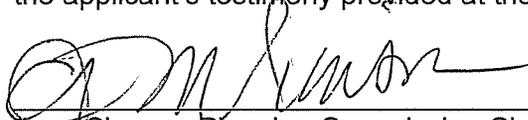


NOTICE OF DECISION

Endurance Products Expansion

Notice is hereby given that on December 8, 2015, the Sherwood Planning Commission approved SP 15-05, for expansion of the Endurance Products company. The decision was made based on the staff report the applicant's materials, public testimony at the hearing, and the applicant's testimony provided at the December 8, 2015 Planning Commission hearing.

  
\_\_\_\_\_  
Jean Simson, Planning Commission Chair

**Proposal:** The applicant proposed a major modification to make improvements to an existing building increasing the floor area on the site from 8,470 square feet to 24,020 square feet by adding a second building to the site. The property is zoned General Industrial (GI).

I. BACKGROUND

- A. Applicant:  
Endurance Products Company  
Attn: Attn: Joe Brunner  
13990 SW Galbreath Drive  
Sherwood, OR 97140
- Owner:  
R. Terry Hammerschmidt  
PO Box 1600  
Victor, MT 59875
- B. Location: The property is located at 13990 SW Galbreath Drive. The property is identified as tax lot 0300 on Washington County Assessor Map 2S128BD.
- C. Parcel Size: The subject property is approximately 1.99 acres in size.
- D. Existing Development and Site Characteristics:  
The property had recently been acquired and is currently developed with an existing building that formerly housed the offices and warehouse for Colamette Construction Co., a commercial contracting firm. The site was also used in the same capacity as a company that provided safety equipment and flagging services for projects located in the public right of way. The site is fairly flat and is located between an existing railroad line to the west, and Galbreath Drive to the east. The property is surrounded by existing industrial uses.
- E. Site History: The site was developed under City file SP 96-8 Collamette Construction Co. Under that decision, the property was developed with the existing building, and included plans for a second phase.
- F. Zoning Classification and Comprehensive Plan Designation: The property is zoned General Industrial (GI). Endurance Products Company manufactures and distributes dietary and nutritional supplements. While it is not immediately clear what category the use would fall under, it would most certainly be regulated as one of the following uses. Manufacture, packaging, warehousing, and processing of food products and chemicals; as well as, pharmaceuticals in facilities up to 50,000 square feet in building size are outright permitted uses within the GI zone. Distribution, warehousing, and storage associated with a permitted use is also allowed.

Incidental retail of up to 10% of the floor area is permitted, but the applicant has not indicated that any retail would occur at this location.

- G. Adjacent Zoning and Land Use: Properties surrounding the site are developed with a mix of industrial uses. The site is also immediately adjacent to a Southern Pacific Railroad Line to the west.
- H. Review Type: According to § 16.90.030(A)1.a.5, an increase in the floor area for a non-residential use by more than 10 percent is a major modification to a site plan and requires a review by the same body that issued the original approval. The Planning Commission issued the original decision for Collamette Construction Co. on June 18, 1996. Therefore, the application is subject to Planning Commission review. An appeal would be heard by the City of Sherwood City Council so long as the person appealing had provided comments prior to the close of public testimony at the public hearing and files an appeal within fourteen 14 days of the decision.
- I. Neighborhood Meeting: The applicant held a neighborhood meeting on June 10, 2015 at the facility. Only the applicant and his architect were in attendance. The applicant provided an e-mail, the sign in sheet, and an affidavit of mailing with the application materials. No one from the public attended the meeting.
- J. Public Notice and Hearing: Notice of the application was mailed to property owners within 1000 feet, posted on the property and in five locations throughout the City on November 19, 2015 in accordance with the notice provisions of § 16.72.020 of the SZCDC.
- K. Review Criteria: Sherwood Zoning and Community Development Code, 16.31 (Industrial Land Use Districts); 16.58.010 (Clear Vision), 16.90 (Site Planning), 16.92 (Landscaping), 16.94 (Off-Street Parking and Loading), 16.96 (On-Site Circulation); 16.98 (On-site Storage), All of Division VI - 16.104-16.118 (Public Improvements), 16.142 (Parks and Open Space), 16.146 (Noise), 16.48 (Vibrations), 16.150 (Air Quality), 16.52 (Odors), 16.154 (Heat and Glare).

## II. PUBLIC COMMENTS

Public notice was mailed, posted on the property and in five locations throughout the City on November 19, 2015. Staff has not received any public comments as of the date of this report on the proposal.

## III. AGENCY COMMENTS

Staff sent e-notice to affected agencies on November 18, 2015. The following is a summary of the comments received. Copies of full comments are included in the record unless otherwise noted.

**Sherwood Engineering Department**: Craig Christensen, PE, the City's Civil Engineer submitted comments on November 20, 2015.

The Engineering Department comments are incorporated throughout the report, and where appropriate conditions have been imposed to ensure that the proposal meets the standards which the engineering department is responsible for. Mr. Christensens' comments are attached to this report as Exhibit B.

**Clean Water Services (CWS):** The CWS Pre-screen letter is attached to this report as Exhibit C. CWS did not provide comments specific to the request beyond the pre-screen letter stating that a service provider letter was not necessary.

**Tualatin Valley Fire and Rescue:** John Wolff, Deputy Fire Marshal II with Tualatin Valley Fire and Rescue (TVFR), submitted comments for this proposal on November 25, 2015. Mr. Wolff indicated that the district endorses the application provided their fire, life, and safety requirements, listed in the comments, were satisfied. Mr. Wolff's comments are attached to this report as Exhibit D.

**The Sherwood School District:** Rob Fagliano, of the District submitted an e-mail indicating that the district did not have any comments on the proposal. The e-mail is attached as Exhibit E.

**Pride Disposal Co.:** Kristin Leichner of Pride Disposal provided comments for this proposal on November 25, 2015 stating that they are aware of the relocation of the enclosure, and that they have concerns regarding the enclosure design and openings. Comments on the proposal are attached to this report as Exhibit F and a condition has been proposed to ensure that the design satisfies the service provider.

**PGE:** Henry English of PGE submitted an e-mail comment indicating that PGE had no comment on the proposal. His e-mail is attached to this report as Exhibit G.

**ODOT:** Joshua Brookings, of ODOT submitted an e-mail comment indicating that ODOT would recommend that a fence be located between this use and the railroad right-of-way. They also raised concerns with the proposed stormwater discharge towards the railroad right-of-way. The comments related to the fence are noted. The Sherwood Zoning and Community Development Code does not require the fencing, and ODOT only recommends it to protect the railroad right-of-way. The City Engineer has reviewed and addressed the concerns related to stormwater runoff. Josh's comments are attached as Exhibit H.

WACO, Metro, Tri-Met, Kinder Morgan Energy, Pride Disposal, and NW Natural Gas were also notified of this proposal and did not respond or provided no comments to the request for agency comments by the date of this report.

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

As mentioned previously, the applicant is proposing an increase in the floor area for a non-residential use by more than 10 percent which dictates that this application be reviewed as a major modification pursuant to § 16.90.030(A)1.a.5. In the case of major modifications, the scope of the review is limited to the modification request and does not open the entire site up for additional review unless impacted by the proposed modification. For this reason, the following discussion is focused on the provisions of the Code that are applicable to the requested improvements in the proposal.

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

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

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

**FINDING:** The site is already served by existing water, sanitary, storm water, solid waste, public safety, electrical power and communications providers. The applicant is not proposing any new utility improvements. However, as discussed later in this report, there may be a necessity for the developer to clarify their method of stormwater treatment and conveyance as well as a need to provide Sherwood Broadband utilities. This criterion can be satisfied as conditioned elsewhere in this report.

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

**FINDING:** The site is already developed. The maintenance of structures, landscaping, and other on-site features do not appear to be neglected. This criterion is satisfied.

4. **The proposed development preserves significant natural features to the maximum extent feasible, including but not limited to natural drainage ways, wetlands, trees, vegetation (including but not limited to environmentally sensitive lands), scenic views, and topographical features, and conforms to the applicable provisions of Division VIII of this Code and Chapter 5 of the Community Development Code.**

**FINDING:** The site does not include any significant natural features. Therefore, this criterion is not applicable to the proposed development.

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

**FINDING:** Because of the size of the addition and information submitted by the applicant that the primary use of the proposed addition was to be utilized for warehousing and shipping, the City Engineer did not believe that the proposed addition would increase the number of average daily traffic trips by more than 400 and therefore decided that the proposal did not warrant a traffic impact analysis. This criterion is not applicable.

6. The proposed office, retail, multi-family, institutional or mixed-use development is oriented to the pedestrian and bicycle, and to existing and planned transit facilities. Urban design standards shall include the following:
  1. Primary, front entrances shall be located and oriented to the street, and have significant articulation and treatment, via facades, porticos, arcades, porches, portal, forecourt, or stoop to identify the entrance for pedestrians. Additional entrance/exit points for buildings, such as a postern, are allowed from secondary streets or parking areas.
  2. Buildings shall be located adjacent to and flush to the street, subject to landscape corridor and setback standards of the underlying zone.
  3. The architecture of buildings shall be oriented to the pedestrian and designed for the long term and be adaptable to other uses. Aluminum, vinyl, and T-111 siding shall be prohibited. Street facing elevations shall have windows, transparent fenestration, and divisions to break up the mass of any window. Roll up and sliding doors are acceptable. Awnings that provide a minimum 3 feet of shelter from rain shall be installed unless other architectural elements are provided for similar protection, such as an arcade.

**STAFF ANALYSIS:** This proposal is on a property zoned General Industrial, and includes the addition of a 15,550 square foot building for manufacturing, processing, and storage of dietary supplements.

**FINDING:** The primary building is pre-existing, zoned industrial, and already oriented to SW Galbreath Road, a more detailed analysis of the buildings compliance with the Industrial Design Standards that are applicable to this development can be found under the discussion of Industrial Design Guidelines. This specific criteria is not applicable to the proposed development.

7. Industrial developments provide employment opportunities for citizens of Sherwood and the region as a whole. The proposed industrial development is designed to enhance areas visible from arterial and collector streets by reducing the "bulk" appearance of large buildings. Industrial design standards shall include the following:
  - a. Portions of the proposed industrial development within 200 feet of an arterial or collector street and visible to the arterial or collector (i.e. not behind another building) shall meet any four of the following six design criteria:
    - (1) A minimum 15% window glazing for all frontages facing an arterial or collector.
    - (2) A minimum of two (2) building materials used to break up vertical facade street facing frontages (no T-111 or aluminum siding).
    - (3) Maximum thirty-five (35) foot setback for all parts of the building from the property line separating the site from all arterial or collector streets (required visual corridor falls within this maximum setback area).
    - (4) Parking is located to the side or rear of the building when viewed from the arterial or collector.

- (5) Loading areas are located to the side or rear of the building when viewed from the arterial or collector. If the loading area is visible from an arterial or collector, they must be screened with vegetation or a screen made of materials matching the building materials.
  - (6) All roof-mounted equipment is screened with materials complimentary to the building design materials.
- b. As an alternative to 8.a above, an applicant may opt to have a design review hearing before the Planning Commission to demonstrate how the proposed development meets or exceeds the applicable industrial design objectives below (this design review hearing will be processed as a Type IV review):
- (1) Provide high-value industrial projects that result in benefits to the community, consumers and developers.
  - (2) Provide diversified and innovative working environments that take into consideration community needs and activity patterns.
  - (3) Support the City's goals of economic development.
  - (4) Complement and enhance projects previously developed under the industrial design standards identified in Section 16.90.020.4.H.
  - (5) Enhance the appearance of industrial developments visible from arterials and collectors, particularly those considered "entrances" to Sherwood, including but not limited to: Highway 99W, Tualatin-Sherwood Road and Oregon Street.
  - (6) Reduce the "bulk" appearance of large industrial buildings as viewed from the public street by applying exterior features such as architectural articulation, windows and landscaping.
  - (7) Protect natural resources and encourage integration of natural resources into site design (including access to natural resources and open space amenities by the employees of the site and the community as a whole).

**STAFF ANALYSIS:** The site is not located within 200 feet of an arterial or collector. This portion of SW Galbreath Drive in this location is a local street. It should also be noted that the proposed building expansion is located primarily behind the building constructed as approved in SP 96-8. The existing building is constructed of painted concrete, metal, and glass, and is somewhat articulated in that there are four distinct planes associated with the front façade of the building. The loading areas for the proposed expansion are located to the side of the building.

**FINDING:** The building is not within 200-feet of an arterial or collector, therefore this criterion is not applicable to the proposed expansion.

## V. APPLICABLE CODE STANDARDS

### Chapter 16.31 Industrial Land Use Districts

#### 16.31.020 Uses

The table speaks to land uses that are permitted outright, permitted conditionally, or not permitted within the Industrial zoning districts. In this instance, the property is zoned General Industrial (GI)

**FINDING:** Endurance Products Company manufactures and distributes dietary and nutritional supplements. While it is not immediately clear what category the use would fall under, it would most certainly be regulated as one of the following uses. Manufacture, packaging, warehousing, and processing of food products and chemicals; as well as, pharmaceuticals in facilities up to 50,000 square feet in building size are outright permitted uses within the GI zone. Distribution, warehousing, and storage associated with a permitted use is also allowed outright. Incidental retail of up to 10% of the floor area is permitted, but the applicant has not indicated that any retail would occur at this location. The proposed use of the expansion and site are allowed in the General Industrial zone. This criterion is satisfied.

#### 16.31.030 Dimensional Standards

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

##### A. Lot Dimensions

Except as otherwise provided, required minimum lot areas and dimensions shall be:

1. Lot area: 20,000 sq ft
2. Lot width at front property line: 100 feet
3. Lot width at building line: 100 feet

**FINDING:** The existing lot area, lot width and width at the building line exceed the minimum requirement prescribed above. The applicant is not proposing to modify the dimensions of the existing lot; therefore, this criterion is not applicable to the proposal.

##### B. Setbacks

Except as otherwise provided, required minimum setbacks shall be:

1.	Front yard:	None
2.	Side yard:	None, except when abutting a residential zone, then there shall be a minimum of forty (40) feet.

3.	Rear yard:	None, except when abutting a residential zone, then there shall be a minimum of forty (40) feet.
4.	Corner lots:	None, except when abutting a residential zone, then there shall be a minimum of forty (40) feet.

**STAFF ANALYSIS:** The lot is not adjacent to residentially zoned lots therefore there is not a setback requirement for the side or rear property lines.

**FINDING:** As proposed, the building is set back 93.9 feet to the front lot line. The proposed addition is even further. The setbacks that are proposed for the expansion are 27.6 feet to the rear property line, 10 feet to the north side property line, and 57 feet from the south property line. This criterion is met.

**16.31.060 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 and IX.

**FINDING:** The applicable standards that are listed in the Community Design section are addressed elsewhere in this narrative. As proposed and conditioned, the development will meet these standards: off – street parking, energy conservation, environmental resources, landscaping, access and egress, signs, parks and open space, on-site storage, and site design. There are not any historic resources on site therefore that standard is not applicable.

**Chapter 16.58 Clear Vision and Fence Standards**

**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 (2 1/2) feet in height, measured from the top of the curb, or where no curb exists, from the established street center line grade, except that trees exceeding this height may be located in this area, provided all branches and foliage are removed to the height of seven (7) feet above the ground on the sidewalk side and ten (10) feet on the street

side.

The following requirements shall govern clear vision areas:

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

**FINDING:** The site is located in the General Industrial zone, and not subject to any setbacks, however, the applicant is not proposing to construct any new improvements within the clear vision area, so this standard is not applicable to the proposed development.

#### **Division V- Community Design**

The applicable provisions of Chapter 5 include: 16.90 (Site Planning), 16.92 (Landscaping), 16.94 (Off-street parking and Loading), and 16.96 (On-site Circulation). 16.98

Compliance with the standards in these sections is discussed below:

#### **16.92 Landscaping**

##### **16.92.010 Landscape Plan**

All proposed developments for which a site plan is required pursuant to Section 16.90.020 shall submit a landscaping plan which 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. Maintenance of existing not-invasive native vegetation is encouraged within a development and required for portions of the property not being developed.

**FINDING:** The submitted proposal includes a landscape Plan (sheet L1). The site plan shows planting areas on the site in all areas which are not paved. Where possible, existing landscaping is proposed to be retained on site. This standard is met.

##### **16.92.020 Landscaping Materials**

###### **A. Type of Landscaping**

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

###### **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.**

**FINDING:** The proposed landscaping plan does not identify how the new landscape materials will be established and maintained in a healthy condition and sufficient size. The landscaping plans do not indicate how the topsoil or subsoil preparation will be undertaken. This standard is not met, but can be met as conditioned below.

**CONDITION:** Prior to final site plan approval submit additional information on the proposed planting and maintenance plan to ensure that the new landscape islands will be appropriately maintained.

### **C. Existing Vegetation**

- 1. All developments subject to site plan review as per Section 16.90.020 and required to submit landscaping plans as per Section 16.92.020 shall preserve existing trees, woodlands and vegetation on the site to the maximum extent possible, as determined by the Commission, in addition to complying with the provisions of 16.142.060.**

**FINDING:** There are several existing trees within the development that will need to be removed to accommodate the proposed expansion and on-site loading and circulation. Where possible, the applicant is proposing to maintain the existing landscaping. Much of that landscaping was installed with the construction of the building approved under SP 96-8.

### **D. Non-Vegetative Features**

**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. Impervious paving shall not be counted as landscaping. Artificial plants are prohibited in any required landscaped area.**

**FINDING:** The proposed plans show a mixture of existing trees, shrubs and low growing ground cover. It does not appear that there are any hardscapes being proposed to be counted towards the landscape requirement, therefore this standard is not applicable.

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

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

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

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

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

## **2. Perimeter Landscaping Buffer**

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

**FINDING:** The applicant proposes a ten-foot wide landscape strip comprised of a mix of materials between the abutting properties and the off-street parking and loading areas. This criterion is met.

## **3. Perimeter Landscape Buffer Reduction**

**If the separate, abutting property to the proposed development contains an existing perimeter landscape buffer of at least five (5) feet in width, the applicant may reduce the proposed site's required perimeter landscaping up to five (5) feet maximum, if the development is not adjacent to a residential zone. For example, if the separate abutting perimeter landscaping is five (5) feet, then applicant may reduce the perimeter landscaping to five (5) feet in width on their site so there is at least five (5) feet of landscaping on each lot.**

**FINDING:** This criterion is not applicable to the proposed development.

## **B. Parking Area Landscaping**

### **1. Purpose**

**The standard is a landscape treatment that uses a combination of trees, shrubs, and ground cover to provide shade, storm water management, aesthetic benefits, and screening to soften the impacts of large expanses of pavement and vehicle movement. It is applied to landscaped areas within and around the parking lot and loading areas.**

### **2. Definitions**

**a. Parking Area Landscaping: Any landscaped area on the site that is not required as perimeter landscaping § 16.92.030 (Site Landscaping and Screening).**

### **b. Canopy Factor**

**(1) Landscape trees are assigned a canopy factor to determine the specific number of required trees to be planted. The canopy factor is calculated based on the following formula:**

**Canopy Factor = Mature Height (in feet) × Canopy Spread (in feet) × Growth Rate Factor × .01**

**(2) Growth Rate Factor: The growth rate factor is three (3) for fast-growing trees, two (2) for medium growing trees, and one (1) for slow growing trees. The growth**

rate of a tree is identified in the "Suggested Plant Lists for Required Landscaping Manual."

### 3. Required Landscaping

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

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

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

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

(1) Any combination of the following is required:

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

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

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

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

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

#### b. Shrubs:

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

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

#### c. Ground cover plants:

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

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

**STAFF ANALYSIS:** The proposed parking lot provides for 37 spaces. The applicant has provided a listing of the plant material as well as the spacing, location and size of the containers of the plants to be planted on site on Sheet L1 of the proposed plans. As proposed, the site is required to provide a minimum of 1,665 square feet of landscaping interior to the parking. The plans illustrate 26,659 square feet of landscaping within and adjacent to the parking area. The majority of the landscaping is intended to landscape

and screen the parking area. The Landscape Architects plan demonstrates consistency with the required number of plantings. The applicant has provided ground cover plants to cover for all other areas outside of the developable area, and given the size of the plants, and the manner in which they are proposed to be planted, there is no reason that they would not cover the entire area within three years.

**FINDING:** As detailed in the analysis above, the applicant has provided a landscape plan with enough detail about the quantity of trees, shrubs, and groundcover to demonstrate that they are compliant with the parking lot landscape requirements. Therefore, these criteria are satisfied.

## **5. Individual Landscape Islands Requirements**

- a. Individual landscaped areas (islands) shall be at least ninety (90) square feet in area and a minimum width of five (5) feet and shall be curbed to protect the landscaping.**
- b. Each landscape island shall be planted with at least one (1) tree.**
- c. Landscape islands shall be evenly spaced throughout the parking area.**
- d. Landscape islands shall be distributed according to the following:**
  - (1) Residential uses in a residential zone: one (1) island for every eight (8) contiguous parking spaces.**
  - (2) Multi or mixed-uses, institutional and commercial uses: one (1) island for every ten (10) contiguous parking spaces.**
  - (3) Industrial uses: one (1) island for every twelve (12) contiguous parking spaces.**
- e. Storm water bio-swales may be used in lieu of the parking landscape areas and may be included in the calculation of the required landscaping amount.**

**FINDING:** The applicant has provided landscape islands that are either existing, or newly located within the proposed parking lot. There is a minimum of one island proposed for 8 parking spaces, which exceeds the minimum number required. Each landscape island contains one tree. The landscape islands are distributed evenly throughout the development. However, the area of the landscape islands does not appear to meet the minimum requirement of 90 square feet, and there is no discussion of this requirement in the applicant's narrative. Therefore, this criterion is not met and the following condition is warranted.

**CONDITION:** Prior to final site plan approval, the applicant shall provide a revised landscape plan and accompanying narrative demonstrating that the standards of 16.92.030.B are satisfied by the proposal.

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

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

**FINDING:** The applicant's plans show that the mechanical equipment, storage and delivery areas are located well interior to the site, and the loading area is screened by landscaping. The trash enclosure will include a gate intended to screen view of the receptacles from the street. The site is not adjacent to residential development. To the extent possible, without compromising the on-site circulation, the applicant has screened the equipment. This criterion is met.

#### **D. Visual Corridors**

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

**FINDING:** The site is adjacent to SW Galbreath Drive, a designated local street. This criterion is not applicable to the proposed development.

### **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.

**FINDING:** The applicant has indicated on the landscaping plans that the all new landscape areas are to be irrigated with a fully automatic underground irrigation system. This can be confirmed at the time of final inspection. This criterion is met.

#### **16.94. Off-Street Parking and Loading (relevant sections)**

##### **16.94.010 Generally**

###### **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.

##### **16.94.020 Off-street parking standards**

**16.94.020.A provides the required minimum and maximum parking spaces for uses permitted by the SZCDC.**

**FINDING:** The applicant is proposing to utilize the existing parking spaces on site to meet their minimum parking requirements. The applicant is proposing to add a 15,550 square foot addition to the site. The original approval approved 21 parking stalls for the previous building. The 15,550 square foot addition would require 1.6 spaces for every 1,000 square feet for a total number of 25 additional parking spaces. The applicant has indicated that the majority of the addition would be for storage and warehousing, which when it is over 150,000 square feet would only require a ratio of .3 spaces per 1,000 square feet of floor area. In combination, the building is 24,020 square feet. At 1.6 spaces per 1,000 square feet of floor area, the applicant would be required to provide 38

parking spaces. The plan only shows 37 parking spaces. This requirement is not satisfied.

**CONDITION:** Prior to final site plan approval, the applicant shall amend the parking plan to demonstrate compliance with the minimum off-street parking requirements. One way to demonstrate compliance is to show how the breakdown of uses within the building would only require the 37 parking spaces. Otherwise, the applicant will need to add at least one parking space to the proposed lot.

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

- 1. Dimensions** For the purpose of this Chapter, a "parking space" means a stall nine (9) feet in width and twenty (20) feet in length. Up to twenty five (25) percent of required parking spaces may have a minimum dimension of eight (8) feet in width and eighteen (18) feet in length so long as they are signed as compact car stalls.
- 2. Layout** Parking space configuration, stall and access aisle size shall be of sufficient width for all vehicle turning and maneuvering. Groups of more than four (4) parking spaces shall be served by a driveway so as to minimize backing movements or other maneuvering within a street, other than an alley. All parking areas shall meet the minimum standards shown in the following table and diagram.
- 3. Wheel Stops**
  - a.** Parking spaces along the boundaries of a parking lot or adjacent to interior landscaped areas or sidewalks shall be provided with a wheel stop at least four (4) inches high, located three (3) feet back from the front of the parking stall as shown in the above diagram.
  - b.** Wheel stops adjacent to landscaping, bio-swales or water quality facilities shall be designed to allow storm water runoff.
  - c.** The paved portion of the parking stall length may be reduced by three (3) feet if replaced with three (3) feet of low lying landscape or hardscape in lieu of a wheel stop; however, a curb is still required. In other words, the traditional three-foot vehicle overhang from a wheel stop may be low-lying landscaping rather than an impervious surface.

**FINDING:** The applicant indicates that the parking area is designed with parking stalls 9 x 20 and 9 x 18, however the compact spaces are not clearly marked on the site plan. Wheel stops are only required along the boundary of the parking lot, or adjacent to landscaping. Curbs have been provided along the perimeter of the parking adjacent to the landscaping. These standards are not completely satisfied, and the following condition is warranted.

**CONDITION:** Prior to final site plan approval, the applicant shall provide a revised parking plan illustrating compliance with Chapter 16.94 with respect to design and identification of the parking spaces.

## C. Bicycle Parking Facilities

### 1. Location and Design

- a. Bicycle parking shall be conveniently located with respect to both the street right-of-way and at least one (1) building entrance (e.g., no farther away than the closest parking space). Bike parking may be located inside the main building or near the main entrance.

2. **Visibility and Security.** Bicycle parking shall be visible to cyclists from street sidewalks or building entrances, so that it provides sufficient security from theft and damage.

3. **Options for Storage.** Bicycle parking requirements for long-term and employee parking can be met by providing a bicycle storage room, bicycle lockers, racks, or other secure storage space inside or outside of the building.

4. **Lighting.** Bicycle parking shall be at least as well lit as vehicle parking for security.

5. **Reserved Areas.** Areas set aside for bicycle parking shall be clearly marked and reserved for bicycle parking only.

6. **Hazards.** Bicycle parking shall not impede or create a hazard to pedestrians. Parking areas shall be located so as to not conflict with vision clearance standards.

**FINDING:** The applicant proposes to provide the required bicycle parking inside and outside of the building which is acceptable. Bicycle parking is based on the number of car parking spaces and in this case, only two spaces are required. The plans do not provide enough specificity to ensure that these criteria are satisfied, and therefore, require the following condition to ensure compliance.

**CONDITION:** Prior to final site plan approval, the applicant shall demonstrate on the plans the location of two required bicycle parking spaces. The plan should show how the proposed spaces are provided in a manner that is consistent with the provisions of section 16.94.020.C.

### 16.96 On-Site Circulation

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

On-site facilities shall be provided that accommodate safe and convenient pedestrian access within new subdivisions, multi-family developments, planned unit developments, shopping centers and commercial districts, and connecting to adjacent residential areas and neighborhood activity centers within one half mile of the development. Neighborhood activity centers include but are not limited to existing or planned schools, parks, shopping areas, transit stops or employment centers. All new development, (except single family detached housing), shall provide a continuous system of private pathways/sidewalks at least 6 feet wide.

**STAFF ANALYSIS:** All proposed access into and along the perimeter of the site is existing. As proposed, the site provides safe, marked, and to the extent practical, convenient pedestrian access, but the site is being developed with an industrial use which already has public sidewalks into the site.

**FINDING:** Because the proposed use is industrial, the above criterion is not applicable.

#### **16.96.010.D - Connection to Streets**

- 1. Except for joint access as per 16.96.010, all ingress and egress to a use or parcel shall connect directly to a public street, excepting alleyways.**
- 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:** The proposed development has direct access to SW Galbreath Drive, a public street. This criterion is satisfied.

#### **16.98.020 - Solid Waste Storage**

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

**STAFF ANALYSIS:** The proposed site plan shows that the trash enclosure is relocated to the rear of the site. The design includes a six-foot high wall. The dimensions of the enclosure appear to meet the requirements of Pride Disposal, but we have not had confirmation from them. This criterion is not satisfied, and therefore the following condition is warranted.

**CONDITION:** Prior to final site plan review, provide the planning department with a letter from Pride disposal approving the design and location of the relocated trash enclosure.

### **Division VII. Public Infrastructure**

#### **16.106 Transportation Facilities**

##### **16.106.020 Required Improvements**

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

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

**FINDING:** Currently SW Galbreath Drive is a 2-lane standard local street with 18 feet of pavement width from centerline to face of curb and a 5-foot wide curb tight sidewalk along the frontage of the subject property within a 25-foot half right-of-way section. Standard commercial streets in the City of Sherwood Engineering Design Standards have a 20-foot half street width with curb and gutter, a 5-foot landscape strip with 6-foot wide sidewalks on each side within a 32-foot half street right-of-way section. Since the rest of the developed properties along SW Galbreath Drive have the same street section, no changes to the street width or sidewalk are required. However, the site is not consistent with the requirements of the Americans with Disabilities Act (ADA), and the following condition is warranted.

**CONDITION:** The existing western driveway and the existing sidewalk ramps at each driveway do not meet ADA standards. Existing driveway drops shall be reconstructed as necessary to bring them in compliance with ADA standards.

#### **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 development will take access from SW Galbreath Drive. According to the City Engineer, there are no public improvements needed at this time. This standard is 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.**

##### **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 8-8).**

**STAFF ANALYSIS:** As previously discussed in this report, the site will take access from SW Galbreath Drive. The site is surrounded by existing development where there are no proposed extensions of any public streets.

**FINDING:** As discussed above, there will not be future street systems required in this location; therefore this standard is not applicable.

#### **16.106.040 .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:** There are no existing or proposed transit routes adjacent to or near this site. It is not anticipated that pedestrians will be visiting the site. Transit facilities are not currently available to the site, and do not appear to be necessary for this development. This criterion is not applicable.

**16.110 - Sanitary Sewers**

**16.110.010 Required Improvements**

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

**FINDING:** Currently a public sanitary sewer main exists within SW Galbreath Drive along the subject property frontage. No public sanitary sewer main extension is required. Sanitary sewer for the subject property already exists serving the existing building. The proposed development shows that it will use the existing sewer lateral to supply service to the new building. Private sanitary sewer shall be installed in compliance with the current Oregon Plumbing Specialty Code.

**16.112- Water Supply**

**16.112.010 Required Improvements**

**Water lines and fire hydrants conforming to City and Fire District standards shall be installed to serve all building sites in a proposed development in compliance with 16.112.**

**FINDING:** Currently there is a public water main existing within SW Galbreath Drive along the subject property frontage. No public water main extension is required. Water service for the subject property already exists serving the existing building. The proposed development shows that it will use the existing water service to supply domestic and fire hydrant water for the new building. Water flows calculations shall be provided to determine adequacy of existing domestic and fire water service. The developer shall submit a statement of business use to determine if a Reduced Pressure Principal Assembly is required. Private water shall be installed in compliance with the current Oregon Plumbing Specialty Code.

**16.114 - Storm Water**

**16.114.010 Required Improvements**

**Storm water facilities, including appropriate source control and conveyance facilities, shall be installed in new developments and shall connect to the existing downstream drainage system consistent with the Comprehensive Plan, the requirements of the Clean Water Services water quality regulations and section 16.114.**

**FINDING:** Currently no public storm sewer exists within SW Galbreath Drive along the subject site frontage. SW Galbreath Drive has a series of catch basin and conveyance piping that receives street runoff taking it through the adjoining properties and into conveyance ditches on the back side of the adjoining properties. Therefore storm sewer installation within SW Galbreath Drive is not required.

Private storm water runoff within the subject property shall be collected and conveyed in accordance with the current Oregon Plumbing Specialty Code. Private site runoff shall be treated, detained and discharged in a manner and at a location meeting the approval of Clean Water Services and City of Sherwood Engineering Department.

If the proposed storm detention system allows subsurface infiltration, then UIC registration/permit or waiver thereof is required from DEQ.

**CONDITIONS:** Prior to final occupancy, a Private Stormwater Facility Access and Maintenance Covenant meeting the approval of the City of Sherwood Engineering Department shall be recorded by the developer at Washington County with a copy of the recorded document being provided to the city.

Prior to final occupancy, An Operations and Maintenance Plan meeting City of Sherwood Engineering Department approval is required.

### **16.116 Fire Protection**

#### **16.116.020 Standards**

##### **A. Capacity**

All fire protection facilities shall be approved by and meet the specifications of the Fire District, and shall be sized, constructed, located, and installed consistent with this Code, Chapter 7 of the Community Development Plan, and other applicable City standards, in order to adequately protect life and property in the proposed development.

##### **B. Fire Flow**

Standards published by the Insurance Services Office, entitled "Guide for Determination of Required Fire Flows" shall determine the capacity of facilities required to furnish an adequate fire flow. Fire protection facilities shall be adequate to convey quantities of water, as determined by ISO standards, to any outlet in the system, at no less than twenty (20) pounds per square inch residual pressure. Water supply for fire protection purposes shall be restricted to that available from the City water system. The location of hydrants shall be taken into account in determining whether an adequate water supply exists.

##### **C. Access to Facilities**

Whenever any hydrant or other appurtenance for use by the Fire District is required by this Chapter, adequate ingress and egress shall be provided. Access shall be in the form of an improved, permanently maintained roadway or open paved area, or any combination thereof, designed, constructed, and at all times maintained, to be clear and unobstructed. Widths, height clearances, ingress and egress shall be adequate for District firefighting equipment. The Fire District, may further prohibit vehicular parking along private accessways in order to keep them clear and unobstructed, and cause notice to that effect to be posted.

##### **D. Hydrants**

Hydrants located along private, accessways shall either have curbs painted yellow or otherwise marked prohibiting parking for a distance of at least fifteen (15) feet in either direction, or where curbs do not exist, markings shall be painted on the pavement, or signs erected, or both, given notice that parking is prohibited for at least fifteen (15) feet in either direction.

(Ord. No. 2010-015, § 2, 10-5-2010; Ord. 91-922, § 3; Ord. 86-851, § 3)

**FINDING:** The fire district comments indicate the site would need to be constructed consistent with the standards of the fire district for the proposed use. This standard can be satisfied as conditioned below.

**CONDITION:** Prior to the final site plan approval, provide verification that the fire department has reviewed and approved the plans for fire suppression and emergency services.

### **16.118. – Public and Private Utilities**

#### **16.118.020 Standards**

- A. Installation of utilities shall be provided in public utility easements and shall be sized, constructed, located and installed consistent with this Code, Chapter 7 of the Community Development Code, and applicable utility company and City standards.**
- B. Public utility easements shall be a minimum of eight feet in width unless a reduced width is specifically exempted by the City Engineer.**
- C. Where necessary, in the judgment of the City Manager or his designee, to provide for orderly development of adjacent properties, public and franchise utilities shall be extended through the site to the edge of adjacent property (ies).**
- D. Franchise utility conduits shall be installed per the utility design and specification standards of the utility agency.**
- E. Public Telecommunication conduits and appurtenances shall be installed per the City of Sherwood telecommunication design standards.**
- F. Exceptions: Installation shall not be required if the development does not require any other street improvements. In those instances, the developer shall pay a fee in lieu that will finance installation when street or utility improvements in that location occur.**

**STAFF ANALYSIS:** The site is served by existing utilities.

**FINDING:** With the exception of Sherwood Broadband, utilities are available to the property and, as demonstrated within the plans and narrative will not be altered by the proposed development. Sherwood Broadband is not currently to the proposed site, and is required to be installed when a site is redeveloped. This criterion is not satisfied.

**CONDITION:** Sherwood Broadband utilities shall be installed along the subject property's frontage per requirements set forth in City Ordinance 2005-017 and City Resolution 2005-074. Since street widening improvements are not being constructed as part of this project, the developer can elect to do a payment in lieu of constructing these facilities.

### **16.142.050. Street Trees**

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

**Trees are required to be planted to the following specifications along public streets**

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

**FINDING:** No new street trees are required for this proposal. Street trees were provided along the sites frontage with the original development. These criteria are not applicable to the proposed development since there are already street trees along the sites frontage.

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

All site developments subject to Section 16.92.020 shall be required to preserve trees or woodlands to the maximum extent feasible within the context of the proposed land use plan and relative to other policies and standards of the City Comprehensive Plan, as determined by the City. Review and mitigation shall be consistent with 16.142.060 A, B, C and D.

**FINDING:** The applicant is proposing to remove 11 Big Leaf Maples and 1 Linden totaling 246 inches (See Sheet L1). This section allows trees to be removed to accommodate the development provided the minimum tree canopy is met. As discussed below in this report, the proposed plan does not satisfy this requirement but it is feasible to meet it with the addition of trees elsewhere on the site. This criterion is not satisfied, but has been conditioned later in this report.

**Required Tree Canopy - Non-Residential and Multi-family Developments**

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

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

	Commercial, Industrial, Institutional Public and Multi-family
Canopy Requirement	30%
Counted Toward the Canopy Requirement	

Street trees included in canopy requirement	No
Landscaping requirements included in canopy requirement	Yes
Existing trees onsite	Yes x 2
Planting new trees onsite	Yes

**FINDING:** The applicant has provided a preliminary tree canopy plan, sheet L1 that illustrates 26,762 square feet of canopy. The plan includes existing landscaping and street trees. Street trees in non-residential projects are not allowed to be counted towards the required tree canopy. The proposed canopy is 30.9% of the overall site. With removal of the street trees that were counted towards the canopy the revised site plan would provide site would fall below the required canopy coverage when existing trees are allowed to be removed. This criterion is not satisfied, and the following condition is warranted.

**CONDITION:** Prior to final site plan approval, the applicant shall provide a revised landscape plan that demonstrates compliance with the 30% canopy coverage requirement of 16.142.070.

**16.148.010 - Vibrations**

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

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

**16.150.010 – Air Quality**

**All otherwise permitted commercial, industrial, and institutional uses shall comply with applicable State air quality rules and statutes:**

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

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

**16.152.010 - Odors**

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

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

**16.154.010 – Heat and Glare**

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

**STAFF ANALYSIS:** The applicant did not provide a proposed lighting plan, but did indicate that all new lighting would be shielded from adjoining properties within the narrative. However, there is not enough information provided to ensure that the development satisfies this standard.

**FINDING:** It is not clear from the proposed plans where new parking lot or building lighting would be added. Therefore, the following condition is warranted.

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

Based upon review of the applicant's submittal information, review of the Code, agency comments and consideration of the applicant's revised submittal, the Planning Commission finds that the proposed site plan (SP 15-05) does not fully comply with the standards but can be conditioned to comply, and **approves** the request subject to compliance with the following conditions of approval.

**VI. CONDITIONS OF APPROVAL**

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 dated October 26, 2015 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. 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.
4. An on-going condition of the approval is that the site be maintained in accordance with the approved site plan.
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. A temporary use permit must be obtained from the Planning Department prior to placing a construction trailer on-site.
7. 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.

**Prior to issuance of grading or erosion control permits from the Building Department:**

1. Obtain City of Sherwood Building Department approval for any grading plans.

**Prior to Final Site Plan Approval:**

1. Submit the required final site plan review fee along with a brief narrative and supporting documents demonstrating how each of the final site plan conditions are met.
2. Prior to final site plan approval submit additional information on the proposed planting and maintenance plan to ensure that the new landscape islands will be appropriately maintained.
3. Prior to final site plan approval, the applicant shall provide a revised landscape plan and accompanying narrative demonstrating that the standards of 16.92.030.B are satisfied by the proposal.
4. Prior to final site plan approval, the applicant shall amend the parking plan to demonstrate compliance with the minimum off-street parking requirements. One way to demonstrate compliance is to show how the breakdown of uses within the building would only require the 37 parking spaces. Otherwise, the applicant will need to add at least one parking space to the proposed lot.
5. Prior to final site plan approval, the applicant shall provide a revised parking plan illustrating compliance with Chapter 16.94 with respect to design and identification of the parking spaces.
6. Prior to final site plan approval, the applicant shall demonstrate on the plans the location of two required bicycle parking spaces. The plan should show how the proposed spaces are provided in a manner that is consistent with the provisions of section 16.94.020.C.
7. Prior to final site plan review, provide the planning department with a letter from Pride disposal approving the design and location of the relocated trash enclosure.
8. Prior to the final site plan approval, provide verification that the fire department has reviewed and approved the plans for fire suppression and emergency services.
9. Prior to final site plan approval, the applicant shall provide a revised landscape plan that demonstrates compliance with the 30% canopy coverage requirement of 16.142.070.
10. Prior to final site plan approval submit a revised lighting plan showing that the lighting will not be more than 0.5 foot candle from the property onto adjacent properties.

**Prior to Issuance of a Building Permit:**

1. Receive Sherwood Engineering Department approval of engineering plans for all public improvements and/or connections to public utilities (water, sewer, storm water, and streets) including compliance with all conditions specified in "Prior to approval of public improvement plans.

