborhood meeting on November 29, 2018 at Sherwood Center for the Arts; Class Room A. Six individuals signed the Sign-In sheet. Some of the concerns raised consisted of increase of traffic and traffic noise on SW Murdock Road, contamination clean up, access from SW Ironwood, and development of SW Upper Road. The comments are part of the applicant's materials. (Exhibit A)

FINDING: The applicant held a neighborhood meeting on November 29, 2018 and provided the materials along with this application that demonstrate that they complied with the requirements for neighborhood meetings. This criterion is met.

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 proposed landscaping plans show general planting areas on the site specifically in the open space tracts and the rights-of-ways. The proposal did not include a detailed landscape plan (Sheet 11 of Exhibit A). This standard is not met, but can be satisfied with the recommended condition below.

RECOMMENDED CONDITION: (B3) Prior to Final Development Plan approval, submit a detailed final landscape plan that meets Section 16.92 landscaping standards and Section 142.040 visual corridors.

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.

1. Ground Cover Plants

- a. All of the landscape that is not planted with trees and shrubs must be planted in ground cover plants, which may include grasses. Mulch is not a substitute for ground cover, but is allowed in addition to the ground cover plants.
- b. Ground cover plants other than grasses must be at least the four-inch pot size and spaced at distances appropriate for the plant species. Ground cover plants must be planted at a density that will cover the entire area within three (3) years from the time of planting.

APPLICANT'S RESPONSE: Sheet 11 of the submitted plan set shows the location for all proposed landscaped areas within the proposed PUD (i.e. Tracts A, C, and E). The proposed landscaped areas will be covered with a combination of trees, shrubs, grasses, groundcovers and lawn. Mulch is not being used as a substitute for ground cover.

Additionally, ground cover plants will be either 4" pots at 12" on center or one-gallon pots at two feet on center. The selected ground cover will be planted at a density to cover the entire intended area within three years of planting.

Plants will be selected appropriate to the site based upon hardiness, exposure to the elements and slope and contours of the site. All planting areas will have a minimum of 6" workable topsoil and to till as necessary; to amend all topsoil with 2" of compost; and to spread at a minimum two-inch depth aged compost mulch in all planted areas.

A variety of shrubs and trees will also be planted on the site in the proposed landscaped areas. Shrubs at time of planting will range in size from two-gallon to five-gallon pots, all of which exceed the minimum planting requirement stated in the Code.

The proposed trees will range in height at the time of planting from between six feet to 12 feet with calipers ranging between two inches to three inches. All trees will be fully branched at the time of planting.

Lastly, the applicant has worked closely with City Staff and has agreed to provide, as a condition of approval, a detailed landscape plan stamped by a professional landscape architect as part of the required Final Development Plan review.

STAFF ANALYSIS: The landscape plan, Sheet 11, did not include the necessary details to verify compliance with the landscaping standards. The required detailed landscape plan is conditioned above as B3. Furthermore, the landscape plans must be certified by a landscape professional.

FINDING: The applicant has not met this criterion, but can meet this criterion with the following condition.

RECOMMENDED CONDITION: (B4) Prior to Final Development Plan approval, submit a final landscape plan that has been verified by a landscape professional.

2. Shrubs

- a. All shrubs must be of sufficient size and number to be at full growth within three (3) years of planting.
- b. Shrubs must be at least the one-gallon container size at the time of planting.

3. Trees

- a. Trees at the time of planting must be fully branched and must be a minimum of two (2) caliper inches and at least six (6) feet in height.
- b. Existing trees may be used to meet the standards of this chapter, as described in Section 16.92.020.C.2.

STAFF ANALYSIS: The landscape plan, Sheet 11, did not include the necessary details to verify compliance with these landscaping standards. The required detailed landscape plan is conditioned above as B3. Furthermore, the landscape plans must be certified by a landscape professional as conditioned above as B4.

B. Plant Material Selection and Preparation

1. Required landscaping materials shall be established and maintained in a healthy condition and of a size sufficient to meet the intent of the approved landscaping plan. Specifications shall be submitted showing that adequate preparation of the topsoil and subsoil will be undertaken.
2. Landscape materials should be selected and sited to produce a hardy and drought-resistant landscape area. Selection of the plants should include consideration of soil type, and depth, the amount of maintenance required, spacing, exposure to sun and wind, the slope and contours of the site, and compatibility with existing native vegetation preserved on the site.

STAFF ANALYSIS: The proposed landscaping plan discusses plant spacing, workable topsoil, and calls out a fully automatic underground irrigation system. However, the landscape plan, Sheet 11, did not include the necessary details to verify compliance with these landscaping standards. The required detailed landscape plan is conditioned above as B3. Furthermore, the landscape plans must be certified by a landscape professional as conditioned above as B4.

It is typical that the specifications and details for top soil or subsoil preparation is completed with the construction documents for the project, as this information is not needed to demonstrate that the plan can be feasibly implemented.

FINDING: This standard is not met, but can be met as conditioned below.

RECOMMENDED CONDITION: (E3) Prior to Issuance of a Building Permit, the applicant shall submit construction documents that provide additional information on the proposed plantings and maintenance of the plants to ensure that the landscaping will be appropriately maintained. The construction plans shall include specifications for the adequate preparation of the soils.

C. Existing Vegetation

1. All developments subject to site plan review per Section 16.90.020 and required to submit landscaping plans per this section shall preserve existing trees, woodlands and vegetation on the site to the maximum extent possible, as determined by the Review Authority, in addition to complying with the

provisions of Section 16.142.(Parks, Trees and Open Space) and Chapter 16.144 (Wetland, Habitat, and Natural Resources).

2. Existing vegetation, except those plants on the Nuisance Plants list as identified in the "Suggested Plant Lists for Required Landscaping Manual" may be used to meet the landscape standards, if protected and maintained during the construction phase of the development.
 - a. If existing trees are used, each tree six (6) inches or less in diameter counts as one (1) medium tree.
 - b. Each tree that is more than six (6) inches and up to nine (9) inches in diameter counts as two (2) medium trees.
 - c. Each additional three (3) inch diameter increment above nine (9) inches counts as an additional medium tree.

STAFF ANALYSIS: The existing condition map, Sheet 2 of Exhibit A, identify existing trees and vegetation on site. The applicant states that the existing trees and vegetation were not utilized to meet the landscaping standards. Nevertheless, Tract A will preserve a grove a mature pine trees and all existing trees and vegetation within Tract C will remain undisturbed and preserved.

FINDING: Based on the discussion above, these criteria have been met.

D. Non-Vegetative Features

1. Landscaped areas as required by this Chapter may include architectural features interspersed with planted areas, such as sculptures, benches, masonry or stone walls, fences, rock groupings, bark dust, semi-pervious decorative paving, and graveled areas.
2. Impervious paving shall not be counted toward the minimum landscaping requirements unless adjacent to at least one (1) landscape strip and serves as a pedestrian pathway.
3. Artificial plants are prohibited in any required landscaped area.

FINDING: No artificial plants are proposed for this development. Tracts A and C have impervious paving (pedestrian pathways) in the landscaping area. The applicant states that these pedestrian pathways have been counted towards the minimum landscaping requirement since they are both adjacent to landscaping strips and serve as pedestrian pathways. This criterion is satisfied.

16.92.030 Site Area Landscaping and Perimeter Screening Standards

A. Perimeter Screening and Buffering

B. Parking Area Landscaping

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.

D. Visual Corridors

STAFF ANALYSIS: The proposal is for a single-family residential planned unit development subdivision. The site is zoned Very Low Density Residential and is surrounded by other residential zoned parcels. No community parking area is proposed and screening of mechanical equipment, outdoor storage, and service and delivery areas are not necessary. The site has access to SW Ironwood Lane and the proposed north-south local street. The functional classifications of SW Ironwood Lane is local roadways based on City of Sherwood Transportation System Plan (TSP). SW Murdock Road classification is Arterial roadway and the entire site has frontage along SW Murdock Road. A 15-foot wide landscaped visual corridor is required along its entire frontage along SW Murdock Road. The preliminary landscape plan, Sheet 11 of Exhibit A, reflect the 15-

foot landscaped visual corridor. This standard will be further discussed and conditioned in Section 16.142.040 Visual Corridor.

FINDING: Based on the discussion above, these criteria are met.

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.

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.

D. Deferral of Improvements

Landscaping shall be installed prior to issuance of occupancy permits, unless security equal to one hundred twenty-five (125) percent of the cost of the landscaping is filed with the City. "Security" may consist of a performance bond payable to the City, cash, certified check, or other assurance of completion approved by the City. If the installation of the landscaping is not completed within one (1) year, the security may be used by the City to complete the installation.

FINDING: The preliminary landscape plans noted that irrigation for Tracts A, C, and E will be provided by a fully automatic underground system. Maintenance and preservation of these tracts will also be by the homeowners' association. Landscaping on individual lots will be the responsibility of the individual lot owners. The applicant intends to install all landscaping prior to issuance of occupancy permits. Should this become impossible due to plant availability and/or weather, the required security will be filed with the City in accordance with the Code. These standards have not been met, but can be satisfied as conditioned below.

RECOMMENDED CONDITION: (B5) Prior to Final Development Plan approval, submit a final landscape plan that addresses the installation and maintenance standards of Section 16.92.040.

RECOMMENDED CONDITION: (G2) Prior to final occupancy of structures, install the landscaping according to the landscape plans or pay a security bond for 125% of the cost of the landscaping payable to the City. If the landscaping is not completed within six months, the security may be used by the City to complete the installation.

16.94 Off-Street Parking and Loading

16.94.010 General Requirements

A. Off-Street Parking Required

No site shall be used for the parking of vehicles until plans are approved providing for off-street parking and loading space as required by this Code. Any change in uses or structures that reduces the current off-street parking and loading spaces provided on site, or that increases the need for off-street parking or loading requirements shall be unlawful and a violation of this Code, unless additional off-street parking or loading areas are provided in accordance with Section 16.94.020, or unless a variance from the minimum or maximum parking standards is approved in accordance with Chapter 16.84 Variances.

STAFF ANALYSIS: The applicant proposal provides adequate parking spaces for the residential uses through attached garages and driveways.

FINDING: This standard applies citywide, except in the Old Town Smockville area, and will be verified prior to the issuance of building permits and is conditioned below.

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: Section 16.94.020 indicates single-family dwellings required one off-street parking space per dwelling unit. This standard is typically met with the installation of garages and driveways. Compliance is confirmed during plot plan review for individual building lots. This standard is not met, but can be as conditioned.

RECOMMENDED CONDITION: (E4) Prior to the issuance of building permits, each lot shall provide for one off-street parking space.

16.96 ONSITE CIRCULATION

16.96.010 – On-Site Pedestrian and Bicycle Circulation

A. Purpose

On-site facilities shall be provided that accommodate safe and convenient pedestrian access within new subdivisions, multi-family developments, planned unit developments, shopping centers and commercial districts, and connecting to adjacent residential areas and neighborhood activity centers within one-half mile of

the development. Neighborhood activity centers include but are not limited to existing or planned schools, parks, shopping areas, transit stops or employment centers. All new development, (except single-family detached housing), shall provide a continuous system of private pathways/sidewalks.

B. Maintenance

No building permit or other City permit shall be issued until plans for ingress, egress and circulation have been approved by the City. Any change increasing any ingress, egress or circulation requirements, shall be a violation of this Code unless additional facilities are provided in accordance with this Chapter.

STAFF ANALYSIS: The preliminary plans, Sheet 1 of Exhibit A, shows a complete on-site circulation system. Public sidewalks for pedestrian circulation are being installed on both sides of the proposed local public street and along the east side of SW Murdock Road. As walkway within Tracts A and C will provide connectivity with the surrounding pedestrian walkways. Sidewalks along the site frontage on SW Ironwood Lane are proposed.

The proposed local public street will extended through the site as part of this development and stubbed at the northern boundary for a future connection with redevelopment. Vehicular and pedestrian connectivity and circulation will be provided for the area and will meet the requirements of the SE Sherwood Master Plan.

FINDING: As proposed, the subdivision provides for adequate and convenient pedestrian access.

D. Connection to Streets

- 1. Except for joint access per this Section, all ingress and egress to a use or parcel shall connect directly to a public street, excepting alleyways with paved sidewalk.**
- 2. Required private sidewalks shall extend from the ground floor entrances or the ground floor landing of stairs, ramps or elevators to the public sidewalk or curb of the public street which provides required ingress and egress.**

FINDING: Joint Access for Lots 2 and 3 are proposed. Vehicular and pedestrian access will be provided from the proposed north-south local public street, Tract B private street and improvements to SW Ironwood Lane. Tracts A and C includes pedestrian pathways that connects to the proposed public street. Individual ingress and egress connections for individual lots will be through driveways connecting to Tract B and the proposed north-south local public street. This standard is met.

E. Maintenance of Required Improvements

Required ingress, egress and circulation improvements shall be kept clean and in good repair.

STAFF ANALYSIS: The proposed local north-south public street will be dedicated to the City of Sherwood as a public street - further discussed in Chapter 16.106 Transportation Facilities. The individual owners will maintain their tax lot ingress and egress access points. The Home Owners Association will maintain Tracts A, C (paved pedestrian pathway), E and Tract B (private street).

FINDING: This criterion can be met as previously discussed and conditioned (A9 and B1).

16.96 ONSITE CIRCULATION

16.96.020 – Minimum Residential Standards

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

A. Driveways

1. **Single-Family:** One (1) driveway improved with hard surface pavement with a minimum width of ten (10) feet, not to exceed a grade of 14%. Permeable surfaces and planting strips between driveway ramps are encouraged in order to reduce stormwater runoff.
2. **Two-Family:** One (1) shared driveway improved with hard surface pavement with a minimum width of twenty (20) feet; or two (2) driveways improved with hard surface pavement with a minimum width of ten (10) feet each. Permeable surfaces and planting strips between driveway ramps are encouraged in order to reduce stormwater runoff.
3. **Multi-Family:** Improved hard surface driveways are required as follows:

Number of Units	Number of Driveways	One Way Drive Width (Pair)	Two Way Drive Width
3—49	1	15 feet	24 feet
50 or more	2	15 feet	24 feet

STAFF ANALYSIS: The site will be developed with single-family dwellings. Each lot within the proposed Planned Unit Development is planned to have a single designated driveway. Lots 2 and 3 are flag lots with 12.72 feet of street frontage each or a total of 25.44 feet. The single-family minimum driveway width requirement of 10 feet is satisfied. Furthermore, Lots 2 and 3 are proposed to have a shared driveway over the “flag-pole” portion of the lots that benefits Lots 1-4.

RECOMMENDED CONDITION: (E5) Prior to the issuance of building permits, the appropriate permit applications and details regarding the design of each driveway will be submitted to the City of Sherwood for review and approval.

RECOMMENDED CONDITION: (B6) Prior to final plat approval, a shared access easement on Lots 2-3 flagpole shall be shown on the subdivision plat that benefits Lots 1-4.

B. Sidewalks, Pathways and Curbs

1. **Single, Two-Family, and Manufactured Home on Individual Residential Lot:** No on-site sidewalks and curbs are required when not part of a proposed partition or subdivision.
2. **Multi-family ...**

STAFF ANALYSIS: As shown on the preliminary plans of Exhibit A, curbs and sidewalks are planned to be installed along the street frontage of each lot in the Planned Unit Development.

FINDING: As discussed above, this criterion is satisfied.

16.98 ONSITE STORAGE

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.

STAFF ANALYSIS: The proposal is for a Planned Unit Development and common trash enclosures are not proposed. Each house will utilize residential trash and recycling bins and will roll them to the curb each week for weekly disposal. Kristen Tabscott, Pride Disposal, provided comments dated September 9, 2019 (Exhibit E). She states that the private street, Tract B, south side of the road will need to be marked for no parking to allow for truck access. Lots 9-12 will need to place their totes on the south side of the street on collection day. When parking is allowed on both sides of the street, each resident will need to bring their receptacles to the nearest public road.

“No Parking” on Tract B is addressed and conditioned as part of Section 16.116 Fire Protection.

FINDING: This standard is not met, but can be satisfied as conditioned below.

RECOMMENDED CONDITION: (A9) All residents will need to bring their solid waste and recycling receptacles to the nearest private or public road.

C. Division VI – PUBLIC IMPROVEMENTS

Chapter 16.106 TRANSPORTATION FACILITIES

16.106.010 Generally

A. Creation

Public streets shall be created in accordance with provisions of this Chapter. Except as otherwise provided, all street improvements and rights-of-way shall conform to standards for the City’s functional street classification, as shown on the Transportation System Plan (TSP) Map (Figure 15) and other applicable City standards. The following table depicts the guidelines for the street characteristics.

Type of Street	Right of Way Width	Number of Lanes	Minimum Lane Width	On Street Parking Width	Bike Lane Width	Sidewalk Width	Landscape Strip (exclusive of Curb)	Median Width
Local	52”	2	14’	8’ on one side only	None	6’	5’ with 1’ buffer	None

STAFF ANALYSIS: The rectangular shaped site has street frontages along SW Murdock Road, SW Ironwood Lane, and a new proposed local north-south public street. Based on the TSP, SW Ironwood Lane is classified as Local streets and SW Murdock Road is classified as an Arterial roadway. The new proposed local north-south public street will be classified as a Local Street.

Craig Christensen, City of Sherwood Engineering Department, provided comments and recommended conditions (Exhibit B) as stated below.

Currently SW Murdock Road (Arterial Street) is a 2-lane street with approximately 24 feet of pavement with no curbs and a 6-wide asphalt path on the west side of the street along the subject property frontage. SW Murdock Road in the area of the subject development has a substandard curve for the speed of the street and is not centered within the street right-of-way. Due to these being existing deficiencies, the developer will not be responsible for correcting these deficiencies.

However, the developer will have to construct half-street improvements and right-of-way dedication based upon the existing road centerline of SW Murdock Road.

The typical half section for a 2-lane arterial street in a residential zone is 18 feet width of pavement, with a 5-foot wide landscape strip, 8-foot wide sidewalk and 1-foot wide buffer area within a 32-foot wide half-street right-of-way section. The typical half section for a 3-lane arterial street in a residential zone is 25 feet width of pavement, with a 5-foot wide landscape strip, 8-foot wide sidewalk and 1-foot wide buffer area within a 39-foot wide half-street right-of-way section. Since there is no direct driveway access onto SW Murdock Road a 3-lane arterial would only be necessary if left turn lanes are required at the SW Murdock Road/SW Upper Roy Street and the SW Murdock Road/SW Ironwood Lane intersections. A 2-lane arterial may be used if enough separation between the turn lanes exists to allow for a 2-lane street. The city's traffic consultant will be looking into the issue of the necessity for turn lanes. Street lighting improvements along SW Murdock Road are required.

SW Ironwood Lane (Standard Residential Street) is a 2-lane street with approximately 24.5 feet of pavement with no curbs and a 5-wide concrete path on the south side of the street along the subject property frontage with street lighting.

The typical half section for a 2-lane standard residential street is 14 feet width of pavement, with a 5-foot wide landscape strip, 6-foot wide sidewalk and 1-foot wide buffer area within a 26-foot wide half-street right-of-way section.

The subject development proposed to install a public street to provide public street access to the proposed new lots. The proposed public street will need to meet a Sherwood standard residential street section unless otherwise approved by the Sherwood Engineering Department.

Lots 10 and 11 don't have direct access to a public street. Access to lots 10 and 11 is proposed via a private street in a tract of land. The private street to Lots 10 and 11 will need to meet Sherwood Municipal Code and Sherwood Engineering Manual standards.

As noted in the background section of this report, a Lot Line Adjustment (LLA 19-03) was recently approved between Tax Lot 300 and Tax Lot 100. Through the Lot Line Adjustment, the flag portion of Tax Lot 100 was moved to Tax Lot 300. Now Tax Lot 300 has access from SW Ironwood Lane. This lot line adjustment will need to be completed prior to approval of the engineering public improvement plans in order for the subject development to have legal street access onto SW Ironwood Lane.

FINDING: These standards are not met, but can be satisfied as conditioned below.

RECOMMENDED CONDITION:(C4) Prior to Approval of Engineering Public Improvement Plans, the developer shall design for street widening improvements including street lighting along the subject property frontage of SW Murdock Road to meet either a 2-lane or 3-lane city arterial street section meeting the approval of the Sherwood Engineering Department.

RECOMMENDED CONDITION: (C5) Prior to Approval of Engineering Public Improvement Plans, the developer shall design for right-of-way dedication required to encompass the street widening improvements along the subject property frontage of SW Murdock Road meeting the approval of the Sherwood Engineering Department.

RECOMMENDED CONDITION: (C6) Prior to Approval of Engineering Public Improvement Plans, the developer shall design for street widening improvements along the subject property frontage of SW Ironwood Lane to meet a city standard residential street section meeting the approval of the Sherwood Engineering Department.

RECOMMENDED CONDITION: (C7) Prior to Approval of Engineering Public Improvement Plans, the developer shall design for right-of-way dedication required to have a 26-foot wide half street right-of-way section along the subject property frontage of SW Ironwood Lane meeting the approval of the Sherwood Engineering Department.

RECOMMENDED CONDITION: (C8) Prior to Approval of Engineering Public Improvement Plans, the developer shall design public streets interior to the development including street lighting to meet a city standard residential street section meeting the approval of the Sherwood Engineering Department.

RECOMMENDED CONDITION: (C9) Prior to Approval of Engineering Public Improvement Plans, the developer shall design for right-of-way dedication required to encompass the public interior street improvements meeting the approval of the Sherwood Engineering Department.

RECOMMENDED CONDITION: (C10) Prior to Approval of Engineering Public Improvement Plans, the developer shall design for access to Lots 10 and 11 meeting Sherwood Municipal Code and Sherwood Engineering Manual standards.

RECOMMENDED CONDITION: (C11) Prior to Approval of Engineering Public Improvement Plans, the property line adjustment for the acquisition of property frontage along SW Ironwood Lane shall be recorded with Washington County Surveyor's Office.

B. Street Naming

1. All streets created by subdivision or partition will be named prior to submission of the final plat.
2. Any street created by a public dedication shall be named prior to or upon acceptance of the deed of dedication.
3. An action to name an unnamed street in the City may be initiated by the Council or by a person filing a petition as described in this Section. 4. All streets named shall conform to the general requirements as outlined in this Section. 5. At the request of the owner(s), the City may approve a private street name and address. Private streets are subject to the same street name standards as are public streets. All private street signs will be provided at the owner(s) expense.

C. Street Name Standards

1. All streets named or renamed shall comply with the following criteria:
 - a. Major streets and highways shall maintain a common name or number for the entire alignment.
 - b. Whenever practicable, names as specified in this Section shall be utilized or retained.
 - c. Hyphenated or exceptionally long names shall be avoided.
 - d. Similar names such as Farview and Fairview or Salzman and Saltzman shall be avoided.
 - e. Consideration shall be given to the continuation of the name of a street in another jurisdiction when it is extended into the City.
2. The following classifications (suffixes) shall be utilized in the assignment of all street names:
 - a. Boulevards: North/south arterials providing through traffic movement across the community.
 - b. Roads: East/west arterials providing through traffic movement across the community.
 - c. Avenues: Continuous, north/south collectors or extensions thereof.

- d. **Streets:** Continuous, east-west collectors or extensions thereof.
 - e. **Drives:** Curvilinear collectors (less than 180 degrees) at least 1,000 feet in length or more.
 - f. **Lanes:** Short east/west local streets under 1,000 feet in length.
 - g. **Terraces:** short north/south local streets under 1,000 feet in length.
 - h. **Court:** All east/west cul-de-sacs.
 - i. **Place:** All north/south cul-de-sacs.
 - j. **Ways:** All looped local streets (exceeding 180 degrees).
 - k. **Parkway:** A broad landscaped collector or arterial.
3. Except as provided for by this section, no street shall be given a name that is the same as, similar to, or pronounced the same as any other street in the City unless that street is an extension of an already-named street.
4. All proposed street names shall be approved, prior to use, by the City.

D. Preferred Street Names

Whenever practicable, historical names will be considered in the naming or renaming of public roads. Historical factors to be considered shall include, but not be limited to the following:

- 1. Original holders of Donation Land Claims in Sherwood.
- 2. Early homesteaders or settlers of Sherwood.
- 3. Heirs of original settlers or long-time (50 or more years) residents of Sherwood.
- 4. Explorers of or having to do with Sherwood.
- 5. Indian tribes of Washington County.
- 6. Early leaders and pioneers of eminence.
- 7. Names related to Sherwood's flora and fauna. 8. Names associated with the Robin Hood legend.

STAFF ANALYSIS: The new proposed north-south local street will connect to SW Ironwood Lane and stub to a future street to the north as shown on Sheet 3 of Exhibit A. Based on the criteria above, this new north-south local street should be named Terrace.

FINDING: Based on the discussion above, the criteria will be satisfied with the recommended condition below.

RECOMMENDED CONDITION: (G3) Prior to Grant of Occupancy, the naming of the new north-south local public street and Tract B shall conform to the street naming conventions of Section 16.106.010.

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.

STAFF ANALYSIS: As mentioned before, the rectangular shaped site has street frontages along SW Murdock Road, SW Ironwood Lane, and the proposed north-south public local street. TSP classified SW Ironwood Lane as a Local Street and SW Murdock Road is classified as an Arterial roadway. The proposed north-south public street will be classified as a local public street.

All necessary right-of-way dedication to SW Murdock Road, SW Ironwood Lane, and the proposed north-south public local street are discussed and conditioned above.

FINDING: This criterion is satisfied as discussed and condition above.

B. Existing Streets

Except as otherwise provided, when a development abuts an existing street, the improvements requirement shall apply to that portion of the street right-of-way located between the centerline of the right-of-way and the property line of the lot proposed for development. In no event shall a required street improvement for an existing street exceed a pavement width of thirty (30) feet.

FINDING: This criterion is satisfied as discussed and conditioned above.

C. Proposed Streets

1. Except as otherwise provided, when a development includes or abuts a proposed street, in no event shall the required street improvement exceed a pavement width of forty (40) feet.

2. Half Streets: When a half street is created, a minimum of 22 feet of driving surface shall be provided by the developer.

FINDING: The new proposed north-south public local street is planned to consist of a 28-foot wide paved section. The widening of SW Ironwood Lane is planned to consist of a 28-foot wide paved section and the widening of SW Murdock Road is planned to consist of 18-25 foot wide paved section. Not all these roadways exceed the maximum pavement width of 40 feet. These criteria are met.

D. Extent of Improvements

1. Streets required pursuant to this Chapter shall be dedicated and improved consistent with Chapter 6 of the Community Development Plan, the TSP and applicable City specifications included in the City of Sherwood Construction Standards. Streets shall include curbs, sidewalks, catch basins, street lights, and street trees. Improvements shall also include any bikeways designated on the Transportation System Plan map. Applicant may be required to dedicate land for required public improvements only when the exaction is directly related to and roughly proportional to the impact of the development, pursuant to Section 16.106.090.

STAFF ANALYSIS: As stated in the applicant's narrative and shown on the preliminary PUD plans, Exhibit A, right-of-way dedication and street improvements include: curbs, sidewalks, catch basins and street trees as required by the Sherwood Zoning and Community Development Code and Transportation System Plan. Required streetlights are not shown on the preliminary plans and have been discussed and conditioned above. There are no designated bikeways affecting the property, and therefore bikeways are not relevant to the application.

FINDING: This standard is met as previously conditioned.

2. If the applicant is required to provide street improvements, the City Engineer may accept a future improvements guarantee in lieu of street improvements if one or more of the following conditions exist, as determined by the City:

a. A partial improvement is not feasible due to the inability to achieve proper design standards;

- b. **A partial improvement may create a potential safety hazard to motorists or pedestrians.**
- c. **Due to the nature of existing development on adjacent properties it is unlikely that street improvements would be extended in the foreseeable future and the improvement associated with the project under review does not, by itself, provide a significant improvement to street safety or capacity;**
- d. **The improvement would be in conflict with an adopted capital improvement plan;**
- e. **The improvement is associated with an approved land partition on property zoned residential use and the proposed land partition does not create any new streets;**
or
- f. **Additional planning work is required to define the appropriate design standards for the street and the application is for a project that would contribute only a minor portion of the anticipated future traffic on the street.**

FINDING: The applicant is required to provide street improvements. However, the proposal does not meet conditions a-f above. Therefore, a future improvement guarantee for the required street improvement is not necessary. These criteria are not applicable.

E. Transportation Facilities Modifications

1. **A modification to a standard contained within this Chapter and Section 16.58.010 and the standard cross sections contained in Chapter 8 of the adopted TSP may be granted in accordance with the procedures and criteria set out in this section.**
2. **A modification request concerns a deviation from the general design standards for public facilities, in this Chapter, Section 16.58.010, or Chapter 8 in the adopted Transportation System Plan. The standards that may be modified include but are not limited to:**
 - a. **Reduced sight distances.**
 - b. **Vertical alignment.**
 - c. **Horizontal alignment.**
 - d. **Geometric design (length, width, bulb radius, etc.).**
 - e. **Design speed.**
 - f. **Crossroads.**
 - g. **Access policy.**
 - h. **A proposed alternative design which provides a plan superior to these standards.**
 - i. **Low impact development.**
 - j. **Access Management Plans**
3. **Modification Procedure**
 - a. **A modification shall be proposed with the application for land use approval.**
 - b. **A modification is processed as a Type II application. Modification requests shall be processed in conjunction with the underlying development proposal.**
 - c. **When a modification is requested to provide a green street element that is not included in the Engineering Design Manual, the modification process will apply, but the modification fee will be waived.**
4. **Criteria for Modification: Modifications may be granted when criterion 4a and any one of criteria 4b through 4e are met:**
 - a. **Consideration shall be given to public safety, durability, cost of maintenance, function, appearance, and other appropriate factors to advance the goals of the adopted Sherwood Comprehensive Plan and Transportation System Plan as a whole. Any modification shall be the minimum necessary to alleviate the hardship or disproportional impact.**

- b. **Topography, right-of-way, existing construction or physical conditions, or other geographic conditions impose an unusual hardship on the applicant, and an equivalent alternative which can accomplish the same design purpose is available.**
- c. **A minor change to a specification or standard is required to address a specific design or construction problem which, if not enacted, will result in an unusual hardship. Self-imposed hardships shall not be used as a reason to grant a modification request.**
- d. **An alternative design is proposed which will provide a plan equal to or superior to the existing street standards.**
- e. **Application of the standards of this chapter to the development would be grossly disproportional to the impacts created.**

FINDING: The applicant is not requesting any Transportation Facilities Modifications. Therefore, these criteria are not applicable.

16.106.030 Location

A. Generally

The location, width and grade of streets shall be considered in their relation to existing and planned streets, topographical conditions, and proposed land uses. The proposed street system shall provide adequate, convenient and safe traffic and pedestrian circulation, and intersection angles, grades, tangents, and curves shall be adequate for expected traffic volumes. Street alignments shall be consistent with solar access requirements as per Chapter 16.156, and topographical considerations.

STAFF ANALYSIS: The proposed PUD and the streets that serve the lots have been designed and located to serve the planned lots and satisfy access management standards for the existing local and arterial streets adjacent to the subject site. As discussed above safe and convenient pedestrian and bicycle access through the site is provided by sidewalks and a paved pathway (on Tracts A and C) which connects to proposed sidewalks and enhances the pedestrian connectivity through the PUD and to adjacent development.

B. Street Connectivity and Future Street Systems

1. **Future Street Systems.** The arrangement of public streets shall provide for the continuation and establishment of future street systems as shown on the Local Street Connectivity Map contained in the adopted Transportation System Plan (Figure 16).
2. **Connectivity Map Required.** New residential, commercial, and mixed use development involving the construction of new streets shall be submitted with a site plan that implements, responds to and expands on the Local Street Connectivity map contained in the TSP.
 - a. **A project is deemed to be consistent with the Local Street Connectivity map when it provides a street connection in the general vicinity of the connection(s) shown on the map, or where such connection is not practicable due to topography or other physical constraints; it shall provide an alternate connection approved by the decision-maker.**
 - b. **Where a developer does not control all of the land that is necessary to complete a planned street connection, the development shall provide for as much of the designated connection as practicable and not prevent the street from continuing in the future.**
 - c. **Where a development is disproportionately impacted by a required street connection, or it provides more than its proportionate share of street improvements along property line (i.e., by building more than 3/4 width street),**

the developer shall be entitled to System Development charge credits, as determined by the City Engineer.

- d. Driveways that are more than 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: The City's TSP, Local Street Connectivity Map, Figure 18 does identify a north-south needed local street connection through the subject site. The proposed new north-south local public street is also consistent with SE Sherwood Master Plan – Alternative B/C recommended plan. The proposed PUD did not require a Traffic Impact Analysis. The traffic volumes generated from the 13-lot PUD/subdivision is suitable for the planned street connections. These criteria are met.

3. Block Length.

For new streets except arterials, block length shall not exceed 530 feet. The length of blocks adjacent to arterials shall not exceed 1,800 feet.

STAFF ANALYSIS: The block lengths do not exceed 530 feet, as shown in the preliminary plans, see Exhibit A, and SW Ironwood Lane have functional classification of a local street. The site is adjacent to SW Murdock Road (classified as an Arterial) is significantly less than the 1,800 feet maximum. This standard is not applicable.

- 4. Where streets must cross water features identified in Title 3 of the Urban Growth Management Functional Plan (UGMFP), provide crossings at an average spacing of 800 to 1,200 feet, unless habitat quality or length of crossing prevents a full street connection.**
- 5. Where full street connections over water features identified in Title 3 of the UGMFP cannot be constructed in centers, main streets and station communities (including direct connections from adjacent neighborhoods), or spacing of full street crossings exceeds 1,200 feet, provide bicycle and pedestrian crossings at an average spacing of 530 feet, unless exceptional habitat quality or length of crossing prevents a connection.**

STAFF ANALYSIS: These criteria are not applicable, as the subject site does not intend to cross over water features.

- 6. Pedestrian and Bicycle Connectivity. Paved bike and pedestrian access ways consistent with cross section standards in Figure 8-6 of the TSP shall be provided on public easements or right-of-way when full street connections are not possible, with spacing between connections of no more than 300 feet. Multi-use paths shall be built according to the Pedestrian and Bike Master Plans in the adopted TSP.**

STAFF ANALYSIS: The proposed PUD design includes a full local street connection by creating a north-south local public street. Tracts A and C will have a 5-foot wide paved pathways. These improvements will allow for pedestrian and bicycle connectivity for the community. Therefore, this criterion is not applicable.

- 7. Exceptions. Streets, bike, and pedestrian connections need not be constructed when any of the following conditions exists:**
 - a. Physical or topographic conditions make a street or access way connection impracticable. Such conditions include but are not limited to freeways, railroads, steep slopes, wetlands or other bodies of water where a connection could not**

reasonably be provided.

- b. Buildings or other existing development on adjacent lands physically preclude a connection now or in the future considering the potential for redevelopment; or
- c. Where streets or access ways would violate provisions of leases, easements, covenants, restrictions or other agreements existing as of May 1, 1995, which preclude a required street or access way connection.

STAFF ANALYSIS: The above listed exceptions are not warranted. These criteria are not applicable.

C. Underground Utilities

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

STAFF ANALYSIS: The applicant's narrative does not address construction of underground utilities.

FINDING: This criterion is not met, but can be as conditioned below.

RECOMMENDED CONDITION: (A10) Per City of Sherwood standards, all new utilities shall be placed underground.

D. Additional Setbacks

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

	Classification	Additional Setback
1	Principal Arterial (99W)	61 feet
2	Arterial	37 feet
3	Collector	32 feet
4	Neighborhood Route	32 feet
5	Local	26 feet

STAFF ANALYSIS: As discussed and conditioned above in this staff report, the applicant is proposing to a new north-south local public street with a 52-foot right-of-way width. SW Murdock road and SW Ironwood Lane will be further widened and improved. Therefore, additional setbacks are not required.

FINDING: This criterion is met.

16.106.040 Design

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

A. Reserve Strips

Reserve strips or street plugs controlling access or extensions to streets are not allowed unless necessary for the protection of the public welfare or of substantial property rights.

All reserve strips shall be dedicated to the appropriate jurisdiction that maintains the

street.

B. Alignment

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

STAFF ANALYSIS: The proposed north-south local public street as aligned with existing street, as shown the preliminary plans, see Exhibit A. The new street will connect to SW Ironwood Lane and will be greater than 200 feet away from SW Ironwood Lane/SW Murdock Road intersection.

FINDING: These criteria have been satisfied.

C. Future Extension

Where necessary to access or permit future subdivision or development of adjoining land, streets must extend to the boundary of the proposed development and provide the required roadway width. Dead-end streets less than 100' in length must comply with the Engineering Design Manual.

A durable sign must be installed at the applicant's expense. The sign is required to notify the public of the intent to construct future streets. The sign must read as follows: "This road will be extended with future development. For more information, contact the City of Sherwood Engineering Department."

STAFF ANALYSIS: The proposed north-south local public street stubs to the north for the possibility of future street extension once the abutting parcels redevelops.

FINDING: Based on the discussion above, this criterion can be met with the recommended condition below.

RECOMMENDED CONDITION: (F2) Prior to Final Acceptance of the Public Improvements, signage at the end northern end of the proposed north-south roadway shall be placed stating the following: "This road will be extended with future development. For more information, contact the City of Sherwood engineering Department."

D. Intersection Angles

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

STAFF ANALYSIS: As designed and shown in the preliminary plan, Exhibit A, includes the new north-south local public street intersecting with SW Ironwood Lane. As much as practicable and with existing lot patterns, the intersection complies with the Engineering Design Manual.

FINDING: This standard is met.

E. Cul-de-sacs

- 1. All cul-de-sacs shall be used only when exceptional topographical constraints, existing development patterns, or compliance with other standards in this code preclude a street extension and circulation. A cul-de-sac shall not be more than two hundred (200) feet in length and shall not provide access to more than 25 dwelling units.**
- 2. All cul-de-sacs shall terminate with a turnaround in accordance with the**

specifications in the Engineering Design Manual. The radius of circular turnarounds may be larger when they contain a landscaped island, parking bay in their center, Tualatin Valley Fire and Rescue submits a written request, or an industrial use requires a larger turnaround for truck access.

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

FINDING: These criteria are not applicable, as the plan does not propose cul-de-sacs.

F. Grades and Curves

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

FINDING: As discussed and condition above, the applicant requested for a Design Modification to top slope standards. The Design Modification was approved, therefore this standard is met.

G. Streets Adjacent to Railroads

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

FINDING: This criterion is not applicable, no proposed streets are planned adjacent to railroads.

H. Buffering of Major Streets

Where a development abuts Highway 99W, or an existing or proposed principal arterial, arterial or collector street, or neighborhood route, adequate protection for residential properties must be provided, through and local traffic be separated, and traffic conflicts minimized. In addition, visual corridors pursuant to Section 16.142.040, and all applicable access provisions of Chapter 16.96, are to be met. Buffering may be achieved by: parallel access streets, lots of extra depth abutting the major street with frontage along another street, or other treatment suitable to meet the objectives of this Code.

STAFF ANALYSIS: The site is abuts SW Murdock Road, an arterial street. A 15-foot landscape visual corridor/buffer is required for the development, and the applicant is proposing the buffer in Tract A (Open Space). Buffering of major streets is satisfied with Tract A abutting SW Murdock Road and the 15-foot landscape visual corridor.

FINDING: This criterion is met.

I. Median Islands

As illustrated in the adopted Transportation System Plan, Chapter 8, median islands may be required on arterial or collector streets for the purpose of controlling access, providing pedestrian safety or for aesthetic purposes.

FINDING: The proposed PUD does not include a new arterial or collector street and the need for access control such as a median island. This standard is not applicable.

J. Transit Facilities

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

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

FINDING: This criterion is not applicable as the site is not adjacent to an existing or planned transit facility.

K. Traffic Controls

1. Pursuant to Section 16.106.080, or as otherwise required by the City Engineer, an application must include a traffic impact analysis to determine the number and types of traffic controls necessary to accommodate anticipated traffic flow.
2. For all other proposed developments including commercial, industrial or institutional uses with over an estimated 400 ADT, or as otherwise required by the City Engineer, the application must include a traffic impact analysis to determine the number and types of traffic controls necessary to accommodate anticipated traffic flow.

FINDING: The City of Sherwood Engineering Department reviewed the proposed PUD and determined that the proposed PUD does not warrant the need for a traffic study. The PUD is for residential uses and does not propose any commercial, industrial or institutional uses. The above criteria are not applicable.

L. Traffic Calming

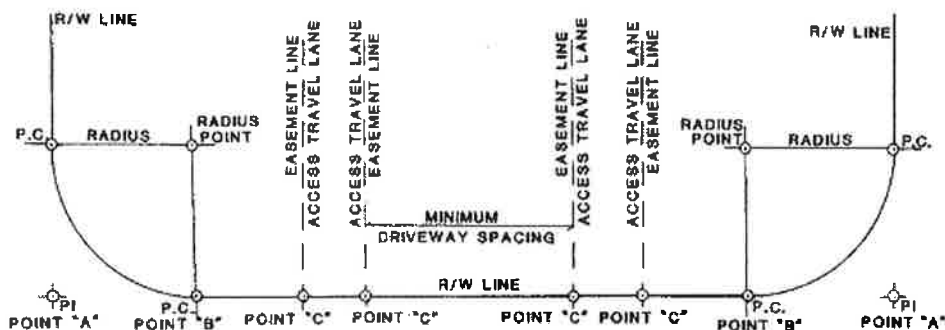
1. The following roadway design features, including internal circulation drives, may be required by the City in new construction in areas where traffic calming needs are anticipated:
 - a. Curb extensions (bulb-outs).
 - b. Traffic diverters/circles.
 - c. Alternative paving and painting patterns.
 - d. Raised crosswalks, speed humps, and pedestrian refuges.
 - e. Other methods demonstrated as effective through peer reviewed Engineering studies.
2. With approval of the City Engineer, traffic calming measures such as speed humps and additional stop signs can be applied to mitigate traffic operations and/or safety problems on existing streets. They should not be applied with new street construction unless approved by the City Engineer and Tualatin Valley Fire & Rescue.

FINDING: The applicant is not proposing and is not required to supply any of the above listed traffic calming measures. Therefore, these criteria do not apply.

M. Vehicular Access Management

All developments shall have legal access to a public road. Access onto public streets shall be permitted upon demonstration of compliance with the provisions of adopted street standards in the Engineering Design Manual.

1. Measurement: See the following access diagram where R/W = Right-of-Way; and P.I. = Point-of-Intersection where P.I. shall be located based upon a 90 degree angle of intersection between ultimate right-of-way lines.
 - a. Minimum right-of-way radius at intersections shall conform to City standards.
 - b. All minimum distances stated in the following sections shall be governed by sight distance requirements according to the Engineering Design Manual.
 - c. All minimum distances stated in the following sections shall be measured to the nearest easement line of the access or edge of travel lane of the access on both sides of the road.
 - d. All minimum distances between accesses shall be measured from existing or approved accesses on both sides of the road.
 - e. Minimum spacing between driveways shall be measured from Point "C" to Point "C" as shown below:



2. Roadway Access

No use will be permitted to have direct access to a street or road except as specified below. Access spacing shall be measured from existing or approved accesses on either side of a street or road. The lowest functional classification street available to the legal lot, including alleys within a public easement, shall take precedence for new access points.

- a. Local Streets:

Minimum right-of-way radius is fifteen (15) feet. Access will not be permitted within ten (10) feet of Point "B," if no radius exists, access will not be permitted within twenty-five (25) feet of Point "A." Access points near an intersection with a Neighborhood Route, Collector or Arterial shall be located beyond the influence of standing queues of the intersection in accordance with AASHTO standards. This requirement may result in access spacing greater than ten (10) feet.
- b. Neighborhood Routes:

Minimum spacing between driveways (Point "C" to Point "C") shall be fifty (50) feet with the exception of single family residential lots in a recorded subdivision. Such lots shall not be subject to a minimum spacing requirement between driveways (Point "C" to Point "C"). In all instances, access points near an intersection with a Neighborhood Route, Collector or Arterial shall be located beyond the influence of standing queues of the intersection in accordance with AASHTO standards. This requirement may result in access spacing greater than fifty (50) feet.
- c. Collectors:

All commercial, industrial and institutional uses with one-hundred-fifty (150) feet or more of frontage will be permitted direct access to a Collector. Uses with less than one-hundred-fifty (150) feet of frontage shall not be permitted direct access

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

d. Arterials and Highway 99W - Points of ingress or egress to and from Highway 99W and arterials designated on the Transportation Plan Map, attached as Figure 1 of the Community Development Plan, Part II, shall be limited as follows:

- (1) Single and two-family uses and manufactured homes on individual residential lots developed after the effective date of this Code shall not be granted permanent driveway ingress or egress from Highway 99W or arterials. If alternative public access is not available at the time of development, provisions shall be made for temporary access which shall be discontinued upon the availability of alternative access.**
- (2) Other private ingress or egress from Highway 99W and arterial roadways shall be minimized. Where alternatives to Highway 99W or arterials exist or are proposed, any new or altered uses developed after the effective date of this Code shall be required to use the alternative ingress and egress. Alternatives include shared or crossover access agreement between properties, consolidated access points, or frontage or backage roads. When alternatives do not exist, access shall comply with the following standards:
 - (a) Access to Highway 99W shall be consistent with ODOT standards and policies per OAR 734, Division 51, as follows: Direct access to an arterial or principal arterial will be permitted provided that Point 'A' of such access is more than six hundred (600) feet from any intersection Point 'A' or other access to that arterial (Point 'C').**
 - (b) The access to Highway 99W will be considered temporary until an alternative access to public right-of-ways is created. When the alternative access is available the temporary access to Highway 99W shall be closed.****
- (3) All site plans for new development submitted to the City for approval after the effective date of this Code shall show ingress and egress from existing or planned local, neighborhood route or collector streets, including frontage or backage roads, consistent with the Transportation Plan Map and Chapter 6 of the Community Development Plan.**

3. Exceptions to Access Criteria for City-Owned Streets

- a. Alternate points of access may be allowed if an access management plan which maintains the classified function and integrity of the applicable facility is submitted to and approved by the City Engineer as the access management plan must be included as part of the land use submittal or an application for modification as described in § 16.106.020E. (Transportation Facilities Modifications).**
- b. Access in the Old Town (OT) Overlay Zone**
Access points in the OT Overlay Zone shown in an adopted plan such as the Transportation System Plan, are not subject to the access spacing standards and do not need a variance. However, the applicant shall submit a partial access management plan for approval by the City Engineer. The approved plan shall be implemented as a condition of development approval.

STAFF ANALYSIS: The applicant has satisfied the criteria in M (1) - (3) above as practicable through a PUD. The site does not access Highway 99W and is not in the Old Town Overlay District. Sheet 3, Preliminary Plat of Exhibit A, reflects that vehicular access management standards are met. Lots 2 and 3 are proposed to have a shared driveway over the "flag-pole" portion of the lots. Shared access provisions are allowed through the PUD process. Lots 1 and 4 can possibly gain access off these flagpoles, if this occurs; the applicant shall provide an access easement over Lots 2 and 3 flagpoles that benefits all four lots. Access easements and driveway locations must be shown on the PUD Final Development Plan.

FINDING: Based on the discussion above, this condition is not met, but can be satisfied as conditioned below.

RECOMMENDED CONDITION: (B10) Prior to PUD Final Development Plan approval, access easements and driveway locations must be shown for Lots 1-4.

N. Private Streets

- 1. The construction of a private street serving a single-family residential development is prohibited unless it provides principal access to two or fewer residential lots or parcels (i.e. flag lots).**
- 2. 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.**
- 3. 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**
- 4. A private street shall also be signed differently from public streets and include the words "Private Street".**

FINDING: The proposed development is utilizing PUD standards that allows for more flexibility in design standards. Tract B is a private street serving four lots (Lots 9-12) and connects to the proposed north-south public local street. As discussed and condition previously, the private street will be owned and maintained by the Home Owners Association (A9 and B1). The criteria above is met.

16.106.060 Sidewalks

A. Required Improvements

- 1. Except as otherwise provided, sidewalks shall be installed on both sides of a public street and in any special pedestrian way within new development.**
- 2. For Highway 99W, arterials, or in special industrial districts, the City Manager or designee may approve a development without sidewalks if alternative pedestrian routes are available.**
- 3. In the case of approved cul-de-sacs serving less than fifteen (15) dwelling units, sidewalks on one side only may be approved by the City Manager or designee.**

FINDING: As shown on the preliminary PUD plans of Exhibit A, the proposed north-south local public street includes sidewalks on both sides of the street. Improvements along SW Ironwood Lane and SW Murdock Road (classified as an Arterial right-of-way) also includes sidewalks. Tracts A and C will be improved with 5-foot pedestrian path which ultimately connects SW Murdock and future development to the east. The site is not along Highway 99W and a cul-de-sac is not proposed. The applicable criteria are satisfied.

B. Design Standards

1. **Arterial and Collector Streets - Arterial and collector streets shall have minimum six (6) or eight (8) foot wide sidewalks/multi-use paths, located as required by this Code. Residential areas shall have a minimum of a six (6) foot wide sidewalk and commercial industrial areas shall have a minimum of an eight (8) foot wide sidewalk.**
2. **Local Streets**
Local streets shall have minimum five (5) foot wide sidewalks, located as required by this Code.

FINDING: As shown on the preliminary PUD plans of Exhibit A, the sidewalks are planned to be 6-foot wide along the north-south local public street and SW Ironwood Lane. SW Murdock Road will have 8-foot wide sidewalk along the site's frontage. Tracts A and C (usable Open Space) will have 5-foot wide paved pathways. This criterion is met.

4. Handicapped Ramps

Sidewalk handicapped ramps shall be provided at all intersections.

STAFF ANALYSIS: As show on Sheets 6 and 7 of Exhibit A, handicapped ramps are proposed at the intersection the proposed north-south local public street and SW Ironwood Lane. Furthermore, the applicant is proposing sidewalk ADA ramps where Tracts A and C pathway crosses the proposed north-south local public street. This criterion is met.

C. Pedestrian and Bicycle Paths

Provide bike and pedestrian connections on public easements or right-of-way when full street connections are not possible, with spacing between connections of no more than 330 feet except where prevented by topography, barriers such as railroads or highways, or environmental constraints such as rivers and streams.

STAFF ANALYSIS: The planned PUD includes a proposed north-south local street consisting of 6-foot wide sidewalks on both sides of the street. SW Murdock Road and SW Ironwood Lane will be further widen to include a 6-foot and 8-foot wide sidewalks, respectively. This criterion does not apply.

16.106.070 Bike Lanes

If shown in Figure 13 of the Transportation System Plan, bicycle lanes shall be installed in public rights-of-way, in accordance with City specifications. Bike lanes shall be installed on both sides of designated roads, should be separated from the road by a twelve-inch stripe or other means approved by Engineering Staff, and should be a minimum of five (5) feet wide.

FINDING: The subject site does not require bike lanes as reflected in Figure 13 of the City's TSP. This criterion is not applicable.

16.106.080 Traffic Impact Analysis (TIA)

A. Purpose

The purpose of this section is to implement Sections 660-012-0045(2)(b) and -0045(2)(e) of the State Transportation Planning Rule (TPR), which require the City to adopt performance standards and a process to apply conditions to land use proposals in order to minimize impacts on and protect transportation facilities. This section establishes requirements for when a traffic impact analysis (TIA) must be prepared and submitted; the analysis methods and content involved in a TIA; criteria used to review the TIA; and authority to attach conditions of approval to minimize the impacts of the proposal on

transportation facilities.

This section refers to the TSP for performance standards for transportation facilities as well as for projects that may need to be constructed as mitigation measures for a proposal's projected impacts. This section also relies on the City's Engineering Design Manual to provide street design standards and construction specifications for improvements and projects that may be constructed as part of the proposal and mitigation measures approved for the proposal.

B. Applicability

A traffic impact analysis (TIA) shall be required to be submitted to the City with a land use application at the request of the City Engineer or if the proposal is expected to involve one (1) or more of the following...

STAFF ANALYSIS: The City of Sherwood Engineering staff determined that a TIA is not warranted. The proposed PUD is for residential uses and does not propose Comprehensive or zoning map amendments, a new approach to Highway 99W, and is not expected to generate the number of trips on the adjacent street system to need a TIA. The above criteria are not applicable.

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.

STAFF ANALYSIS: Per City Engineering Department Comments dated September 6, 2019, currently an 8-inch diameter public sanitary sewer main exists within SW Murdock Road along the subject property frontage. There also exists an 8-inch diameter public sanitary sewer main within SW Ironwood Lane. Since all surrounding properties are either on public sanitary sewer or have access to a public sanitary sewer, no extension of the public sanitary sewer system is required for this development except as necessary to provide service to all proposed lots and as required to be extended through new public streets.

Currently the existing home appears to be on a private septic system.

Furthermore, the subject property has an existing public sanitary sewer easement from SW Murdock Road to the property east of the subject property to provide for sanitary sewer service to the southern portion of said property. It would be desirable for this public sanitary sewer easement to be quit claimed in order to not encumber the future lots with this easement. A quit claim process has been started between the developer and the City of Sherwood to remove this easement. To allow for public sanitary sewer to the southern portion of the property east of the subject property, a new public sanitary sewer easement will need to be dedicated to the City of Sherwood. Sheet 3 of Exhibit A shows the existing 15-inch sanitary sewer easement is proposed to be vacated.

FINDING: This standard is not met, but can be satisfied as conditioned below.

RECOMMENDED CONDITION: (C12) Prior to Approval of Engineering Public Improvement Plans, the subject development shall design to provide public sanitary sewer service to all proposed lots and as required through new public streets meeting the approval of the Sherwood Engineering Department.

RECOMMENDED CONDITION: (G4) Prior to Grant of Occupancy, any private sanitary piping shall be installed in compliance with the current Oregon Plumbing Specialty Code.

RECOMMENDED CONDITION: (F3) Prior to Acceptance of the Public Improvements, any public sanitary sewer located on private property shall have a recorded public sanitary sewer easement encompassing the related public sanitary sewer improvements meeting the approval of the Sherwood Engineering Department.

RECOMMENDED CONDITION:(F4) Prior to Acceptance of the Public Improvements, any septic system within the subject property shall be abandoned/removed in accordance with all applicable regulations.

RECOMMENDED CONDITION:(E7) Prior to Issuance of Building Permit on the affected lots, documentation shall be submitted showing the existing public sanitary sewer easement, from SW Murdock Road to the property east of the subject property, has been vacated or show how the building footprint does not affect the easement.

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.

STAFF ANALYSIS: Per City Engineering Department Comments dated September 6, 2019, currently a 10-inch diameter public water main exists within SW Murdock Road along the subject property frontage. There is an existing 8-inch diameter public water main existing within SW Ironwood Lane along the subject property frontage.

Since all surrounding properties are either on public water or have access to the public water system, no extension of the public water system is required for this development except as necessary to provide service to all proposed lots and as required to be extended through new public streets.

The existing house appears to be on private well water. The existing house may remain on well water as long as the existing well meets setback standards as verified by the County Water Master. If the well does not meet setback standards, abandonment of the well will be required. If well abandonment is required, then the existing home shall be connected up to the public water system.

Lots 10 and 11 of the subject development do not have direct access to a public water system. Therefore, a private water line easement or utility easement will be necessary to provide public water to these lots.

FINDING: This standard is not met, but can be met as conditioned below.

RECOMMENDED CONDITION: (C13) Prior to Approval of Engineering Public Improvement Plans, the subject development shall design to provide water service to all proposed lots and as required through new public streets meeting the approval of the Sherwood Engineering Department.

RECOMMENDED CONDITION: (G5) Prior to Grant of Occupancy, any private water piping shall be installed in compliance with the current Oregon Plumbing Specialty Code.

RECOMMENDED CONDITION: (B7) Prior to Final Plat, the developer shall submit certification that the existing well meets all setback requirements or design for the abandonment of the existing well and new water service on the engineering plans.

RECOMMENDED CONDITION: (C14) Prior to Approval of Engineering Public Improvement Plans, the developer shall design for a private water line or private utility easement to provide water service to Lots 10 and 11 meeting the approval of the Sherwood Engineering Department.

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.

STAFF ANALYSIS: Per City Engineering Department Comments dated September 6, 2019, currently a 12-inch diameter public storm sewer main exists along the west side of SW Murdock Road along the southern portion of the subject property frontage. This storm sewer crosses beneath SW Murdock Road to discharge to a ditch on the east side of SW Murdock Road approximately at the mid-point of the subject property. From there storm water flows through the ditch along the east side of SW Murdock Road, through an existing culvert beneath a driveway north of the subject property and then into a 12-inch diameter pipe which takes the water into the public storm sewer system.

The subject development will need to extend the existing storm sewer from the 21-inch diameter storm sewer within SW Upper Roy Street to the existing storm sewer within SW Murdock Road to allow for the construction of street widening improvements along the east side of SW Murdock Road in front of the subject property.

The subject development will be required to construct public storm improvements as necessary to provide service to all proposed lots and as required to be extended through new public streets.

The subject development was submitted for land use prior to April 22, 2019; therefore the subject development is not required to meet Clean Water Services' new hydromodification standards.

The subject development is required to provide storm water quality treatment unless otherwise approved by the City of Sherwood and Clean Water Services.

On site water quality facilities shall not have retaining walls unless otherwise approved by the Sherwood Engineering Department. Public manholes shall be installed within a public street unless otherwise approved by the Sherwood Engineering Department. Due to the area of property draining to the water quality facility, a high flow bypass shall be incorporated into the design unless otherwise approved by the Sherwood Engineering Department.

Clean Water Services comments dated September 16, 2019 states that a Clean Water Services Storm Water Connection Permit Authorization must be obtained prior to plat approval and recordation (Exhibit C).

FINDING: This standard is not met but can be met as conditioned below.

RECOMMENDED CONDITION: (C15) Prior to Approval of Engineering Public Improvement Plans, the subject development shall design to extend storm sewer within SW Murdock Road as required to allow for the construction of street widening improvements meeting the approval of the Sherwood Engineering Department.

RECOMMENDED CONDITION: (C16) Prior to Approval of Engineering Public Improvement Plans, the subject development shall design to provide public storm sewer service to all proposed lots and as required through new public streets meeting the approval of the Sherwood Engineering Department.

RECOMMENDED CONDITION: (G6) Prior to Grant of Occupancy, any private storm piping shall be installed in compliance with the current Oregon Plumbing Specialty Code.

RECOMMENDED CONDITION: (F5) Prior to Sherwood Engineering Department final acceptance of the constructed public improvements, any public storm sewer located on private property shall have a recorded public storm sewer easement encompassing the related public storm sewer improvements meeting Sherwood Engineering standards.

RECOMMENDED CONDITION: (C17) Prior to Approval of Engineering Public Improvement Plans, the proposed development shall design to provide on-site water quality treatment and maintenance access to all water quality treatment facility structures in accordance with city and Clean Water Services standards unless otherwise approved by the city and Clean Water Services.

RECOMMENDED CONDITION: (F6) Prior to Acceptance of the Public Improvements, the tract of land containing the public water quality facilities shall be dedicated to the City of Sherwood unless otherwise approved by the city.

RECOMMENDED CONDITION: (C1) Prior to Approval of Engineering Public Improvement Plans, a CWS Storm Water Connection Permit Authorization shall be obtained.

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.

STAFF ANALYSIS: Tom Mooney, Deputy Fire Marshall, provided a review letter dated September 4, 2019 (Exhibit D). Compliance with TVF&R will be required at time of detailed development plan review. The applicant proposes a private street, Tract B, and shared driveways for Lots 2 and 3. No parking signs will be required along Tract B and along the access road to Lots 2 and 3. Furthermore, if adequate width and visual clearance is not met, the proposed north-south local public street maybe required to install no parking signs as part of the hammerhead apparatus turnaround.

One additional fire hydrant will be required near the intersection of the north-south local public street and SW ironwood Lane, since this roadway is a dead-end street the maximum distance from any point on the street or road frontage to a hydrant is reduced by 50-feet.

FINDING: This standard is not met, but can be met as conditioned below.

RECOMMENDED CONDITON: (C18) Prior to approval of the public improvement plans, submit plans demonstrating compliance with the Fire Marshall's letter dated September 4, 2019.

RECOMMENDED CONDITION: (A12) There shall be no parking along Tract B and the flagpole drives of Lots 2 and 3.

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.**

Applicant's Response: All applicable utility lines will be extended from their existing location on the subject property, adjacent to the subject property or in existing or proposed right-of-way to each of the new residential lots. An 8-foot wide public utilities easement is provided along the front line of each proposed lot and is depicted on Sheet 3 of the preliminary plans. No private utilities easements are proposed.

STAFF ANALYSIS: Staff concurs with the applicant's statement. Additionally, City Engineering will require that Sherwood Broadband vaults and conduits shall be installed per the development code.

FINDING: These standards are not met, but can be met as conditioned below.

RECOMMENDED CONDITION: (C19) Prior to Approval of Engineering Public Improvement Plans, the developer shall design for undergrounding of the existing overhead utilities on the east side of SW Murdock Road along the subject property frontage.

RECOMMENDED CONDITION: (F7) Prior to Sherwood Acceptance of Public Improvements, the developer shall dedicate a minimum 8-foot wide PUE along all street frontages unless otherwise approved by the City Engineer.

RECOMMENDED CONDITION: (G7) Prior to Granting of Final Occupancy for any buildings, Sherwood Broadband utilities (vaults and conduits) shall be installed along the subject property's frontage per requirements set forth in City Ordinance 2005-017 and City Resolution 2005-074.

D. Division VIII - Environmental Resources

16.142 Parks, Trees and Open Space

16.142.030 - Single-Family or Duplex Residential Subdivisions

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

- 1. Required yards or setbacks.**

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

FINDING: The proposal is for a PUD, which requires a 15% open space, based on net buildable area. As discussed and conditioned in Section 16.40.020.C, this criteria can be met.

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

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

FINDING: The applicant is not proposing an enhanced streetscape. Therefore, this standard is not applicable.

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

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

STAFF ANALYSIS: Per applicant's narrative, Tracts A, B, C and E will be conveyed to a homeowners' association established as part of this project.

Open space Tract D is a water quality facility that will be conveyed to the City.

Finding: Based on the above discussion and previously conditioned (A9), these standards are met.

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

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

FINDING: Based on the discussion in Section 16.40.050.C.1 (Residential PUD – Development Standards, Density), the minimum density for the site is five (5) units and the maximum is thirteen (13) units. The applicant is proposing thirteen (13) units (lots) meeting both minimum and maximum density requirements. This criterion is met.

E. If a proposed residential subdivision contains or is adjacent to a site identified as "parks" on the Acquisition Map of the Parks Master Plan (2006) or has been identified

for acquisition by the Sherwood Parks and Recreation Board, establishment of open space shall occur in the designated areas if the subdivision contains the park site, or immediately adjacent to the parks site if the subdivision is adjacent to it.

FINDING: The subject site does not contain, nor is it adjacent to any areas identified as “parks” on the Acquisition Map of the Sherwood Parks and Recreation Board. This standard is not applicable.

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

FINDING: Per applicant’s narrative, the applicant does not elect to convey off-site park/open space as part of this project. This criterion is not applicable.

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

FINDING: The proposed project is for a single-phase subdivision consisting of 13 lots. This criterion is not applicable.

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

FINDING: Per applicant’s narrative, the applicant will apply any eligible or available SDCs credits resulting from this development at the time of building permit application. This standard is met.

16.142.040 - 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 Figure 8-1 of the Transportation System Plan 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.

FINDING: SW Murdock Road classification is Arterial roadway. The entire site has street frontage along SW Murdock Road therefore, the landscape visual corridor requirements are applicable. The applicant is proposing a 15-foot wide landscape visual corridor along SW Murdock Road in Tract A. A detailed landscape plan is required to be submitted prior to Final PUD Development Plan as conditioned under B3. This condition is met.

16.142 Parks, Trees and Open Space

16.142.060: STREET TREES

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

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

1. **Location:** Trees shall be planted within the planter strip along a newly created or improved streets. In the event that a planter strip is not required or available, the trees shall be planted on private property within the front yard setback area or within public street right-of-way between front property lines and street curb lines or as required by the City.
2. **Size:** Trees shall have a minimum trunk diameter of two (2) caliper inches, which is measured six inches above the soil line, and a minimum height of six (6) feet when planted.
3. **Types:** Developments shall include a variety of street trees. The trees planted shall be chosen from those listed in 16.142.080 of this Code.
4. **Required Street Trees and Spacing:**
 - a. The minimum spacing is based on the maximum canopy spread identified in the recommended street tree list in section 16.142.080 with the intent of providing a continuous canopy without openings between the trees. For example, if a tree has a canopy of forty (40) feet, the spacing between trees is forty (40) feet. If the tree is not on the list, the mature canopy width must be provided to the planning department by a certified arborist.
 - b. All new developments shall provide adequate tree planting along all public streets. The number and spacing of trees shall be determined based on the type of tree and the spacing standards described in a. above and considering driveways, street light locations and utility connections. Unless exempt per c. below, trees shall not be spaced more than forty (40) feet apart in any development.
 - c. A new development may exceed the forty-foot spacing requirement under section b. above, under the following circumstances:
 - (1) Installing the tree would interfere with existing utility lines and no substitute tree is appropriate for the site; or
 - (2) There is not adequate space in which to plant a street tree due to driveway or street light locations, vision clearance or utility connections, provided the driveways, street light or utilities could not be reasonably located elsewhere so as to accommodate adequate room for street trees; and
 - (3) The street trees are spaced as close as possible given the site limitations in (1) and (2) above.
 - (4) The location of street trees in an ODOT or Washington County right-of-way may require approval, respectively, by ODOT or Washington County and are subject to the relevant state or county standards.

- (5) For arterial and collector streets, the City may require planted medians in lieu of paved twelve-foot wide center turning lanes, planted with trees to the specifications of this subsection.**

STAFF ANALYSIS: Sheets 11 and 12 of Exhibit A shows street trees along street frontages of SW Murdock Road, SW Ironwood Lane, and the proposed north-south public roadway. The applicant states that the required street trees will be planted within the newly-installed planter strips for both SW Murdock road and the proposed new public street within the development.

FINDING: This standard is not met, but can be met as conditioned below.

RECOMMENDED CONDITION: (F8) Prior to Sherwood Acceptance of Public Improvements, the developer shall provide street trees in graded tree wells in the public sidewalk planter strip consistent with the requirements of Section 16.142.060.

B. Removal and Replacement of Street Trees.

The removal of a street tree shall be limited and in most cases, necessitated by the tree. A person may remove a street tree as provided in this section. The person removing the tree is responsible for all costs of removal and replacement. Street trees less than five (5) inches DBH can be removed by right by the property owner or his or her assigns, provided that they are replaced. A street tree that is removed must be replaced within six (6) months of the removal date.

- 1. Criteria for All Street Tree Removal for trees over five (5) inches DBH. No street tree shall be removed unless it can be found that the tree is:**
 - a. Dying, becoming severely diseased, or infested or diseased so as to threaten the health of other trees, or**
 - b. Obstructing public ways or sight distance so as to cause a safety hazard, or**
 - c. Interfering with or damaging public or private utilities, or**
 - d. Defined as a nuisance per City nuisance abatement ordinances.**
- 2. Street trees between five (5) and ten (10) inches DBH may be removed if any of the criteria in 1. above are met and a tree removal permit is obtained.**
 - a. The Tree Removal Permit Process is a Type I land use decision and shall be approved subject to the following criteria:**
 - (1) The person requesting removal shall submit a Tree Removal Permit application that identifies the location of the tree, the type of tree to be removed, the proposed replacement and how it qualifies for removal per Section 1. above.**
 - (2) The person shall post a sign, provided by the City, adjacent to the tree for ten (10) calendar days prior to removal that provides notice of the removal application and the process to comment on the application.**
 - (3) If an objection to the removal is submitted by the City or to the City during the ten (10) calendar day period, an additional evaluation of the tree will be conducted by an arborist to determine whether the tree meets the criteria for street tree removal in Section 1. above. The person requesting the Tree Removal Permit shall be responsible for providing the arborist report and associated costs.**
 - (4) Upon completion of the additional evaluation substantiating that the tree warrants removal per Section 1. above or if no objections are received within the ten-day period, the tree removal permit shall be approved.**
 - (5) If additional evaluation indicates the tree does not warrant removal, the Tree Removal Permit will be denied.**
- 3. Street trees over ten (10) inches DBH may be removed through a Type I review process subject to the following criteria.**

- a. **The applicant shall provide a letter from a certified arborist identifying:**
 - (1) **The tree's condition,**
 - (2) **How it warrants removal using the criteria listed in Section 1. above, and identifying any reasonable actions that could be taken to allow the retention of the tree.**
- b. **The applicant shall provide a statement that describes whether and how the applicant sought assistance from the City, HOA or neighbors to address any issues or actions that would enable the tree to be retained.**
- c. **The person shall post a sign, provided by the City, adjacent to the tree for ten (10) calendar days prior to removal that provides notice of the removal application and the process to comment on the application.**
- d. **Review of the materials and comments from the public confirm that the tree meets the criteria for removal in Section 1 above.**

FINDING: The proposal does not consist of any removal of existing Street Trees. These standards are not applicable.

16.142.070 Trees on Property Subject to Certain Land Use Applications

A. Generally

The purpose of this Section is to establish processes and standards which will minimize cutting or destruction of trees and woodlands within the City. This Section is intended to help protect the scenic beauty of the City; to retain a livable environment through the beneficial effect of trees on air pollution, heat and glare, sound, water quality, and surface water and erosion control; to encourage the retention and planting of tree species native to the Willamette Valley and Western Oregon; to provide an attractive visual contrast to the urban environment, and to sustain a wide variety and distribution of viable trees and woodlands in the community over time.

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:**
 - a. **Tree size (in DBH and canopy area)**
 - b. **Tree species**
 - c. **The condition of the tree with notes as applicable explaining the assessment**
 - d. **The location of the tree on the site**
 - e. **The location of the tree relative to the planned improvements**
 - f. **Assessment of whether the tree must be removed to accommodate the development**
 - g. **Recommendations on measures that must be taken to preserve trees during the construction that are not proposed to be removed.**

D. Retention requirements

1. Trees may be considered for removal to accommodate the development including buildings, parking, walkways, grading etc., provided the development satisfies of D.2 or D.3, below.
2. Required Tree Canopy - Residential Developments (Single Family Attached, Single Family Detached and Two - Family)

Each net development site shall provide a variety of trees to achieve a minimum total tree canopy of 40 percent. The canopy percentage is based on the expected mature canopy of each tree by using the equation πr^2 to calculate the expected square footage of canopy for each tree. The expected mature canopy is counted for each tree regardless of an overlap of multiple tree canopies.

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

	Residential (single family & two family developments)	Old Town & Infill developments	Commercial, Industrial, Institutional Public and Multi-family
Canopy Requirement	40%	N/A	30%
Counted Toward the Canopy Requirement			
Street trees included in canopy requirement	Yes	N/A	No
Landscaping requirements included in canopy requirement	N/A	N/A	Yes
Existing trees onsite	Yes x2	N/A	Yes x2
Planting new trees onsite	Yes	N/A	Yes
Mature Canopy in Square Feet Equation πr^2 or $(3.14159 \times \text{radius}^2)$ (This is the calculation to measure the square footage of a circle. The Mature Canopy is given in diameter. In gardening and horticulture reference books, therefore to get the radius you must divide the diameter in half.			
Canopy Calculation Example: Pin Oak Mature canopy = 35' $(3.14159 \times 17.5^2) = 962$ square feet			

APPLICANT'S RESPONSE: This application includes a Type II subdivision land use review. All existing trees and vegetation will remain to the extent possible, noting that areas disturbed for infrastructure development and construction of houses and driveways will need to be cleared of existing vegetation and trees.

Section 16.142.070.D.2 requires that 40% of the property be covered in tree canopy. The gross acreage is 5.27 acres which yields 2.1 acres (91,824 sq. ft.) of tree canopy. The project is planting 38 street trees, preserving a large grove of mature pine trees, and providing landscaping along SW Murdock Road consistent with the requirements for an arterial street. As a condition of

approval, the applicant will be submitting a detailed landscape plan as part of the required Final Development Plan demonstrating compliance with this criterion.

Total Mature Canopy: 103,699 square feet

STAFF ANALYSIS: The applicant has not submitted detailed landscape plans, that has been certified by a landscape professional, showing how the proposal can meet the single-family 40-percent tree canopy standard.

FINDING: Based on the discussion above, these standards can be met as conditioned below.

RECOMMENDED CONDITION: (B8) Prior to PUD Final Development Plan, submit a landscape plan showing how the required 40-percent tree canopy is satisfied.

G. Tree Protection During Development

The applicant shall prepare and submit a final Tree and Woodland Plan prior to issuance of any construction permits, illustrating how identified trees and woodlands will be retained, removed or protected as per the Notice of Decision. Such plan shall specify how trees and woodlands will be protected from damage or destruction by construction activities, including protective fencing, selective pruning and root treatments, excavation techniques, temporary drainage systems, and like methods. At a minimum, trees to be protected shall have the area within the drip line of the tree protected from grading, stockpiling, and all other construction related activity unless specifically reviewed and recommended by a certified arborist or other qualified professional. Any work within the dripline of the tree shall be supervised by the project arborist or other qualified professional onsite during construction.

FINDING: It is not clearly identified if exiting street trees along SW Murdock Road and SW Ironwood Lane are proposed to be protected. These standards are not met, but can be met as conditioned below.

RECOMMENDED CONDITION: (B9) Prior to Final Development Plan approval, a final tree preservation plan consistent with the requirements of Section 16.142.070.G shall be submitted.

Chapter 16.144 - WETLAND, HABITAT AND NATURAL AREAS*

16.144.010 - Generally

Unless otherwise permitted, residential, commercial, industrial, and institutional uses in the City shall comply with the following wetland, habitat and natural area standards if applicable to the site as identified on the City's Wetland Inventory, the Comprehensive Plan Natural Resource Inventory, the Regionally Significant Fish and Wildlife Habitat Area map adopted by Metro, and by reference into this Code and the Comprehensive Plan. Where the applicability of a standard overlaps, the more stringent regulation shall apply.

16.144.020 - Standards

A. The applicant shall identify and describe the significance and functional value of wetlands on the site and protect those wetlands from adverse effects of the development. A facility complies with this standard if it complies with the criteria of subsections A.1.a and A.1.b, below:

1. The facility will not reduce the area of wetlands on the site, and development will be separated from such wetlands by an area determined by the Clean Water Services Design and Construction Standards R&O 00-7 or its replacement provided Section 16.140.090 does not require more than the requested setback.
 - a. A natural condition such as topography, soil, vegetation or other feature isolates the area of development from the wetland.
 - b. Impact mitigation measures will be designed, implemented, and monitored to provide effective protection against harm to the wetland from sedimentation, erosion, loss of surface or ground water supply, or physical trespass.
 - c. A lesser setback complies with federal and state permits, or standards that will apply to state and federal permits, if required.
2. If existing wetlands are proposed to be eliminated by the facility, the applicant shall demonstrate that the project can, and will develop or enhance an area of wetland on the site or in the same drainage basin that is at least equal to the area and functional value of wetlands eliminated.

FINDING: The site does not contain any wetland, habitat and/or natural areas required for preservation as part of this proposal. Therefore, these requirements are not applicable.

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, the City Council **APPROVES** the Murdock Road PUD, AKA Denali Meadows PUD, PUD 19-02 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 August 7, 2019 and prepared by Emerio Design, 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. Prior to commencement of the design, the developer shall attend a predesign meeting with the Sherwood Engineering Department.

8. Tracts "A", "B", and "C" shall be owned and maintained by the homeowners' association.
9. All residents will need to bring their solid waste and recycling receptacles to the nearest public road.
10. Per City of Sherwood standards, all new utilities shall be placed underground.
11. A Detailed Final Development Plan shall be submitted for review and approval, by the Planning Commission, within one (1) year of the preliminary PUD.
12. There shall be no parking along Tract B and the flagpole drives of Lots 2 and 3.
13. The applicant shall apply for and receive city addressing for all lots once the subdivision plat is recorded.

B. Prior to Approval of PUD Final Development Plan and Subdivision Plat

1. Prior to the final development plan approval, provide CC & R's that document how the private street and open spaces (Tracts A, B, and C) will be maintained by the neighborhood association.
2. Prior to approval of the Final Plat, submit a revised tree plan demonstrating compliance with the Clear Vision requirements of Section.16.58 of the Sherwood Zoning and Community Development Code.
3. Prior to Final Development Plan approval, submit a detailed final landscape plan that that meets Section 16.92 landscaping standards and Section 142.040 visual corridors.
4. Prior to Final Development Plan approval, submit a final landscape plan that has been verified by a landscape professional.
5. Prior to Final Development Plan approval, submit a final landscape plan that addresses the installation and maintenance standards of Section 16.92.040.
6. Prior to final plat approval, a shared access easement on Lots 2-3 flagpole shall be shown on the subdivision plat that benefits Lots 1-4.
7. Prior to Final Plat, the developer shall submit certification that the existing well meets all setback requirements or design for the abandonment of the existing well and new water service on the engineering plans.
8. Prior to Final Development Plan approval, submit a landscape plan showing how the required 40-percent tree canopy is satisfied.
9. Prior to Final Development Plan approval, a final tree preservation plan consistent with the requirements of Section 16.142.070.G shall be submitted.
10. Prior to Final Development Plan approval, access easements and driveway locations shall be shown for Lots 1-4.
11. Prior to Final Development Plan, the applicant shall provide a parking plan showing two off-street parking spaces per lot.

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

1. Prior to Approval of Engineering Public Improvement Plans, a CWS Storm Water Connection Permit Authorization shall be obtained.
2. Prior to acceptance of public improvements, the applicant shall submit a copy of the DEQ "No Further Action" confirmation letter, to the Sherwood Engineering Department.

3. Prior Approval of Engineering Public Improvement Plans, the proposed development shall obtain a DEQ NPDES 1200-C permit.
4. Prior to Approval of Engineering Public Improvement Plans, the developer shall design for street widening improvements including street lighting along the subject property frontage of SW Murdock Road to meet either a 2-lane or 3-lane city arterial street section meeting the approval of the Sherwood Engineering Department.
5. Prior to Approval of Engineering Public Improvement Plans, the developer shall design for right-of-way dedication required to encompass the street widening improvements along the subject property frontage of SW Murdock Road meeting the approval of the Sherwood Engineering Department.
6. Prior to Approval of Engineering Public Improvement Plans, the developer shall design for street widening improvements along the subject property frontage of SW Ironwood Lane to meet a city standard residential street section meeting the approval of the Sherwood Engineering Department.
7. Prior to Approval of Engineering Public Improvement Plans, the developer shall design for right-of-way dedication required to have a 26-foot wide half street right-of-way section along the subject property frontage of SW Ironwood Lane meeting the approval of the Sherwood Engineering Department.
8. Prior to Approval of Engineering Public Improvement Plans, the developer shall design public streets interior to the development including street lighting to meet a city standard residential street section meeting the approval of the Sherwood Engineering Department.
9. Prior to Approval of Engineering Public Improvement Plans, the developer shall design for right-of-way dedication required to encompass the public interior street improvements meeting the approval of the Sherwood Engineering Department.
10. Prior to Approval of Engineering Public Improvement Plans, the developer shall design for access to Lots 10 and 11 meeting Sherwood Municipal Code and Sherwood Engineering Manual standards.
11. Prior to Approval of Engineering Public Improvement Plans, the property line adjustment for the acquisition of property frontage along SW Ironwood Lane shall be recorded with Washington County Surveyor's Office.
12. Prior to Approval of Engineering Public Improvement Plans, the subject development shall design to provide public sanitary sewer service to all proposed lots and as required through new public streets meeting the approval of the Sherwood Engineering Department.
13. Prior to Approval of Engineering Public Improvement Plans, the subject development shall design to provide water service to all proposed lots and as required through new public streets meeting the approval of the Sherwood Engineering Department.
14. Prior to Approval of Engineering Public Improvement Plans, the developer shall design for a private water line or private utility easement to provide water service to Lots 10 and 11 meeting the approval of the Sherwood Engineering Department.
15. Prior to Approval of Engineering Public Improvement Plans, the subject development shall design to extend storm sewer within SW Murdock Road as required to allow for the construction of street widening improvements meeting the approval of the Sherwood Engineering Department.
16. Prior to Approval of Engineering Public Improvement Plans, the subject development shall design to provide public storm sewer service to all proposed lots and as required through new public streets meeting the approval of the Sherwood Engineering Department.

17. Prior to Approval of Engineering Public Improvement Plans, the proposed development shall design to provide on-site water quality treatment and maintenance access to all water quality treatment facility structures in accordance with city and Clean Water Services standards unless otherwise approved by the city and Clean Water Services.
18. Prior to approval of the public improvement plans, submit plans demonstrating compliance with the Fire Marshall's letter dated September 4, 2019.
19. Prior to Approval of Engineering Public Improvement Plans, the developer shall design for undergrounding of the existing overhead utilities on the east side of SW Murdock Road along the subject property frontage.

D. Prior to Issuance of an Engineering Compliance Agreement:

1. Prior to Issuance of an Engineering Compliance Agreement, final engineering plan approval by the Sherwood Engineering Department is required.

E. Prior to Issuance of Building Permits:

1. Prior to Issuance of any Building Department Permits, the developer shall execute an Engineering Compliance Agreement.
2. Prior to Issuance of Any Structural Permits, final acceptance of the constructed public improvements shall be obtained from the City of Sherwood Engineering Department unless otherwise approved by the city.
3. Prior to Issuance of a Building Permit, the applicant shall submit construction documents that provide additional information on the proposed plantings and maintenance of the plants to ensure that the landscaping will be appropriately maintained. The construction plans shall include specifications for the adequate preparation of the soils.
4. Prior to the issuance of building permits, each lot shall provide for one off-street parking space.
5. Prior to the issuance of building permits, the appropriate permit applications and details regarding the design of each driveway will be submitted to the City of Sherwood for review and approval.
6. Prior to Issuance of Building Permit on the affected lots, documentation shall be submitted showing the PGE distribution easement has been vacated or show how the building footprint does not affect the easement.
7. Prior to Issuance of Building Permit on the affected lots, documentation shall be submitted showing the existing public sanitary sewer easement, from SW Murdock Road to the property east of the subject property, has been vacated or show how the building footprint does not affect the easement.

F. Prior to Acceptance of Public Improvements:

1. Prior to Acceptance of Public Improvements, the developer shall dedicate all right-of-way and easements required.
2. Prior to Final Acceptance of the Public Improvements, signage at the end northern end of the proposed north-south roadway shall be placed stating the following: "This road will be extended with future development. For more information, contact the City of Sherwood engineering Department."

3. Prior to Acceptance of the Public Improvements, any public sanitary sewer located on private property shall have a recorded public sanitary sewer easement encompassing the related public sanitary sewer improvements meeting the approval of the Sherwood Engineering Department.
4. Prior to Acceptance of the Public Improvements, any septic system within the subject property shall be abandoned/removed in accordance with all applicable regulations.
5. Prior to Sherwood Engineering Department final acceptance of the constructed public improvements, any public storm sewer located on private property shall have a recorded public storm sewer easement encompassing the related public storm sewer improvements meeting Sherwood Engineering standards.
6. Prior to Acceptance of the Public Improvements, the tract of land containing the public water quality facilities shall be dedicated to the City of Sherwood unless otherwise approved by the city.
7. Prior to Sherwood Acceptance of Public Improvements, the developer shall dedicate a minimum 8-foot wide PUE along all street frontages unless otherwise approved by the City Engineer.
8. Prior to Sherwood Acceptance of Public Improvements, the developer shall provide street trees in the public sidewalk planter strip consistent with the requirements of Section 16.142.060.

G. Prior to Receiving Occupancy

1. Prior to obtaining any Certificate of Final Occupancy, construct and install the pathway on Tracts A and C open space.
2. Prior to any final occupancy of structures, install the landscaping according to the landscape plans or pay a security bond for 125% of the cost of the landscaping payable to the City. If the landscaping is not completed within six months, the security may be used by the City to complete the installation.
3. Prior to any final occupancy, the naming of the new north-south local public street and Tract B shall conform to the street naming conventions of Section 16.106.010.
4. Prior to any final occupancy, any private sanitary piping shall be installed in compliance with the current Oregon Plumbing Specialty Code.
5. Prior to any final occupancy, any private water piping shall be installed in compliance with the current Oregon Plumbing Specialty Code.
6. Prior to any occupancy, any private storm piping shall be installed in compliance with the current Oregon Plumbing Specialty Code.
7. Prior to any final occupancy for any buildings, Sherwood Broadband utilities (vaults and conduits) shall be installed along the subject property's frontage per requirements set forth in City Ordinance 2005-017 and City Resolution 2005-074.

VII. Exhibits

- A. Applicant's submittal with narrative and supporting documents dated August 7, 2019 (Binder)
- B. City of Sherwood, Engineering Department comments dated September 6, 2019
- C. Clean Water Services comments dated September 1, 2019
- D. Tualatin Valley Fire & Rescue comments dated September 4, 2019
- E. Pride Disposal comments dated September 9, 2019

End of Report