

**CITY OF SHERWOOD
STAFF REPORT AND NOTICE OF DECISION
NOVEMBER 9, 2021**



**BROOKMAN PLACE
10-LOT RESIDENTIAL SUBDIVISION
LU 2022-008 SUB**

Pre-App Meeting: September 1, 2020
App. Submitted: March 21, 2022
App. Complete: August 30, 2022
Hearing Date: N/A
120-Day Deadline: December 28, 2022

PROPOSAL: The applicant is proposing a 10-lot residential subdivision on an approximately 2-acre site located at 17687 SW Brookman Rd. The property is zoned Medium Density Residential High. Access is proposed from an extension of SW Wapato Island Drive.

I. BACKGROUND

A. Applicant: Walker John
c/o Olivia Beach LLC
PO Box 7534
Olympia, WA 98507

Owner: Same as applicant

B. Site Address: 17687 SW Brookman Rd.

C. Zoning: Medium Density Residential High (MDRH)

D. Review Type: Type II Subdivision – between 4 – 10 lots

E. Public Notice: Notice of the application was provided in accordance with § 16.72.020 of the Sherwood Zoning and Development Code (SZDC) as follows: notice was distributed in five locations throughout the City, posted on the property, and mailed to property owners within 1,000 feet of the site on or before September 23, 2022.

- F. Review Criteria: Sherwood Zoning and Community Development Code (SZCDC) Chapter 16.12 Residential Land Use Districts; Chapter 16.14 Residential Building Design; Chapter 16.58 Vision Clearance and Fence Standards; Chapter 16.60 Yard Requirements; Chapter 16.72 Procedures for Processing Development Permits; Chapter 16.89 Residential Design Checklist and Residential Design Review; Chapter 16.92 Landscaping; Chapter 16.94 Off-Street Parking and Loading; Chapter 16.96 On-Site Circulation; Chapter 16.98 On-Site Storage; Chapter 16.106 Transportation Facilities; Chapter 16.108 Improvement Plan Review; Chapter 16.110 Sanitary Sewers; Chapter 16.112 Water Supply; Chapter 16.114 Storm Water; Chapter 16.116 Fire Protection; Chapter 16.118 Public and Private Utilities; Chapter 16.120 Subdivisions; Chapter 16.128 Land Division Design Standards; Chapter 16.142 Parks, Trees, and Open Spaces; Chapter 16.156 Energy Conservation
- G. History and Background: The property is zoned Medium Density Residential High (MDRH) and is within the Brookman Addition Concept Plan area. The long-term plan for SW Brookman Rd. including the preferred alignment was recently updated through the Brookman Concept Plan Refinement (Ord. 2021-001). The property and adjacent SW Brookman Rd. right-of-way was annexed to the City of Sherwood and Clean Water Services boundaries in 2021 via Ordinance 2021-003. The application was submitted on March 21, 2022 and is subject to the City's new Residential Design Standards (Ord. 2021-010) but is not subject to the City's new Housing Choices standards (Ord. 2022-004).
- H. Existing Conditions: The site is 2.0-acres with approximately 208 ft. of frontage on SW Brookman Rd. An existing single-family home and out-buildings are located at the north end of the property. Trees are located around the perimeter of the property.
- I. Surrounding Land Uses:
- West: Single-family residence on large lot
 - South: Single-family residence on large lot
 - East Middlebrook Subdivision
 - North Middlebrook Subdivision

II. **AFFECTED AGENCY AND PUBLIC COMMENTS**

- A. Notice of the application was sent to affected agencies via email on September 21, 2022. The following responses were received:
1. City of Sherwood Engineering Department (Exhibit B1) – The engineering comments address requirements for water, storm sewer, sanitary sewer, and transportation design standards and specific

Conditions of Approval and comments are included throughout the report under each applicable code section. The City's Engineering Department has also issued one Design Modifications for local street curve radii.

2. Washington County Land Use and Transportation (Exhibit B2) - The comments provide transportation-related conditions for SW Brookman Rd. The applicant is required to dedicate the right-of-way for a future 5-lane arterial and make street improvements.
3. Clean Water Services (Exhibit B3) – CWS provided a memorandum dated October 5, 2022. CWS has also issued a Service Provider Letter dated January 19, 2022 (Exhibit A6). Development on the site is required to obtain CWS Storm Water Connection Permit Authorization and comply with CWS Design and Construction Standards.
4. Tualatin Valley Fire & Rescue (TVF&R) – TVF&R has issued a Service Provider for the proposed development (Exhibit A7). A final inspection is not required by the agency.
5. Pride Disposal (Exhibit B4) – The comments state Pride can service the subdivision as proposed. Residents will be responsible for placing their totes curbside on SW Wapato Island Dr. on collection day.
6. The following agencies acknowledged the application without stating any concerns: ODOT Rail.

B. Public Comments

1. None

III. APPLICABLE CODE PROVISIONS

Chapter 16.72 PROCEDURES FOR PROCESSING DEVELOPMENT PERMITS

16.72.10 – Generally

A. Classifications

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

1. Residential Design Checklist Review

The Community Development Director, or designee, without public notice and without a public hearing, makes ministerial decisions through the Residential Design Checklist Review procedure. Ministerial decisions are those where City standards and criteria do not require the exercise of discretion (i.e., they are clear and objective standards).

The Community Development Director, or designee, reviews proposals for all residential housing types, except for multi-dwelling development that are subject to Section 16.90,

requiring a clear and objective review using the Residential Design Checklist. The Residential Design Checklist is a preliminary review that is intended to ensure a project proposal meets the basic requirements of Chapter 16.14 before more detailed plans are prepared and before the City authorizes the Building Official to issue a building permit.

3. Type II

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

- c. Subdivisions between 4 —10 lots.

ANALYSIS: The proposal is for a 10-lot subdivision and the application is subject to the City’s Type II land use review process. The application has been processed according to the Type II noticing and review procedures as required under SZCDC § 16.72.

FINDING: This standard is met.

Chapter 16.12 RESIDENTIAL LAND USE DISTRICTS

16.12.010 - Purpose and Density Requirements

D. Medium Density Residential High (MDRH)

The MDRH zoning district provides for a variety of medium density housing , including single-family, duplex housing, manufactured housing, multi-family housing, and other related uses with a density of 5.5 to 11 dwelling units per acre. Minor land partitions are exempt from the minimum density requirement.

ANALYSIS: The applicant is proposing a 10-lot single-family detached residential subdivision at a density of approximately 6.6 units per acre.

Gross site area:	87,150 SF
Right-of-way dedication:	-21,172 SF
Net site area:	65,978 SF or 1.51-acrs

Minimum density	5.5 x 1.51 = 9 lots
Maximum density	11 x 1.51 = 16 lots

The proposal is for 10 lots which is between the permitted density of 9 and 16 lots.

FINDING: This standard is met.

16.12.20 - Allowed Residential Land Uses

A. Residential Land Uses

The table below identifies the land uses that are allowed in the Residential Districts. The specific land use categories are

described and defined in Chapter 16.10.

Uses (Residential)	MDRL
Single-Family Attached or Detached Dwellings	P

Whereas P = Permitted

ANALYSIS: The application proposes 10-lots for the construction of single-family detached dwellings.

FINDING: This standard is met.

16.12.030 - Residential Land Use Development Standards

A. Generally

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. (Variance and Adjustments)

B. Development Standards

Except as modified under Chapter 16.68 (Infill Development), Section 16.144.030 (Wetland, Habitat and Natural Areas), or as otherwise provided, required minimum lot areas, dimensions and setbacks shall be provided in the following table.

Creation of new lots or parcels as part of a townhome development is subject to the applicable land division or Planned Unit Development approval process.

C. Development Standards per Residential Zone

Development Standard by Residential Zone-	MDRH
Minimum Lot areas:(in square ft.)	
• Single Family Detached	5,000
Minimum Lot width at front property line: (in feet)	25
Minimum Lot width at building line ¹²: (in feet)	

¹²Minimum lot width at the building line on cul-de-sac lots may be less than that required in this Code if a lesser width is necessary to provide for a minimum rear yard.

Development Standard by Residential Zone-	MDRH
• Single Family Detached; Duplex;	50
Lot Depth	80
<u>Maximum Height (in feet)</u> ²³	
• All other dwelling types	35 feet or 2.5 stories
Setbacks (in feet)	
• Front yard ⁵	14
• Face of garage	20
• Interior side yard ⁶	
• Single-Family Detached; Duplex	5
• Corner lot street side	
• Single-Family Detached; Duplex; Townhome	15
• Multi-Family Dwelling	20
• Rear yard	20

Notes:

1. For townhomes, interior units may have different lot sizes than exterior or corner units, as long as the average of all lots is not greater than 1,500 square feet.
2. Minimum lot width at the building line on cul-de-sac lots may be less than that required in this Code if a lesser width is necessary to provide for a minimum rear yard.
3. Maximum height is the lesser of feet or stories.
4. Some accessory structures, such as chimneys, stacks, water towers, radio or television antennas, etc. may exceed these height limits with a conditional use permit, per Chapter 16.62 (Chimneys, Spires, Antennas and Similar Structures).
5. 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.
6. Adjustments and Variances to interior side-yard setbacks for all housing types are not allowed.

ANALYSIS: The proposed lot sizes, dimensions, and setbacks are shown on Sheet 8.0 of the plan set (Exhibit A3). The plans demonstrate compliance with

the development standards with the following exceptions:

- Lot width at building line – Lots 1, 2, 7, 8, 9, and 10.
- Rear and side setbacks – Lots 3, 5, and 10

The lot width at the front setback line for Lots 1, 2, 7, 8 and 9 do not allow for a minimum of 50 ft. for a future building. While the setback line is shown in the correct location, the setback line does not indicate a building is permitted within this area unless the “lot width at building line” standard is also met.

Lots 3, 5, and 10 are required to show the rear and side yard setbacks based on the location of the rear and side lot lines defined below:

Lot Line, Rear: A lot line which is opposite and most distant from the front lot line, provided that for irregular and triangular lots, the rear lot line shall be deemed a line ten feet in length within the lot, parallel to and at a maximum distance from the front lot line. On a corner lot, the shortest lot line abutting adjacent property that is not a street is considered a rear lot line.

Lot Line, Side: Any lot line not a front or rear lot line.

FINDING: These standards are met as conditioned below.

CONDITION OF APPROVAL: Prior to Issuance of Building Permits, provide a plot plan that demonstrates the minimum lot width at building line for Lots 1, 2, 7, 8, 9 and 10 is a minimum of 50 ft.

CONDITION OF APPROVAL: Prior to Final Plat approval and Issuance of Building Permits, provide a revised setback plan that shows the required side and rear setbacks for Lots 3, 5, and 10 in accordance with the definitions provided in SZCDC § 16.10.

16.12.040 - Community Design

A. Residential garages shall meet the minimum design standards listed on the table below:

	Minimum Width	Minimum Depth	Minimum Garage Door Width
One (1) Car Garage	12 ft.	20 ft.	8 ft.
Two (2) Car Garage	18 ft.	20 ft.	16 ft.
Three (3) Car Garage	26 ft.	20 ft.	Single Door – 8 ft.

			Double Door – 16 ft.
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- B. The vehicle parking area(s) shall be functional based on the minimum design standards listed on the table above, 16.12.040.A. Furnaces, stairs, etc. shall not be located within the garage designated parking areas.**
- C. Residential Front-Yard Landscaping – the front-yard area of a lot shall be fully landscaped excluding paved off-street parking areas, paved pedestrian paths, and utility areas. Landscaping materials shall meet standards identified in Section 16.92.020 Landscaping Materials.**
- D. For additional 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.**

ANALYSIS: Details on the garages and front yard landscaping can be reviewed and approved as part of the building permit and occupancy phase. Future owners are required to maintain garages and front yard landscaping in accordance with applicable code.

FINDING: This standard is met as conditioned below.

CONDITION OF APPROVAL: Prior to Issuance of Building Permits, the applicant shall demonstrate how the proposed garages for each residential unit meet the garage standards in SZCDC § 16.12.040.

CONDITION OF APPROVAL: Prior to Occupancy each residence, the front yard of each lot shall be fully landscaped excluding any paved off-street parking areas, paved pedestrian paths, and utility areas.

Chapter 16.14 - RESIDENTIAL BUILDING DESIGN

16.14.010 – Residential Building Design Standards for all housing types except for Multi-family housing that is subject to the provisions of Chapter 16.90 Site Planning.

- A. Purpose**
 The following standards are intended to create walkable residential neighborhoods that are visually interesting, compatible with existing development, and avoid monotony in design.
 The standards in this section are intended to be clear and objective to allow a streamlined review process per the Residential Design Checklist provisions of Chapter 16.89. Each standard has an associated guideline that provides flexibility for discretionary Design Review by the Planning Commission per Chapter 16.89, Residential Design Review if necessary or desired by the applicant. Adjustments or variances to the standards below can be requested through one of the review processes described in B below.
- B. Review Process.** The following review processes can be used to

review those housing types that are subject to these standards per 16.14.010.C and 16.89.020.A through D. The applicable review process depends on the level of compliance with the clear and objective standards in this section.

1. If all applicable standards from this section are met, Residential Design Checklist review is applied per Chapter 16.89.
2. If any standards of Table 16.14-1 - A, B or C are not met outright, a Type I Adjustment or Type II Class B Variance is required, in addition to the Residential Design Checklist, per Chapter 16.89. The Detailed Design standards of Table 16.14-1.D cannot be adjusted.
3. If the applicant chooses to meet the design guidelines instead of the design standards, a Type IV Design Review is required, per Chapter 16.89.

C. Applicability

1. The standards in this section apply to all new residential development, unless otherwise indicated per the subsections below or per applicable overlay zones. Manufactured home parks and manufactured homes on individual residential lots are subject to the provisions of Chapter 16.46 Manufactured Homes. Additional standards are located in 16.14.020, 16.14.030, and 16.14.040. Multi-family development is subject to the provisions of Chapter 16.90 Site Planning.

Table 16.14-1. Residential Design Standards

Design Standard (Objective Process)	Design Guideline (Discretionary Process: Residential Design Review)
A. Entry location and orientation	
<p>These standards apply to all new residential development, except for Multi-family, at the time of building permit submittal. At least one main entrance for each residential structure, or each townhome unit, must meet the following standards.</p> <ol style="list-style-type: none"> 1. The entrance must be within 8 feet of the longest street-facing wall of the dwelling unit. 2. The entrance must either: <ol style="list-style-type: none"> a. Face the street; or b. Be at an angle of up to 45 degrees from the street; or c. Face a common open space that is adjacent to the street and is abutted by 	<p>Building elevations facing streets and common courtyards should include pedestrian oriented entrances. Special attention should be given to designing a primary building entrance that is both attractive and functional. Primary entrances should incorporate changes in mass, surface, or finish to emphasize the entrance.</p>

Design Standard (Objective Process)	Design Guideline (Discretionary Process: Residential Design Review)
<p>dwelling on at least two sides; or</p> <p>d. Open onto a porch. If the entrance opens onto a porch, the porch must:</p> <ol style="list-style-type: none"> 1) Be at least 25 square feet in area with a minimum four-foot depth; 2) Have at least one porch entry facing the street; 3) Have a roof that is no more than 12 feet above the floor of the porch; and 4) Have a roof that covers at least 30% of the porch area. 	
Additional provisions:	None
B. Garages and Off-Street Parking Areas	
<p>These standards apply to all residential housing development except for townhomes and Multi-family development.</p> <p>Where one or more garages face a street, all of the following standards apply:</p> <ol style="list-style-type: none"> 1. The front elevation of the garage(s) may not extend in front of the longest, street-facing elevation of the primary dwelling structure. 2. The width of all garages on the street-facing elevation shall not exceed 60 percent of the total width of that elevation. The width of the garage shall be measured from the edges of the finished exterior garage wall. 3. Garages that face a street shall contain at least one of the following design features: <ol style="list-style-type: none"> a. Garage trellis or pergola extending at least 12 inches from the building face b. Windows on 15 percent of the garage door c. Natural wood finish d. A recess of at least three (3) feet behind the primary dwelling e. Use of multiple materials finish or colors 	<p>Garages should not be a dominant feature of the front residential elevation. Garage doors should be articulated to reduce their visual impact.</p>
Additional provisions:	<p>16.14.020 – Additional Townhome Design Standards</p> <p>16.14.030 – Additional Triplex and Quadplex Design Standards</p>
C. Windows and Doors	

Design Standard (Objective Process)	Design Guideline (Discretionary Process: Residential Design Review)
<p>These standards apply to all residential housing development except for Multi-family development. A minimum of 15 percent of the area of the primary building elevation adjacent to a public right-of-way, or common courtyard elevations must include windows or entrance doors. For side building elevations, adjacent to a public right-of-way or public accessway, a minimum of 10 percent of area is required. Percentage calculation can include window trims and shutters. First floor roof elevations are excluded from the calculations. Elevations separated from the street property line by a dwelling are exempt from meeting this standard. For townhomes, this standard applies on each individual unit.</p>	<p>Building elevations adjacent to streets and common courtyards should include ample levels of glazing to ensure articulation on the façade, daylighting of interior spaces and visibility into the public realm.</p>
<p>Additional provisions:</p>	<p>None</p>
<p>D. Detailed design¹</p>	
<p>1. All single detached dwellings, duplexes, triplexes and quadplexes shall incorporate at least five (5) of the following elements on the primary building elevation adjacent to a public right-of-way. At least one element shall be incorporated from each of Subsections a, b and c below. The other two required elements may come from any subsection (a through e) below.</p> <p>All cottages in a cottage cluster shall incorporate at least three (3) of the following elements on the building elevation(s) facing a public right-of-way and/or common courtyard-facing elevation. At least one element shall be incorporated from each of Subsections a, b and c below.</p> <p>All townhome units shall incorporate at least two (2) of the following elements on the primary building elevation adjacent to a public right-of-way. At least one element shall be incorporated from two (2) of Subsections a, b and c below.</p> <p>For corner lots, this standard applies to both street-facing elevations.</p> <p>a. Porches, entries and other offsets:</p> <p>i. Covered porch at least 36 square</p>	<p>Primary building elevations adjacent to streets and common courtyards should include pedestrian oriented design elements and other design features that provide articulation, variety, interest and quality.</p>

**Design Standard
(Objective Process)**

**Design Guideline
(Discretionary Process: Residential Design
Review)**

- feet with a depth not less than six (6) feet as measured perpendicular from the face of the main building façade to the edge of the porch.
- ii. Recessed entry area at least two (2) feet deep, as measured horizontally from the face of the main building façade, and at least five feet wide.
- iii. Offset on the building face of at least 16 inches from one exterior wall surface to the other.
- iv. Balcony that is at least three (3) feet deep, five (5) feet wide, and accessible from an interior room.
- b. Roof elements:
 - i. Roof eaves with a minimum projection of 12 inches from the intersection of the roof and the exterior walls.
 - ii. Roof line offsets of at least two (2) feet from the top surface of one roof to the top surface of the other.
 - iii. Any roofing materials other than asphalt shingles.
 - iv. Gable roof, hip roof, shed roof, or gambrel roof design.
 - v. Dormer that is at least four (4) feet wide.
 - vi. Decorative eave braces.
- c. Window elements:
 - i. Window trim around all windows at least three (3) inches wide and five-eighths (5/8) inches deep.
 - ii. Window recesses, in all windows, of at least three (3) inches as measured horizontally from the face of the building façade.
 - iii. Bay window at least one (1) foot deep and three (3) feet wide.
 - iv. Shutters on the exterior of ground floor windows.

Design Standard (Objective Process)	Design Guideline (Discretionary Process: Residential Design Review)
<ul style="list-style-type: none"> v. Window Grids. d. Garage elements: <ul style="list-style-type: none"> i. Attached garage width, as measured between the edges of the exterior finished garage wall, of 30 percent or less of the total width of that elevation. ii. A balcony that extends out over the garage and includes columns. iii. Two separate doors for two car garages instead of one large door. iv. Decorative windows on the garage door. v. Decorative details on the garage door. Standard squares on a garage door will not qualify as a decorative detail. e. Building materials: <ul style="list-style-type: none"> i. Horizontal lap siding between three (3) to eight (8) inches wide (the visible portion once installed). ii. Brick, cedar shingles, stucco, or other similar decorative materials covering at least 40 percent of the street-facing façade. iii. Vertical board and batting siding three (3) to eight (8) inches wide (the visible portion once installed). iv. Belly band trim v. Four (4) Paint Color Scheme 	
Additional provisions:	None
E. Building Materials	
Prohibited building materials include: <ol style="list-style-type: none"> 1. Aluminum 2. Vinyl 3. T-111 siding 	Residential buildings should utilize durable and high-quality exterior building materials that create a visually appealing façade.
F. Limitation on parking	
Off-street parking is not allowed within the front yard of a dwelling except within a designated	Parking is located in a manner that does not overwhelm the street-facing façade.

Design Standard (Objective Process)	Design Guideline (Discretionary Process: Residential Design Review)
driveway or garage or per the provisions of 16.14.020 and 16.14.030.	
G. House plan variety	
<p>This standard applies to new residential subdivisions and townhome developments only. It does not apply to cottage clusters.</p> <ol style="list-style-type: none"> 1. No two directly adjacent or opposite dwellings in a single dwelling detached development of more than four units may have the same front or street-facing facade. This standard is met when front or street-facing facades differ from one another by at least three of the elements listed in subsections (3) through (8) below. Where facades repeat on the same block face, they must have at least three intervening lots between them that meet this standard. 2. No two directly adjacent or opposite townhome blocks in a development of more than two (2) townhome blocks may have the same front or street-facing façade. <ol style="list-style-type: none"> a. For this standard a townhome block is the entire structure of attached townhome units. b. This standard does not apply to individual units within the townhome block. c. This standard is met when front or street-facing facades differ from one townhome block to another by at least three of the elements listed in subsections (3) through (8) below. 3. Materials. The plans specify different exterior cladding materials, a different combination of materials, or different dimensions, spacing, or arrangement of the same materials. This standard does not require or prohibit any combination of materials; it only requires that plans not repeat or mirror one another. 4. Articulation. The plans have different offsets, recesses, or projections; or the front building elevations break in different places. For example, a plan that has a stoop entry (recess) 	<p>New residential developments should provide a variety of house styles and means of articulation along the front façade to avoid repetitive facades along a block face.</p>

Design Standard (Objective Process)	Design Guideline (Discretionary Process: Residential Design Review)
<p>varies from one that has an entry under a front porch (projection). For this standard to apply, a recess must have a minimum depth of four (4) feet and a projection or offset must be at least four (4) feet in depth.</p> <p>5. Variation in roof elevation. The plans have different roof forms (e.g., gable versus gambrel or hip), different roof height (by at least 10 percent), different orientation (e.g., front-facing versus side-facing gable), different roof projections (e.g., with and without dormer or shed, or different type of dormer or shed), or different roof pitch by more than 2 feet of vertical rise to 12 feet of horizontal run.</p> <p>6. Entry or porch. The plans have different configuration or detailing of the front porch or covered entrance.</p> <p>7. Fenestration. The plans have different placement, shape, or orientation of windows or different placement of doors.</p> <p>8. Height. The elevation of the primary roofline (along the axis of the longest roofline) changes by not less than four (4) feet from building to building, or from dwelling unit to dwelling unit, on abutting lots, as applicable. Changes in finished grade of eight (8) feet or more from one lot to the adjacent lot are counted toward change in height for purposes of evaluating facade variation.</p>	
Additional provisions:	<p>16.14.020 – Additional Townhome Design Standards</p> <p>16.14.030 – Additional Triplex and Quadplex Design Standards</p>

Notes:

1. The Detailed Design standards in Subsection D of Table 16.14-1 cannot be adjusted through an Adjustment or Variance per Chapter 18.64. If a Detailed Design standard from Subsection D cannot be met for a development, then the development should utilize another option from the list.

ANALYSIS: The applicant has elected to comply with the Residential Design Standards through the objective Type I process.

FINDING: Prior to Issuance of Building Permits, the applicant shall demonstrate compliance with the Residential Design standards in SZCDC § 16.14.010 Table 16.14-1, including for the existing house on proposed Lot 3 if triggered by SZCDC § 16.14.010(C)(2).

16.58.10 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.

ANALYSIS: The applicant has been conditioned to provide clear vision areas in the City of Sherwood Engineering comments.

FINDING: This standard is not met.

Chapter 16.60 - YARD REQUIREMENTS

16.60.010 - Through Lots

On a through lot the front yard requirements of the zone in which such a lot is located shall apply to the street frontage where the lot receives vehicle access; except where access is from an alley, the front yard requirements shall apply to the street opposite the alley.

ANALYSIS: Through lots are proposed for Lots 6 – 9 as they have frontage on SW

Brookman Rd. Access and front yard setbacks are from the local street.

FINDING: This standard is met.

Chapter 16.120 - SUBDIVISIONS

16.120.010 - Purpose

Subdivision regulations are intended to promote the public health, safety and general welfare; lessen traffic congestion; provide adequate light and air; prevent overcrowding of land; and facilitate adequate water supply, sewage and drainage.

16.120.20 - 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.**

ANALYSIS: The applicant has submitted a preliminary plat application which is the subject of this review. The final plat will be reviewed as a separate land use application and shall reflect all of the conditions as required by this decision.

FINDING: This criterion is met as conditioned below.

CONDITION OF APPROVAL: The preliminary plat approval is valid for two years from the date of the Notice of Decision. The final plat shall be approved by the City within two years of Notice of Decision, unless an extension is granted by the City prior to the two-year deadline.

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

ANALYSIS: State regulations set forth in ORS Chapter 92 are implemented through the City Municipal Code. The application meets or is conditioned to meet all applicable sections of the code as described in this report.

FINDING: This criterion is met.

- 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.

ANALYSIS: The proposal represents full land division of the parent parcels and future re-division is not feasible under the current zoning.

FINDING: This standard is met.

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.

ANALYSIS: As described above, the proposal represents full land division of the parent parcels and future partitioning is not feasible under the current zoning.

FINDING: This standard is met.

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.**

ANALYSIS: Lot averaging utilizing the standards above is not requested.

FINDING: This standard does not apply.

F. Required Setbacks

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

ANALYSIS: The applicant has submitted a tentative plat with preliminary setbacks shown. The applicant has been conditioned to comply with applicable setbacks prior to final plat approval and issuance of building permits.

FINDING: This standard is met.

G. Property Sales

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

ANALYSIS: The applicant's narrative acknowledges that individual lots may not be disposed of, transferred, or sold until the final plat application is approved and the final subdivision plat is recorded.

FINDING: This standard is met.

16.120.30 - 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.
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.

ANALYSIS: The proposal is for a 10-lot subdivision and is being processed as a Type II application as required above.

FINDING: This standard is met.

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.**

ANALYSIS: Phased development is not proposed.

FINDING: This standard is met.

16.120.40 - 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.**

ANALYSIS: An extension of SW Wapato Island Dr. is proposed from its existing terminus at the east property line of the subject site to a new terminus at the west end of the subject site. A design exception has been granted from the City's Engineering Dept. for the street curve radii. The right-of-way has been aligned to be able to continue west in the future.

FINDING: This standard is met.

- 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.**

ANALYSIS: No private streets are proposed.

FINDING: This standard is met.

- 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).

ANALYSIS: As described in this report, the proposal complies or is conditioned to comply with all applicable standards and provisions of the Sherwood Zoning and Community Development Code including Division II Land Use & Development, Division IV Planning Procedures, Division VI Public Infrastructure, and Division VIII Environmental Resources. The property does not contain historic resources and is not subject to Division IX Historic Resources.

FINDING: This criterion is met.

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

ANALYSIS: As described in the City of Sherwood Engineering comments (Exhibit B1) and in the findings for Division VI Public Infrastructure below, there is adequate water, sanitary sewer, and other public facilities to support the use of land proposed in the plat.

FINDING: This standard is met as conditioned below.

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

ANALYSIS: The proposal represents full platting of the subject site and development of additional contiguous property is not feasible.

FINDING: This standard does not apply.

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

ANALYSIS: The applicant has provided a Future Street Plan Exhibit that shows how adjoining land can be developed by an extension of SW Wapato Island Dr. The proposed layout also conforms to the Brookman Addition Concept Plan.

FINDING: This standard is met.

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

ANALYSIS: The applicant has provided a Tree Inventory and Arborist Report (Exhibit A8). As described in SZCDC § 16.142.070 below, the proposal complies or is conditioned to comply with the applicable tree preservation and protection standards.

Note –Section 16.142.060 relates to street trees and is a typo. The correct section that relates to tree and woodland inventories is Section 16.142.070.

FINDING: This standard is met.

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

ANALYSIS: The Preliminary Plat shows the proposed lot numbers, setbacks, dedications, and easements.

FINDING: This standard is met.

- I. A minimum of five percent (5%) open space has been provided per Section 16.44.010.B.8 (Townhome-Standards) or Section 16.142.030 (Parks, Open Spaces and Trees-Single-Family Residential Subdivisions), if applicable.**

ANALYSIS: The minimum 5% open space requirement for single-family residential subdivisions has been met, as addressed in SZCDC § 16.142.030.

FINDING: This standard is met.

16.120.60 - Improvement Agreement

A. Subdivision Agreement

The subdivider shall either install required improvements and repair existing streets and other public facilities damaged in the development of the subdivision pursuant to the Division VI, or execute and file with the City an agreement specifying the period within which all required improvements and repairs shall be completed, and providing that if such work is not completed within the period specified, the City may complete the same and recover the full cost and expense thereof from the subdivider. Such agreement may also provide for the construction of the improvements in stages.

B. Performance Security

The subdivider is required to provide monetary assurance of full and faithful performance in the form of a bond, cash, or other security acceptable to the City in an amount equal to one hundred twenty-five percent (125%) of the estimated cost of the improvements.

16.120.70 - Bond

A. Performance guarantee required. As required by Section

16.120.060, the subdivider shall file with the agreement an assurance of performance supported by one of the following:

- 1. A surety bond executed by a surety company authorized to**

transact business in the state of Oregon which remains in force until the surety company is notified by the City in writing that it may be terminated or cash.

2. **Determination of sum.** The assurance of performance shall be for a sum determined by the City Engineer as required to cover the cost of the improvements and repairs, including related engineering and incidental expenses.
3. **Itemized improvement estimate.** The subdivider shall furnish to the City Engineer an itemized improvement estimate, certified by a registered civil engineer, to assist the City Engineer in calculating the amount of the performance assurance.
4. **When subdivider fails to perform.** In the event the subdivider fails to carry out all provisions of the agreement and the City has un-reimbursed costs or expenses resulting from such failure, the City shall call on the bond, cash deposit for reimbursement.
5. **Termination of performance guarantee.** The subdivider shall not cause termination of nor allow expiration of said guarantee without having first secured written authorization from the City.

ANALYSIS: The proposal includes new public improvements and the applicant is required to obtain an Engineering Compliance Agreement with the City of Sherwood Engineering Department that includes the assurances stated above.

FINDING: This standard is met.

Chapter 16.128 - LAND DIVISION DESIGN STANDARDS

16.128.10 - 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.

ANALYSIS: The proposed block size and layout will build off the existing Middlebrook Subdivision to the north and east. Existing street alignments have been set by the adjacent development and the applicant has provided a Future Street Plan that shows how the subject site and surrounding properties can be developed in accordance with City code.

FINDING: This standard is met.

2. **Block Length**

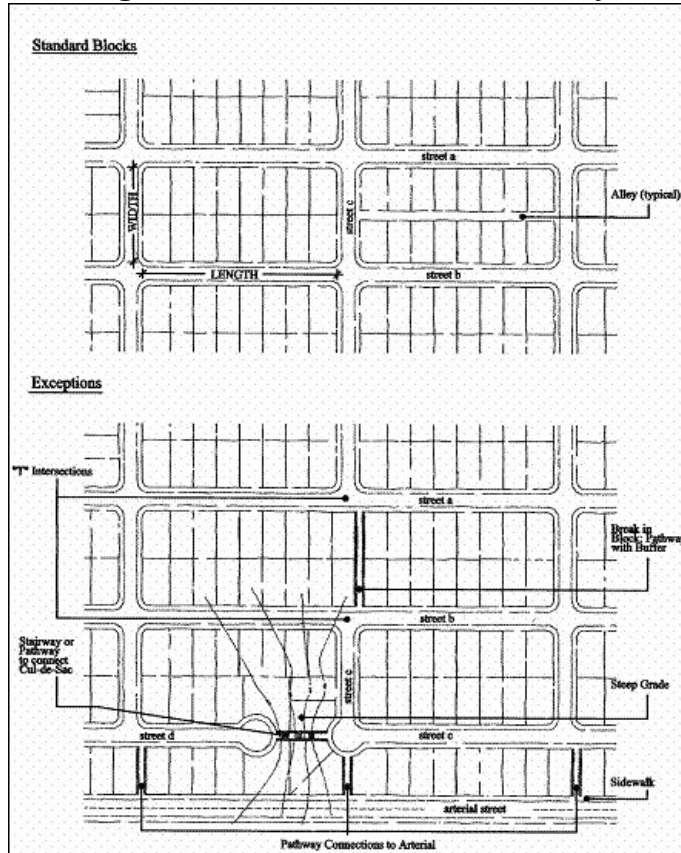
Block length standards shall be in accordance with Section 16.108.040. Generally, blocks shall not exceed five-hundred thirty (530) feet in length, except blocks adjacent to principal arterial, which shall not exceed one thousand eight hundred (1,800) feet. The extension of streets and the formation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

ANALYSIS: The subdivision will extend an existing public street that runs parallel to SW SW Brookman Rd (arterial). The block length will exceed 530 ft. but will be less than the maximum of 1,800 ft. The proposed alignment conforms to the Brookman Addition Concept Plan.

FINDING: This standard is met.

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.**

Figure 7.401 — Block Connectivity



ANALYSIS: The applicant is proposing a continuous pedestrian and bicycle system including streets and sidewalks. A new 15 ft. pedestrian and bike easement is proposed between Lots 8 and 9 to break up the block length.

FINDING: This standard 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.**

ANALYSIS: The development proposal will require an extension of public main line utilities throughout the site including sanitary sewer, storm sewer, water, and franchise utilities. Utilities will be located within the dedicated rights-of-way adjacent to individual lots and within an 8 ft. wide public utility easement along the frontage of each lot.

FINDING: This standard is met.

- 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.**

ANALYSIS: The subdivision is not traversed by a water drainage way.

FINDING: This standard is met.

**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.**

ANALYSIS: The applicant is proposing a continuous pedestrian and bicycle system including streets and sidewalks. A new 15 ft. pedestrian and bike easement is proposed between Lots 8 and 9 to break up the block length.

FINDING: This standard is met.

**16.128.30 - 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.**

ANALYSIS: The lots proposed within the subdivision have been designed to conform the abutting natural features and topography of the site. As described in this report, all of the proposed lots meet or are conditioned to meet the lot size and shape requirements.

FINDING: This standard is met.

B. Access

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

ANALYSIS: As shown in the Preliminary Plat all lots in the subdivision abut a public street.

FINDING: This standard 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.

ANALYSIS: Double frontage lots are proposed between SW Brookman Rd. and SW Wapato Island Dr. The lots are located on an arterial.

FINDING: This standard is met.

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.

ANALYSIS: All side lot lines run at right angles to the street upon which the lots face. The new street system includes curves and side lot lines run radial to the curve of the street.

FINDING: The standard 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.**

ANALYSIS: Minimal grading is required for site development. Cut and fill will not exceed the standards above.

FINDING: This standard is met.

Chapter 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.

ANALYSIS: The proposal is for a residential subdivision, which does not require Site Plan review pursuant to SZCDC § 16.90.020. The sections of this chapter which pertain to Site Plan review are omitted. The sections applicable to subdivisions (e.g. open space landscaping) are addressed below.

FINDING: This standard is met.

16.92.20 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.
 - 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.
- 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.

ANALYSIS: The applicant's Landscape Plan provides details on the proposed landscaping. Landscaping includes native trees and ground cover suitable for the northwest climate.

FINDING: These standards are met.

- 6. Landscaping at Points of Access

When a private access-way intersects a public right-of-way or when a property abuts the intersection of two (2) or more public rights-of-way, landscaping shall be planted and maintained so that minimum sight distances shall be preserved pursuant to Section 16.58.010.

ANALYSIS: The applicant has been conditioned to maintain landscaping at points of access in accordance with the clear vision requirements of SZCDC § 16.58.010.

FINDING: This standard is met.

16.92.40 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.

ANALYSIS: The landscape plans include installation and maintenance requirements for

the open space landscaping in accordance with the standards above. An automatic irrigation system is proposed.

FINDING: This standard is met as conditioned below.

CONDITION OF APPROVAL: Prior to Occupancy, all open space and common area landscaping shall be installed and supported according to nursery standards.

Chapter 16.94 OFF-STREET PARKING AND LOADING

16.94.10 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.

B. Deferral of Improvements

Off-street parking and loading spaces shall be completed prior to the issuance of occupancy permits, unless the City determines that weather conditions, lack of available surfacing materials, or other circumstances beyond the control of the applicant make completion impossible. In such circumstances, security equal to one hundred twenty five (125) percent of the cost of the parking and loading area is provided 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 parking or loading area is not completed within one (1) year, the security may be used by the City to complete the installation.

D. Location

- 1. Residential off-street parking spaces:
 - a. Shall be located on the same lot or development as the residential use.
 - b. Shall not include garages or enclosed buildings with the exception of a parking structure in multifamily developments where three (3) or more spaces are not

individually enclosed. (Example: Underground or multi-level parking structures).

2. For other uses, required off-street parking spaces may include adjacent on-street parking spaces, nearby public parking and shared parking located within five hundred (500) feet of the use. The distance from the parking, area to the use shall be measured from the nearest parking space to a building entrance, following a sidewalk or other pedestrian route. The right to use private off-site parking must be evidenced by a recorded deed, lease, easement, or similar written notarized letter or instrument.
3. Vehicle parking is allowed only on improved parking shoulders that meet City standards for public streets, within garages, carports and other structures, or on driveways or parking lots that have been developed in conformance with this code. Specific locations and types of spaces (car pool, compact, etc.) for parking shall be indicated on submitted plans and located to the side or rear of buildings where feasible.
 - a. All new development with forty (40) employees or more shall include preferential spaces for carpool/vanpool designation. Carpool and vanpool parking spaces shall be located closer to the main employee entrance than all other parking spaces with the exception of ADA parking spaces. Carpool/vanpool spaces shall be clearly marked as reserved for carpool/vanpool only.
 - b. Existing development may redevelop portions of designated parking areas for multi-modal facilities (transit shelters, park and ride, and bicycle parking), subject to meeting all other applicable standards, including minimum space standards.

16.94.20 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.

**Table 1: Minimum and Maximum Parking Standards
(Metro spaces are based on 1 per 1,000 sq ft of gross leasable area)**

Use	Minimum Parking Standard	Maximum Permitted Parking Zone A1	Maximum Permitted Parking Zone B2
Single, two-family and manufactured home on lot ³	1 per dwelling unit	None	None

³ If the street on which the house has direct access does not permit on-street parking or is less than twenty-eight (28) feet wide, two (2) off-street parking spaces are required per single-family residential unit. (includes single-family detached or attached, two-family dwelling or a manufactured home on an individual lot) If the abutting street is twenty- eight (28) feet or wider, one (1) standard (9 ft. x 20 ft.) parking space is required.

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.

ANALYSIS: The proposal is for a 10-lot single family detached residential subdivision. Residential off-street parking spaces are required to be on the same lot as the residential use and cannot include garages or structures unless part of a multi-family development.

Based on the conditions of the design exception for the street curve radii, it is likely that the entire public street will not have available on-street parking. Therefore a minimum of two-off street stalls are required for each lot.

FINDING: This standard is met as conditioned below.

RECOMMENDED CONDITION OF APPROVAL: Prior to issuance of building permits, two off-street parking spaces per dwelling unit shall be provided when on street parking is not permitted abutting the lot. One off-street stall is required where street parking is available abutting the lot. Garages cannot be counted as parking stalls. Each stall shall be a minimum of 20 ft. deep x 9 ft. wide.

RECOMMENDED CONDITION OF APPROVAL: Prior to Occupancy, two off-street parking spaces per dwelling unit shall be provided when on street parking is not permitted abutting the lot. One off-street stall is required where street parking is available abutting the lot. Garages cannot be counted as parking stalls. Each stall shall be a minimum of 20 ft. deep x 9 ft. wide.

Chapter 16.96 - ONSITE CIRCULATION

16.92.10 – 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.

ANALYSIS: The proposed subdivision will provide a continuous pathway system throughout the development including sidewalks. An access easement provides a break in the block length for pedestrians and bicyclists between Lots 8 and 9.

FINDING: This criterion is met.

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.

ANALYSIS: Pedestrian circulation plans are being reviewed and approved as part of this application. Changes to the proposed circulation shall be in accordance with chapter.

FINDING: This criterion is met.

C. Joint Access

Two (2) or more uses, structures, or parcels of land may utilize the

same ingress and egress when the combined ingress and egress of all uses, structures, or parcels of land satisfied the other requirements of this Code, provided that satisfactory legal evidence is presented to the City in the form of deeds, easements, leases, or contracts to clearly establish the joint use.

ANALYSIS: Joint pedestrian access to the individually platted lots is not proposed.

FINDING: This standard does not apply.

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.

ANALYSIS: All lots will have a sidewalk or driveway connecting the front entrance to the public street.

FINDING: This standard is met.

E. Maintenance of Required Improvements

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

ANALYSIS: Maintenance is required the owner or home owners associated. Maintenance violations can be addressed through code compliance.

FINDING: This criterion is met.

F. Access to Major Roadways

Points of ingress or egress to and from Highway 99W and arterials designated on the Transportation Plan Map, attached as Appendix C 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 and arterial roadways. 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.**
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 or collector streets, consistent with the Transportation Plan Map and Section VI of the Community Development Plan.**

G. Service Drives

Service drives shall be provided pursuant to Section 16.94.030.

ANALYSIS: The site has frontage on SW Brookman Road which is classified as an arterial street under Washington County jurisdiction. Direct lot access to Brookman Rd. is not proposed. The applicant is proposing a new local public street to serve the development.

FINDING: These standards are met.

16.96.20 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.**

ANALYSIS: A new driveway is proposed to serve each single-family lot. Shared driveways are proposed for Lots 1 and 2, 3 and 4, and 7 and 8. All driveways are a minimum of 10 ft. wide. The applicant has been conditioned to provide the minimum number of off-street parking within the designated driveways serving each lot.

FINDING: This standard is met as conditioned below.

16.96.40 - On-Site Vehicle Circulation

A. 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.

ANALYSIS: All lots will be served by new local residential streets subject to City standards. Site access is being reviewed through the subject application.

FINDING: This criterion is met.

B. Joint Access [See also Chapter 16.108]

Two (2) or more uses, structures, or parcels of land are strongly encouraged to utilize jointly the same ingress and egress when the combined ingress and egress of all uses, structures, or parcels of land satisfy the other requirements of this Code, provided that satisfactory legal evidence is presented to the City in the form of deeds, easements, leases, or contracts to clearly establish the joint use. In some cases, the City may require a joint access to improve safety, vision clearance, site distance, and comply with access spacing standards for the applicable street classification.

ANALYSIS: Shared driveways are proposed for Lots 1 and 2, 3 and 4, and 7 and 8.

FINDING: This standard is met as conditioned below.

CONDITION OF APPROVAL: Prior to Final Plat approval, provide draft CC&Rs describing the access rights and maintenance responsibilities for all shared driveway easements.

C. 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.**
- 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.

ANALYSIS: Each lot will connect to the public street via an individual or shared driveway.

FINDING: These standards are met.

- D. Maintenance of Required Improvements**
Required ingress, egress and circulation improvements shall be kept clean and in good repair.
- E. Service Drives**
Service drives shall be provided pursuant to Section 16.94.030.

ANALYSIS: Maintenance is required the owner or home owners associated. Maintenance violations can be addressed through code compliance.

FINDING: This criterion is met.

Chapter 16.142 Parks, Trees and Open Space

16.142.010 - Purpose

This Chapter is intended to assure the provision of a system of public and private recreation and open space areas and facilities consistent with this Code and applicable portions of Chapter 5 of the Community Development Plan Part 2. The standards of this section do not supersede the open space requirements of a Planned Unit Development, found in Chapter 16.40 - Planned Unit Development (PUD).

16.142.30 - 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.**

ANALYSIS: The proposal is for a single-family residential subdivision and 5% of the net buildable site is required as open space. The Net site area is 65,978 SF which requires a minimum of 3,299 SF of open space. The applicant is proposing 3,428 SF of open space in Tract A. Trees are proposed within the tract but a full improvement plan has not been provided.

FINDING: This standard is met as conditioned below.

CONDITION OF APPROVAL: Prior to Final Plat approval, provide a final open space improvement plan. The plan shall include a ground cover treatment for the open space that provides for a usable area (e.g. grass, concrete, etc.)

CONDITION OF APPROVAL: Prior to Occupancy, open space Tract A shall be installed and available for use.

- 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.**

ANALYSIS: Enhanced streetscapes are not proposed.

FINDING: This standard does not apply.

- 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.

ANALYSIS: Open Space Tract A is required to be owned and maintained by the future HOA. The City accepts ownership of the common storm facility identified as Tract B on the preliminary plat.

FINDING: This standard is met as conditioned below.

CONDITION OF APPROVAL: Prior to final plat approval, provide draft CC&Rs that describe ownership and maintenance responsibilities for Tract A Open Space and shared pedestrian easements between Lots 2 and 3 and 8 and 9. Tract A shall be owned and maintained by the HOA.

CONDITION OF APPROVAL: Tract B Storm Facility shall be dedicated to the City of Sherwood for permanent ownership and maintenance.

- 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.**

ANALYSIS: The density was calculated prior to removing the open space from the net buildable site.

FINDING: 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.**

ANALYSIS: The 2006 Parks Master Plan was recently replaced by the 2021 Parks Master Plan. The planned park to the northeast of the subject site was dedicated and constructed as part of the Middlebrook Subdivision. No additional public park dedication is required above the minimum 5% open space standard.

FINDING: A new public park is not required. This standard is met.

- 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.**

ANALYSIS: No additional conveyance is proposed.

FINDING: This standard is met.

- 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.**

ANALYSIS: A residential partition is not proposed.

FINDING: This standard does not apply.

- 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*.**

ANALYSIS: The value of open space conveyed under Subsection (A) may be eligible for Park SDC credits as determined by the City Engineer.

FINDING: 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.

B. Landscape Materials

The required visual corridor areas shall be planted as specified by the review authority to provide a continuous visual and/or acoustical buffer between major streets and developed uses. Except as provided for above, fences and walls shall not be substituted for landscaping within the visual corridor. Uniformly planted, drought resistant street trees and ground cover, as specified in Section 16.142.060, shall be planted in the corridor by the developer. The improvements shall be included in the compliance agreement. In no case shall trees be removed from the required visual corridor.

C. Establishment and Maintenance

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

D. Required Yard

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

ANALYSIS: The subject site has frontage along SW Brookman Rd. which is identified as an arterial street in the City’s TSP. A 15 ft. wide landscaped visual corridor is required along this site frontage. The applicant is proposing to overlap the visual corridor with the rear yards of Lots 6 – 9. The plat shows a 15 ft. wide visual corridor easement. Evenly distributed shrubs and trees are proposed within the easement. Details on proposed fences have not been provided.

FINDING: This standard is met as conditioned below.

CONDITION OF APPROVAL: A 15 ft. wide visual corridor easement shall be recorded on the final plat. The plat notes or supporting easement document shall indicate the easement is for landscaping and open space only and that no buildings are permitted within the boundaries of the easement. The visual corridor shall be maintained by each individual property owner or the HOA.

CONDITION OF APPROVAL: Prior to Final Plat approval, provide CC&Rs that describe maintenance responsibilities for the 15 ft. wide visual corridor easement on Lots 6 – 10.

CONDITION OF APPROVAL: Prior to Occupancy, the 15 ft. visual corridor plantings along SW Brookman Rd. shall be installed on each lot.

16.142.050 - Park Reservation

Areas designated on the Natural Resources and Recreation Plan Map, in Chapter 5 of the Community Development Plan, which have not been dedicated pursuant to Section 16.142.030 or 16.134.020, may be required to be reserved upon the recommendation of the City Parks Board, for purchase by the City within a period of time not to exceed three (3) years.

ANALYSIS: No park reservation is shown for the subject site.

FINDING: This standard is met.

16.142.60 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.

1. **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.

ANALYSIS: The applicant is proposing American Linden trees for SW Brookman Rd. and Tilford Red Maple for SW Wapato Island Dr. The proposed trees for Brookman Rd. match the trees planted as part of the adjacent subdivision. The proposed trees for SW Wapato Island Dr. do not match. The adjacent subdivision planted Autumn Gold Ginko. To maintain a consistent tree along the street, the applicant shall plant Autumn Gold Ginko or a similar alternative if Autumn Gold is not available.

FINDING: These standards are met as conditioned below.

CONDITION OF APPROVAL: Prior to Final Plat approval, the plans shall show Autumn Gold Ginko trees or a similar alternative for SW Wapato Island Dr. and American Linden trees or a similar alternative for SW Brookman Rd.

CONDITION OF APPROVAL: Prior to Occupancy, street trees along SW Wapato Island Dr. and SW Brookman Rd. shall be installed.

16.142.70 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.

FINDING: The application is for a Type II subdivision and this chapter applies.

FINDING: This standard is met.

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.**
- 2. In addition to the general requirements of this Section, the tree and woodland inventory's mapping and report shall also include, but is not limited to, the specific information outlined in the appropriate land use application materials packet.**
- 3. Definitions for the inventory purposes of this Section**
 - a. A tree is a living woody plant having a trunk diameter as specified below at Diameter at Breast Height (DBH). Trees planted for commercial agricultural purposes, and/or those subject to farm forest deferral, such as nut and fruit orchards and Christmas tree farms, are excluded from this definition and from regulation under this Section, as are any living woody plants under six (6) inches at DBH. All trees six (6) inches or greater shall be inventoried.**
 - b. A woodland is a biological community dominated by trees covering a land area of 20,000 square feet or greater at a density of at least fifty (50) trees per**

every 20,000 square feet with at least fifty percent (50%) of those trees of any species having a six (6) inches or greater at DBH. Woodlands planted for commercial agricultural purposes and/or subject to farm forest deferral, such as nut and fruit orchards and Christmas tree farms, are excluded from this definition, and from regulation under this Section.

- c. A large stature tree is over 20 feet tall and wide with a minimum trunk diameter of 30 inches at DBH.

FINDING: This applicant has provided an Arborist Report including a site tree inventory as required by the standards above.

FINDING: This standard is met.

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)	
Canopy Requirement	40%

Counted Toward the Canopy Requirement	
Street trees included in canopy requirement	Yes
Landscaping requirements included in canopy requirement	N/A
Existing trees onsite	Yes x2
Planting new trees onsite	Yes

Mature Canopy in Square Feet Equation πr^2 or $(3.14159 * \text{radius}^2)$ (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'

$(3.14159 * 17.52) = 962$ square feet

4. The City may determine that, regardless of D.1 through D.3, that certain trees or woodlands may be required to be retained. The basis for such a decision shall include; specific findings that retention of said trees or woodlands furthers the purposes and goals of this Section, is feasible and practical both within the context of the proposed land use plan and relative to other policies and standards of the City Comprehensive Plan, and are:
 - a. Within a Significant Natural Area, 100-year floodplain, City greenway, jurisdictional wetland or other existing or future public park or natural area designated by the City Comprehensive Plan, or
 - b. A landscape or natural feature as per applicable policies of the City Comprehensive Plan, or are necessary to keep other identified trees or woodlands on or near the site from being damaged or destroyed due to windfall, erosion, disease or other natural processes, or
 - c. Necessary for soil stability and the control of erosion, for managing and preserving surface or groundwater quantities or quality, or for the maintenance of a natural drainageway, as per Clean Water Services stormwater management plans and standards of the City Comprehensive Plan, or

- d. Necessary in required buffers between otherwise incompatible land uses, or from natural areas, wetlands and greenways, or
 - e. Otherwise merit retention because of unusual size, size of the tree stand, historic association or species type, habitat or wildlife preservation considerations, or some combination thereof, as determined by the City.
5. Tree retention requirements for properties located within the Old Town Overlay or projects subject to the infill standards of Chapter 16.68 are only subject to retention requirements identified in D.4. above.
 6. The Notice of Decision issued for the land use applications subject to this Section shall indicate which trees and woodlands will be retained as per subsection D of this Section, which may be removed or shall be retained as per subsection D of this Section and any limitations or conditions attached thereto.

ANALYSIS: All of the existing on-site trees are proposed for removal. Trees 3 – 7 are located in the rear yard of future lots and do not appear to be in direct conflict with utilities or other improvements. The tree report indicates Trees 3 – 7 are in poor health. No trees are required to be preserved through site development and the applicant is required to provide a new tree canopy of 40% over the net developable site.

The net site area is 65,978 SF which requires 26,391 SF of tree canopy to meet the 40% minimum. The applicant is proposing 32,125 SF of canopy through new plantings or 48.7%.

FINDING: This standard is met.

Chapter 16.106 - TRANSPORTATION FACILITIES

16.106.10 - 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 17) and other applicable

City standards. The following table depicts the guidelines for the street characteristics.

Type of Street	ROW Width	Number of Lanes	Minimum Land 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
Arterial	60-102'	2-5	12'	Limited	6'	6-8'	5'	14' if required

ANALYSIS: Site access will be provided via an extension of an existing local residential street (SW Wapato Island Dr.). The site also has frontage on SW Brookman Rd., a Washington County arterial. The applicant is required to construct SW Wapato Island Dr. to City of Sherwood standards for a 52 ft. wide local residential street and SW Brookman Rd. to Washington County standards for a 5-lane arterial. Full transportation findings and conditions of approval are provided in this report.

FINDING: This standard is met.

16.106.20 - 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. Right-of-way requirements are based on functional classification of the street network as established in the Transportation System Plan, Figure 17.

ANALYSIS: The City of Sherwood Engineering Comments are included as Exhibit B1

and the Washington County comments are included as Exhibit B2. Conditions from both comments are included below.

City of Sherwood Engineering Comments - The preliminary site development plans indicate that Lots 1 thru 10 will take access of the extension of SW Wapato Island Drive (Local Street). The subject property also has street frontage along SW Brookman Road (Arterial – Washington County), however no lots within the subject development will have direct access to SW Brookman Road.

Due to the location of where the existing stub of SW Wapato Island Drive at the east end of the property and that the developer wants to keep the house that currently exists on the property, a design modification request has been submitted to use curve radii that are less than standards for a 25 mph street. Two 100-foot radius curves (reverse curves) are proposed to avoid the existing house and to get back to an alignment that will work with the adjoining property to the west. This design modification request has been approved by the City Engineer.

SW Wapato Island Drive will need to be extended through the subject property by the developer meeting the standard residential local street section. Since this project was submitted for Land Use prior to June 13, 2022, the street width required falls under the old width standard of a 28-foot wide street width. Street lighting and street trees are required as well as dedication of an 8-foot wide minimum width PUE.

Due to this development being only 10 lots, a TIA was not required.

The subject property will need to widen SW Brookman Road along the full length of the subject property frontage to meet the following:

- a. 37-foot wide half street section*
- b. 5-foot wide landscape strip (included 6" curb)*
- c. 12-foot wide concrete multi-use path*
- d. 0.5-foot buffer*
- e. All within a 54.5-foot half street right-of-way section*
- f. With a minimum 8 feet in width PUE adjacent to the new right-of-way line*

The widening of SW Brookman Road will also require street lighting meeting Washington County Approval and street trees meeting the approval of the Sherwood Planning Department.

WACO submitted a letter dated October 6, 2022 listing several conditions and requirements. The applicant will be required to comply with all the requirements of the letter.

Below is a listing of intersections that have been determined to be affected by the developing Brookman area. The rates for these mitigation areas are based upon the recent Riverside subdivision which also obtains access to SW Brookman Road via SW White Oak Terrace.

Notice: WACO Transportation Development Tax (TDT) credit eligible offsets will be based on requirements and limitations established by WACO Ordinance Mo. 691A, as modified by Ordinances 729, 741, 746-A, 751 and 793-A, and as described in WACO's

Countywide Transportation Development Tax Procedures Manual, dated July 2019. City Transportation SDC credit eligible off-sets will be based on requirements and limitations established by City of Sherwood Municipal Code Chapter 15.16 – System Development Charges and Chapter 15.20 – Park and Recreation System Development Charges on New Development.

Notice: All TDT and SDC credit requests on credit eligible public improvements must be submitted in accordance with WACO Ordinance Mo. 691A, as modified by Ordinances 729, 741, 746-A, 751 and 793-A, and City of Sherwood Municipal Code Chapter 15.16 – System Development Charges and Chapter 15.20 – Park and Recreation System Development Charges on New Development, and conform and comply with the standards and requirements stated therein.

Notice: It is the applicant's responsibility to apply for System Development Charge/TDT credits in compliance with the Sherwood Municipal Code. The developer will need to obtain a credit voucher for credits to be applied against SDCs/TDTs. Any building permits SDCs/TDTs paid prior to issuance of credits will not be refunded. Developer shall take this into consideration when obtaining building permits.

City Engineer's Comment: Discussion with City Transportation Engineering (DKS Associates) requesting feedback on any potential safety concerns for SW Brookman Road. Two potential safety concerns were identified are; 1) narrow roadway width, and 2) edge drop-off conditions. SW Brookman Road generally has a narrow paved width section (18 to 20 feet), much narrower than what is typically found on City residential streets. The drop-off edge condition is most concerning in that driver reaction to right side tires falling off the road, result in overcorrection, then driving off the left side of the road. The narrow road pavement section width does not allow for much maneuvering room. This is a physical condition of the road that the City identifies as a potential safety issue, and that the City does not have the funds to correct for in the near future, and that the City cannot condition the developer to correct for as the cost of the needed improvements are not proportional to the impacts generated by the development. It is recommended that at a minimum, pavement edgelines/foglines be re-established along SW Brookman Road prior to Grant of Occupancy.

FINDING: These standards are met as conditioned below.

CONDITION OF APPROVAL: Prior to Final Engineering Plan Approval, the following payments shall be made to the City, and distributed into the appropriate fund accounts (either WACO TDT or City transportation SDC) as determined by the applicant.

1. Brookman Road frontage right-of-way land dedication.
 - a. WACO is requiring approximately 34.5-foot wide right-of-way dedication along the frontage of SW Brookman Road (54.4 feet of right-of-way from center line).
 - b. Right-of-Way land valuation shall be credit eligible against either WACO TDT fees (100%), or the City transportation SDC fees (100%), or a combination of

- the two for right-of-way dedication in excess of a city half street local street section (26 feet).
2. SW Sunset Boulevard/SW Woodhaven Drive mitigation item
 - a. A proportionate share cost of \$2,820.70 (10 lots at \$282.07/lot) for a signalized intersection improvements.
 - b. This mitigation item is credit eligible at 100% for WACO TDT fees, or 100% City transportation SDC fees, or a combination of the two fees not to exceed \$2,820.70.
 3. SW Sunset Boulevard/SW Timbrel Lane mitigation item
 - a. A proportionate share cost of \$2,101.00 (10 lots at \$210.10/lot) for a mini-roundabout intersection improvement.
 - b. This mitigation item is credit eligible at 100% for WACO TDT fees, or 100% City transportation SDC fees, or a combination of the two fees not to exceed \$2,101.00.
 4. SW Ladd Hill Road/SW Main Street/SW Sunset Boulevard mitigation item
 - a. A proportionate share cost of \$2,790.20 (10 lots at \$279.02) for a signalized intersection improvement.
 - b. This mitigation item is credit eligible at 100% for WACO TDT fees, or 100% City transportation SDC fees, or a combination of the two fees not to exceed \$2,790.20.
 5. SW Baker Road/SW Murdock Road/SW Sunset Boulevard mitigation item
 - a. A proportionate share cost of \$9,509.70 (10 lots at \$950.97/lot) for addition of turn lane intersection improvements.
 - b. This mitigation item is credit eligible at 100% for WACO TDT fees, or 100% City transportation SDC fees, or a combination of the two fees not to exceed \$9,509.70.
 6. SW Brookman Road/SW Highway 99
 - a. A proportionate share cost of \$7,546.80 (10 lots at \$754.68/lot) for signalized intersection improvements.
 - b. This mitigation item is credit eligible at 100% for WACO TDT fees.

CONDITION OF APPROVAL: Prior to Final Engineering Plan Approval, SW Brookman Road frontage improvements shall be designed to be widened to a 37-foot half street width, 5-foot wide landscape strip, a 12-foot wide concrete multi-use path, 0.5-foot wide buffer within a 54.5-foot half street right-of-way section meeting the approval of Washington County and the Sherwood Engineering Department. Frontage improvements to include street lighting and street trees.

CONDITION OF APPROVAL: Prior to Final Engineering Plan Approval, the new local city street interior to the subject development shall be designed to a 28-foot street width with 5-foot wide landscape strips, 6-foot wide concrete sidewalk and 0.5-foot wide buffers on each side within a 52-foot right-of-way section meeting the approval of the Sherwood Engineering Department. Street improvements to include street lighting and street trees.

CONDITION OF APPROVAL: Prior to Final Approval of Plat, applicant shall design for

the dedication of a 54.5-foot wide half street right-of-way to WACO along the subject property frontage of SW Brookman Road.

CONDITION OF APPROVAL: Prior to Final Approval of Plat, applicant shall design for the dedication of a 52-foot wide street right-of-way to the City of Sherwood for the new interior public street within the subject development.

CONDITION OF APPROVAL: Prior to Final Approval of Plat, show clear vision easements on all corner lots fronting public streets. The clear vision easement shall be to the City of Sherwood and conform with MC Section 16.58.010.

CONDITION OF APPROVAL: Prior to Final Engineering Plan Approval, the street lighting design shall include a photometric analysis report for review and approval by the Sherwood Engineering Department. City lighting standards require Westbrooke fixtures on all internal streets to the subdivision. Street lighting for SW Brookman Road frontage shall conform to WACO standards.

CONDITION OF APPROVAL: Prior to Acceptance of Constructed Public Improvements, applicant will comply with all the requirements and conditions of the WACO letter dated October 6, 2022.

CONDITION OF APPROVAL: Prior to Final Approval of Engineering Plans, the applicant shall obtain any necessary permits required from WACO for constructing public improvements within the SW Brookman Road right-of-way.

CONDITION OF APPROVAL: Prior to Issuance of a Grading Permit, the applicant shall meet Condition of Approval I in the Washington County comments dated October 6, 2022.

CONDITION OF APPROVAL: Prior to Final Plat approval, the applicant shall meet Condition of Approval II in the Washington County comments dated October 6, 2022.

CONDITION OF APPROVAL: Prior to Occupancy, the applicant shall meet Condition of Approval III in the Washington County comments dated October 6, 2022.

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.

ANALYSIS: The applicant is required to dedicate and complete half-street

improvements to SW Brookman Rd., an existing street.

FINDING: This standard is met.

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.**

ANALYSIS: As shown in the drawings, no pavement widths will exceed 40 ft.

FINDING: This standard is 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.**
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.

ANALYSIS: The applicant is constructing all required street improvements.

FINDING: These standards are met.

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.

ANALYSIS: No design exceptions to development code standards are requested or required.

FINDING: These standards do not apply.

16.106.30 - 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.

ANALYSIS: The proposed location of the public street system complies with the locational requirements in the City's Transportation System Plan and Brookman Addition Concept Plan. The proposed street system also conforms to the existing development, specifically the existing house on proposed Lot 3. In order to retain the existing residence, the applicant has received approval of an engineering design modification to the curve radii for SW Wapato Island Dr. The modification will allow the home to be retained while requiring design conditions to ensure safety of the roadway.

FINDING: This standard is met.

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).**

ANALYSIS: The proposed street system has been provided in accordance with the TSP. The proposed design will allow local street connections to SW Brookman Rd. in accordance with Washington County access spacing standards. The internal circulation pattern for local streets is also consistent with the Brookman Addition Concept Plan.

FINDING: This standard is met.

- 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.

ANALYSIS: The applicant has provided a future street plan that shows how the lot to the west can be developed in the future while retaining the existing home.

FINDING: This standard is 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.**

ANALYSIS: The partial block completed by the subdivision will exceed 530 ft. but will not exceed 1,800 ft. The block is adjacent to SW Brookman Rd., an arterial street.

FINDING: This standard is met.

- 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.**

ANALYSIS: The streets do not cross water features.

FINDING: This standard does not apply.

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.**

ANALYSIS: The streets do not cross water features, however, a new pedestrian and bicycle easement between Lots 8 and 9 is proposed to break up the block length between the two public streets for active transportation users.

FINDING: This standard is met.

6. **Pedestrian and Bicycle Connectivity. Paved bike and pedestrian accessways 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.**

ANALYSIS: A new pedestrian and bicycle easement between Lots 8 and 9 is proposed to break up the block length between the two public streets for active transportation users.

FINDING: This standard is met.

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 accessway 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 accessways would violate provisions of leases, easements, covenants, restrictions or other agreements existing as of May 1, 1995, which preclude a required street or accessway connection.**

ANALYSIS: No exceptions are required.

FINDING: This standard is met.

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.

ANALYSIS: Public and private utilities are proposed to be located underground with the construction of streets and accessways through the site. The application has been conditioned to install utilities underground.

FINDING: This standard is met.

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.	Principle Arterial (99W)	61 feet
2.	Arterial	37 feet
3.	Collector	32 feet

4.	Neighborhood Route	32 feet
5.	Local	26 feet

ANALYSIS: Dedication of right-of-way to Washington County along the site frontage with SW Brookman Road is shown on the submitted plan set, creating a right- of-way meeting or exceeding the required standard. All other streets will be improved to their full standards by the developer and do not require additional setbacks or dedications.

FINDING: This standard is met.

16.106.40 - 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.

ANALYSIS: No reserve strips or street plugs are proposed.

FINDING: This standard does not apply.

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.

ANALYSIS: As shown on the submitted plan set, there are no public street off-sets or staggering.

FINDING: This standard is met.

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."

ANALYSIS: The western terminus of SW Wapato Island Dr. will be stubbed for future extension. The dead end is greater than 100 ft. in length. The applicant will be required to design signage for the northern terminus as part of the engineering design review.

FINDING: This standard is met.

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.

ANALYSIS: No new public street intersections are being created.

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.

ANALYSIS: No permanent cul-de-sacs are proposed.

FINDING: This standard is met.

F. Grades and Curves

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

ANALYSIS: All street grades and curves within the development have been designed in accordance with the applicable City standards with the exception of the curve radii for the local street. An engineering modification has been granted for the curve radii. The City's engineering department will review the final grades and curves of the site during approval of the final engineering plans.

FINDING: 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.

ANALYSIS: No streets associated with the development are adjacent to a railroad.

FINDING: This standard does not apply.

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.

ANALYSIS: The subject site abuts SW Brookman Road, a County arterial street. All lots within the development are buffered from SW Brookman Road by the 15-foot landscaped visual corridor required SZCDC § 16.142.040.

FINDING: This standard 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.

ANALYSIS: Frontage improvements along SW Brookman Road are not proposed to include a median, and County staff have not indicated that a median island would be required as part of this development.

FINDING: This standard does not apply.

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).**

ANALYSIS: The City's TSP identifies SW Brookman Road as a potential corridor for future transit enhancements. However, the street is not currently served by transit. The applicant is providing a pedestrian pathway to SW Brookman Rd. which can provide access to future transit improvements on the street. Transit enhancements

are not practicable at this time and are not required.

FINDING: This standard is met.

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.

ANALYSIS: A TIA was not required as part of the application. The applicant has been conditioned to provide necessary traffic controls.

FINDING: This standard is met.

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.

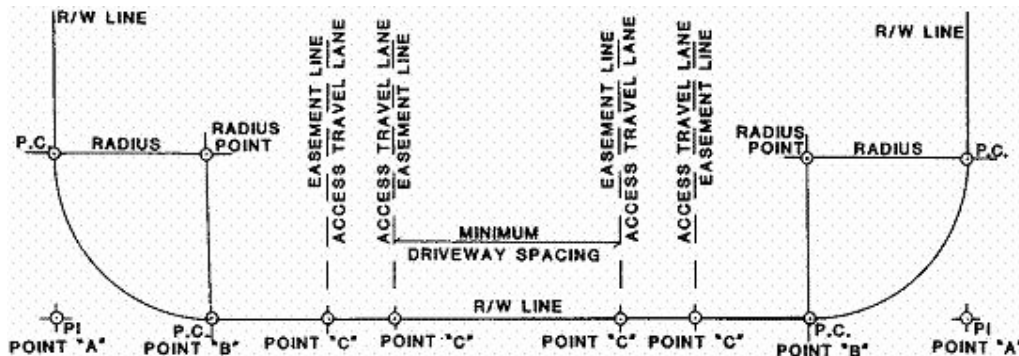
ANALYSIS: No specific or new traffic calming measures have been identified as required or proposed for this development.

FINDING: This standard is met.

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.

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 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 § 16.106.020 E. (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.

ANALYSIS: Access for new local residential streets is regulated by the City of Sherwood. The development will extend an existing local street and stub it for further future extension.

Access for SW Brookman Rd. is regulated by Washington County standards. No new direct access is proposed to the county road.

FINDING: These standards are met.

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".**

ANALYSIS: The applicant is proposing to use private streets (easements) to serve Lots 1, 2, 3, 4, 7, and 8. As the “streets” will only serve as driveways, no signage is required.

FINDING: These standards are met.

16.106.60 - 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.**

ANALYSIS: As shown on the submitted plan set, sidewalks meeting city local street standards will be provided along both sides of the local public streets. Street improvements are not proposed along subject site’s frontage of SW Brookman Road, however, the planned right-of-way dedication will provide adequate area for a sidewalks at the time of improvements.

FINDING: This standard is met.

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.

3. Handicapped Ramps

Sidewalk handicapped ramps shall be provided at all intersections.

ANALYSIS: SW Brookman Road is classified as a County Arterial and the planned right-of-way dedication will provide adequate area for a sidewalk within the proposed street section. Local streets are provided with a six-foot wide sidewalk as shown in the plans.

FINDING: These standards are 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.

ANALYSIS: A connected system of sidewalks and off-street trails will provide pedestrian and bicycle circulation throughout the subdivision.

FINDING: This standard is met.

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.

ANALYSIS: Figure 13 of the City of Sherwood Transportation System Plan (TSP), identifies that bicycle lanes are required along SW Brookman Road. SW Brookman Road is under the jurisdiction of Washington County. The planned right-of-way dedication will provide adequate area for a bike lane within the proposed street section.

FINDING: This standard is met.

16.106.80 - 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:

1. An amendment to the Sherwood Comprehensive Plan or zoning map.
2. A new direct property approach road to Highway 99W is proposed.
3. The proposed development generates fifty (50) or more PM peak-hour trips on Highway 99W, or one hundred (100) PM peak-hour trips on the local transportation system.
4. An increase in use of any adjacent street or direct property approach road to Highway 99W by ten (10) vehicles or more

per day that exceed the twenty thousand-pound gross vehicle weight.

5. The location of an existing or proposed access driveway does not meet minimum spacing or sight distance requirements, or is located where vehicles entering or leaving the property are restricted, or such vehicles are likely to queue or hesitate at an approach or access connection, thereby creating a safety hazard.
6. A change in internal traffic patterns that may cause safety problems, such as back up onto the highway or traffic crashes in the approach area.

C. Requirements

The following are typical requirements that may be modified in coordination with Engineering Staff based on the specific application.

1. **Pre-application Conference.** The applicant shall meet with the City Engineer prior to submitting an application that requires a TIA. This meeting will be coordinated with Washington County and ODOT when an approach road to a County road or Highway 99W serves the property, so that the TIA will meet the requirements of all relevant agencies.
2. **Preparation.** The TIA shall be prepared by an Oregon Registered Professional Engineer qualified to perform traffic Engineering analysis and will be paid for by the applicant.
3. **Typical Average Daily Trips and Peak Hour Trips.** The latest edition of the Trip Generation Manual, published by the Institute of Transportation Engineers (ITE), shall be used to gauge PM peak hour vehicle trips, unless a specific trip generation study that is approved by the City Engineer indicates an alternative trip generation rate is appropriate.
4. **Intersection-level Analysis.** Intersection-level analysis shall occur at every intersection where the analysis shows that fifty (50) or more peak hour vehicle trips can be expected to result from the development.
5. **Transportation Planning Rule Compliance.** The requirements of OAR 660-012-0060 shall apply to those land use actions that significantly affect the transportation system, as defined by the Transportation Planning Rule.

D. Study Area

The following facilities shall be included in the study area for

all TIAs:

- 1. All site-access points and intersections (signalized and unsignalized) adjacent to the proposed development site. If the site fronts an arterial or collector street, the analysis shall address all intersections and driveways along the site frontage and within the access spacing distances extending out from the boundary of the site frontage.**
- 2. Roads and streets through and adjacent to the site.**
- 3. All intersections needed for signal progression analysis.**
- 4. In addition to these requirements, the City Engineer may require analysis of any additional intersections or roadway links that may be adversely affected as a result of the proposed development.**

E. Analysis Periods

To adequately assess the impacts of a proposed land use action, the following study periods, or horizon years, should be addressed in the transportation impact analysis where applicable:

- 1. Existing Year.**
- 2. Background Conditions in Project Completion Year. The conditions in the year in which the proposed land use action will be completed and occupied, but without the expected traffic from the proposed land use action. This analysis should account for all City-approved developments that are expected to be fully built out in the proposed land use action horizon year, as well as all planned transportation system improvements.**
- 3. Full Buildout Conditions in Project Completion Year. The background condition plus traffic from the proposed land use action assuming full build-out and occupancy.**
- 4. Phased Years of Completion. If the project involves construction or occupancy in phases, the applicant shall assess the expected roadway and intersection conditions resulting from major development phases. Phased years of analysis will be determined in coordination with City staff.**
- 5. Twenty-Year or TSP Horizon Year. For planned unit developments, comprehensive plan amendments or zoning map amendments, the applicant shall assess the expected future roadway, intersection, and land use conditions as compared to approved comprehensive planning documents.**

F. Approval Criteria

When a TIA is required, a proposal is subject to the following criteria, in addition to all criteria otherwise applicable to the underlying land use proposal:

1. The analysis complies with the requirements of 16.106.080.C;
2. The analysis demonstrates that adequate transportation facilities exist to serve the proposed development or identifies mitigation measures that resolve identified traffic safety problems in a manner that is satisfactory to the City Engineer and, when County or State highway facilities are affected, to Washington County and ODOT;
3. For affected non-highway facilities, the TIA demonstrates that mobility and other applicable performance standards established in the adopted City TSP have been met; and
4. Proposed public improvements are designed and will be constructed to the street standards specified in Section 16.106.010 and the Engineering Design Manual, and to the access standards in Section 16.106.040.
5. Proposed public improvements and mitigation measures will provide safe connections across adjacent right-of-way (e.g., protected crossings) when pedestrian or bicycle facilities are present or planned on the far side of the right-of-way.

ANALYSIS: A Transportation Impact Analysis (TIA) was not required by the City or County for this proposal. Findings and conditions are provided in this report and in the agency comments.

FINDING: This standard is met.

G. Conditions of Approval

The City may deny, approve, or approve a development proposal with conditions needed to meet operations and safety standards and provide the necessary right-of-way and improvements to ensure consistency with the future planned transportation system. Improvements required as a condition of development approval, when not voluntarily provided by the applicant, shall be roughly proportional to the impact of the development on transportation facilities, pursuant to Section 16.106.090. Findings in the development approval shall indicate how the required improvements are directly related to and are roughly proportional to the impact of development.

16.106.90 - Rough Proportionality

A. Purpose

The purpose of this section is to ensure that required transportation facility improvements are roughly proportional to the potential impacts of the proposed development. The rough proportionality requirements of this section apply to both frontage and non-frontage improvements. A proportionality analysis will be conducted by the City Engineer for any proposed development that triggers transportation facility improvements pursuant to this chapter. The

City Engineer will take into consideration any benefits that are estimated to accrue to the development property as a result of any required transportation facility improvements. A proportionality determination can be appealed pursuant to Chapter 16.76. The following general provisions apply whenever a proportionality analysis is conducted.

B. Mitigation of impacts due to increased demand for transportation facilities associated with the proposed development shall be provided in rough proportion to the transportation impacts of the proposed development. When applicable, anticipated impacts will be determined by the TIA in accordance with Section 16.106.080. When no TIA is required, anticipated impacts will be determined by the City Engineer.

C. The following shall be considered when determining proportional improvements:

- 1. Condition and capacity of existing facilities within the impact area in relation to City standards. The impact area is generally defined as the area within a one-half-mile radius of the proposed development. If a TIA is required, the impact area is the TIA study area.**
- 2. Existing vehicle, bicycle, pedestrian, and transit use within the impact area.**
- 3. The effect of increased demand on transportation facilities and other approved, but not yet constructed, development projects within the impact area that is associated with the proposed development.**
- 4. Applicable TSP goals, policies, and plans.**
- 5. Whether any route affected by increased transportation demand within the impact area is listed in any City program including school trip safety; neighborhood traffic management; capital improvement; system development improvement, or others.**
- 6. Accident history within the impact area.**

7. **Potential increased safety risks to transportation facility users, including pedestrians and cyclists.**
8. **Potential benefit the development property will receive as a result of the construction of any required transportation facility improvements.**
9. **Other considerations as may be identified in the review process pursuant to Chapter 16.72.**

ANALYSIS: The applicant is proposing to construct the new local and County arterial streets abutting the property. The off-site mitigation fees required in the conditions of approval are based on the project's proportionate impact based on trips generated from the proposed development. The Brookman Rd. right-of-way dedication and improvements are only required along the subject site frontage and are based on the City and County design for Brookman Rd. in the adopted TSP's.

As indicated in the City of Sherwood Engineering comments, the off-site mitigation fees identified in the TIA are 100% creditable against City SDC and County TDT fees. The proportionate share mitigation fee for Brookman Rd. / Hwy 99 is 100% County TDT creditable. The right-of-way dedication and street improvements for SW Brookman Rd. above that required by a local street standard is Washington County TDT creditable.

All public street improvements and/or fee-in-lieu of improvements are required to a local standard with credit being issued for fees above a local standard. In addition, all off-site mitigation fees are based on the proportionate impact of the proposed development based on the number of vehicle trips proposed taking into account the total number of trips accommodated by these intersections. In other words, all assessments are directly attributable to the impacts from this development.

The required transportation improvements and fee payments are deemed to be roughly proportional to the impact of the proposed development.

FINDING: These standards are met.

Chapter 16.108 – IMPROVEMENT PLAN REVIEW

16.108.10 – Preparation and Submission

An improvement plan shall be prepared and stamped by a Registered Civil Engineer certifying compliance with City specifications. Two (2) sets of the plan shall be submitted to the City for review. An improvements plan shall be accompanied by a review fee as per this Section.

A. Review Fee

Plan review fees are calculated as a percentage of the estimated total cost of improvements and are set by the "Schedule of Development and Business Fees" adopted by Resolution of the Council. This schedule is included herein for the purposes of information, but is deemed to be separate from and independent of this Code.

B. Engineering Agreement

A copy of an agreement or contract between the applicant and Registered Civil Engineer for:

1. Surveying sufficient to prepare construction plans.
2. Preparation of construction plans and specifications.
3. Construction staking, and adequate inspection.
4. Construction notes sufficient to develop accurate as-built plans.
5. Drawing of accurate as-built plans and submission of reproducible mylars for finals to the City.
6. Certificate stating that construction was completed in accordance with required plans and specifications.

16.108.40 - Acceptance of Improvements

A. Final Inspection

At such time as all public improvements, except those specifically approved for later installation, have been completed, the applicant shall notify the City of the readiness for final inspection.

B. Notification of Acceptance

The City shall give written notice of acceptance of the improvements upon finding that the applicant has met the requirements of this Chapter and the specifications of all approved plans.

C. Maintenance Bond

Prior to City acceptance of public improvements, the applicant shall provide the City a maintenance bond computed at ten percent (10%) of the full value of the improvements, for the purpose of correcting any defective work or maintenance that becomes apparent or arises within two (2) years after final acceptance of the public improvements.

ANALYSIS: The development will require new public infrastructure and an Engineering Public Improvement Plan is required.

FINDING: This standard is met as conditioned below.

CONDITION OF APPROVAL: Prior to Final Approval of Engineering Plans, an Engineering Compliance Agreement shall be executed with Sherwood Engineering Department. Performance and payment bonds and insurance riders must be submitted to the City.

CONDITION OF APPROVAL: Prior to Issuance of Building Permits, the applicant will need to receive substantial completion of the public improvements from the Sherwood Engineering Department.

CONDITION OF APPROVAL: Prior to Issuance of Building Permit, the developer/home builder shall pay the designated reimbursement amount from any reimbursement districts that the lot is within.

CONDITION OF APPROVAL: Prior to Final Acceptance of Public Improvements, all public improvements shown within the approved engineering plans shall be in place and approved by the Sherwood Engineering Department.

CONDITION OF APPROVAL: Prior to Final Acceptance of Public Improvements, the subdivision plat shall be recorded with Washington County and monuments shall be set.

CONDITION OF APPROVAL: Prior to Grant of Occupancy, final acceptance of the constructed public improvements shall be obtained from the Sherwood Engineering Department.

Chapter 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. Provided, however, that when impractical to immediately connect to a trunk sewer system, the use of septic tanks may be approved, if sealed sewer laterals are installed for future connection and the temporary system meets all other applicable City, Clean Water Services, Washington County and State sewage disposal standards.

16.110.20 - Design Standards

A. Capacity

Sanitary sewers shall be constructed, located, sized, and installed at standards consistent with this Code, the Sanitary Sewer Service Plan Map in the Sanitary Sewer Master Plan, and other applicable Clean Water Services and City standards, in order to adequately serve the proposed development and allow for future extensions.

B. Over-Sizing

1. **When sewer facilities will, without further construction, directly serve property outside a proposed development, gradual reimbursement may be used to equitably distribute the cost of that over-sized system.**
2. **Reimbursement shall be in an amount estimated by the City to be a proportionate share of the cost for each connection made to the sewer by property owners outside of the development, for a period of ten (10) years from the time of installation of the sewers. The boundary of the reimbursement area and the method of determining proportionate shares shall be determined by the City. Reimbursement shall only be made as additional connections are made and shall be collected as a surcharge in addition to normal connection charges.**

16.110.030 - Service Availability

Approval of construction plans for new facilities pursuant to Chapter 16.106, and the issuance of building permits for new development to be served by existing sewer systems shall include certification by the City that existing or proposed sewer facilities are adequate to serve the development.

ANALYSIS: *City of Sherwood Engineering Comments - The submitted plans show the proposed public sanitary sewer system will be extended by connecting to the existing public sanitary sewer system constructed as part of the adjacent Middlebrook Subdivision within SW Wapato Island Drive. This extension extends to the western property line of the subject property which will allow for future extension by the property to the west. The submitted plans show how each lot within the subject development will have an individual sanitary sewer lateral.*

FINDING: This standard is met as conditioned below.

CONDITION OF APPROVAL: Prior to Final Approval of Engineering Plans, the subject development shall design to provide public sanitary sewer service to all proposed lots as required through new public streets meeting the approval of the Sherwood Engineering Department.

CONDITION OF APPROVAL: Prior to Final Approval of Engineering Plans, the subject development shall design for the extension of the sanitary sewer east of the subject property to be extended to the western property line of the subject property meeting the approval of the Sherwood Engineering Department.

CONDITION OF APPROVAL: Prior to Final Plat, any on-site septic system within the

subject property shall be abandoned/removed in accordance with all applicable regulations.

CONDITION OF APPROVAL: All private sanitary laterals shall be installed in compliance with the current Oregon Plumbing Specialty Code.

Chapter 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.

16.112.20 - Design Standards

A. Capacity

Water lines providing potable water supply shall be sized, constructed, located and installed at standards consistent with this Code, the Water System Master Plan, the City's Design and Construction Manual, and with other applicable City standards and specifications, in order to adequately serve the proposed development and allow for future extensions.

B. Fire Protection

All new development shall comply with the fire protection requirements of Chapter 16.116, the applicable portions of Chapter 7 of the Community Development Plan, and the Fire District.

C. Over-Sizing

- 1. When water mains will, without further construction, directly serve property outside a proposed development, gradual reimbursement may be used to equitably distribute the cost of that over-sized system.**
- 2. Reimbursement shall be in an amount estimated by the City to be the proportionate share of the cost of each connection made to the water mains by property owners outside the development, for a period of ten (10) years from the time of installation of the mains. The boundary of the reimbursement area and the method of determining proportionate shares shall be determined by the City. Reimbursement shall only be made as additional connections are made and shall be collected as a surcharge in addition to normal connection charges.**
- 3. When over-sizing is required in accordance with the Water System Master Plan, it shall be installed per the Water**

System Master Plan. Compensation for over-sizing may be provided through direct reimbursement, from the City, after mainlines have been accepted. Reimbursement of this nature would be utilized when the cost of over-sizing is for system wide improvements.

16.112.030 - Service Availability

Approval of construction plans for new water facilities pursuant to Chapter 16.106, and the issuance of building permits for new development to be served by existing water systems shall include certification by the City that existing or proposed water systems are adequate to serve the development.

FINDING: City of Sherwood Engineering comments - The submitted plans show the proposed public water main system will be extended by connecting to the existing public water system constructed as part of the adjacent Middlebrook Subdivision within SW Wapato Island Drive. This extension extends to the western property line of the subject property which will allow for future extension by the property to the west. The submitted plans show how each lot within the subject development will have an individual water service.

There is also an existing 12-inch diameter public water line within SW Brookman Road stubbed at the east end of the subject property. Extension of this public water line within SW Brookman Road to the west end of the subject property is required.

CONDITION OF APPROVAL: Prior to Final Approval of Engineering Plans, the subject development shall design to provide public water service to all proposed lots as required through new public streets meeting the approval of the Sherwood Engineering Department. All public water pipe shall have joint restraints.

CONDITION OF APPROVAL: Prior to Final Approval of Engineering Plans, the subject development shall design to extend the existing 12-inch waterline the full length of the subject property frontage of SW Brookman Road meeting the approval of the Sherwood Engineering Department. The oversizing cost of construction (greater than 8") shall be eligible for water system SDC credits.

CONDITION OF APPROVAL: Prior to Final Plat, any on-site well within the subject property shall be abandoned/removed in accordance with all applicable regulations.

CONDITION OF APPROVAL: All private water piping shall be installed in compliance with the current Oregon Plumbing Specialty Code.

Chapter 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 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.

(Note: Section 16.114.015, Street Systems Improvement Fees (SIF) was repealed by Ordinance 91-922 § 19) to be removed from the SZCDC and permanently located in the Municipal Code).

16.114.20 - Design Standards

A. Capacity

Storm water drainage systems shall be sized, constructed, located, and installed at standards consistent with this Code, the Storm Drainage Master Plan Map, attached as Exhibit E, Chapter 7 of the Community Development Plan, other applicable City standards, the Clean Water Services Design and Construction standards R&O 04-9 or its replacement, and hydrologic data and improvement plans submitted by the developer.

B. On-Site Source Control

Storm water detention and groundwater recharge improvements, including but not limited to such facilities as dry wells, detention ponds, and roof top ponds shall be constructed according to Clean Water Services Design and Construction Standards.

C. Conveyance System

The size, capacity and location of storm water sewers and other storm water conveyance improvements shall be adequate to serve the development and accommodate upstream and downstream flow. If an upstream area discharges through the property proposed for development, the drainage system shall provide capacity to the receive storm water discharge from the upstream area. If downstream drainage systems are not sufficient to receive an increase in storm water caused by new development, provisions shall be made by the developer to increase the downstream capacity or to provide detention such that the new development will not increase the storm water caused by the new development.

16.114.30 - Service Availability

Approval of construction plans for new storm water drainage facilities pursuant to Chapter 16.106, and the issuance of building permits for new development to be served by existing storm water drainage systems shall include certification by the City that existing or proposed drainage facilities are adequate to serve the development.

ANALYSIS: City of Sherwood Engineering Comments - *The submitted plans show the proposed public storm sewer system will be extended by connecting to the existing public storm sewer system constructed as part of the adjacent Middlebrook Subdivision within SW Brookman Road. This extension extends to the western property line of the subject property which will allow for future extension by the property to the west. A storm sewer within SW Wapato Island Drive is proposed to be installed to provide storm sewer service to each individual lot and the extension of SW Wapato Island Drive.*

The submitted plans show a regional water quality treatment/hydro-modification facilities in a separate track of land.

The subject development will result in ground disturbance of greater than 1 acre but less than 5 acres of area. Therefore a DEQ NPDES 1200CN permit is required. A City of Sherwood grading and erosion control permit is required for on-site grading.

A prescreen for environmentally sensitive areas was submitted to Clean Water Services for the subject development. Clean Water Services determined that there does not appear to be any environmentally sensitive areas within the subject development or within 200 feet of the subject development.

FINDING: These criteria is met as conditioned below

CONDITION OF APPROVAL: Prior to Engineering Plan Approval, the subject development shall design for a regional water quality treatment/hydro-modification facilities within an individual tract of land dedicated to the City of Sherwood meeting the approval of the Sherwood Engineering Department.

CONDITION OF APPROVAL: Prior to Final Engineering Plan Approval, a Final Stormwater Drainage Report in compliance with Clean Water Services standards shall be provided meeting the approval of the Sherwood Engineering Department.
Condition: Prior to Final Engineering Plan Approval, the subject development shall design to provide stormwater improvements as needed to serve new street improvements and to serve each lot meeting the approval of the City of Sherwood Engineering Department.

CONDITION OF APPROVAL: Prior to Final Engineering Plan Approval, the subject development shall design to extend the existing storm sewer the full length of the subject property frontage of SW Brookman Road meeting the approval of the Sherwood Engineering Department.

CONDITION OF APPROVAL: Prior to Final Acceptance of Constructed Public

Improvements, any public storm sewer that is located on private property shall have a recorded public stormwater easement encompassing the related public storm sewer improvement meeting the approval of the Sherwood Engineering Department.

Condition: All private stormwater laterals shall be installed in compliance with the current Oregon Plumbing Specialty Code.

CONDITION OF APPROVAL: Prior to Final Engineering Plan Approval, applicant shall obtain a DEQ NPDES 1200CN permit.

CONDITION OF APPROVAL: Prior to Start of Construction, applicant shall obtain a City of Sherwood grading and erosion control permit.

CONDITION OF APPROVAL: Prior to Final Approval of the Engineering Plans, a Stormwater Connection Permit shall be obtained from Clean Water Services.

Chapter 16.116 - FIRE PROTECTION

16.116.10 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.

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 the 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.

16.116.30 - Miscellaneous Requirements

A. Timing of Installation

When fire protection facilities are required, such facilities shall be installed and made serviceable prior to or at the time any combustible construction begins on the land unless, in the opinion of the Fire District, the nature or circumstances of said construction makes immediate installation impractical.

B. Maintenance of Facilities

All on-site fire protection facilities, shall be maintained in good working order. The Fire District may conduct periodic tests and inspection of fire protection and may order the necessary repairs or changes be made within ten (10) days.

C. Modification of Facilities

On-site fire protection facilities, may be altered or repaired with the consent of the Fire District; provided that such alteration or repairs shall be carried out in conformity with the provisions of this Chapter.

ANALYSIS: The proposal is for a residential subdivision and the applicant is required to install fire protection facilities that meet the standards of Tualatin Valley Fire & Rescue (TVF&R). TVF&R has issued a Service Provider Letter for the proposal. The applicant is proposing a temporary fire and emergency vehicle turnaround at the end

of the stubbed street within Lots 5 and 6. The turnaround easements are required to be extinguished when SW Wapato Island Dr. connects to an existing street to the west that provides fire and emergency vehicle egress and circulation. Parking is not permitted in the easements while they are in place. On-site parking required by this decision can be re-established within the lot and former easement location after the easements are extinguished.

FINDING: These criteria are met as conditioned below.

CONDITION OF APPROVAL: The applicant shall comply with the TVF&R Service Provider Letter and all applicable fire code regulations, as determined by service provider.

CONDITION OF APPROVAL: No parking is permitted within the fire and emergency vehicle turnaround easements on Lots 5 and 6 while they are in effect. The turnaround easements shall be extinguished by the future property owner upon such time that SW Wapato Island Dr. provides emergency vehicle circulation via a connection to an existing or future street to the west. Approval to remove the access easements shall be provided by the City of Sherwood and Tualatin Valley Fire and Rescue. All costs associated with removing the easement and conversion of the physical space is the responsibility of future property owners.

Chapter 16.118 - PUBLIC AND PRIVATE UTILITIES

16.118.010 Purpose

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

16.118.20 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.**
- C. Where necessary, in the judgment of the City Manager or his designee, to provide for orderly development of adjacent**

properties,

public and franchise utilities shall be extended through the site to the edge of adjacent property(ies).

- D. Franchise utility conduits shall be installed per the utility design and specification standards of the utility agency.
- E. Public Telecommunication conduits and appurtenances shall be installed per the City of Sherwood telecommunication design standards.
- F. Exceptions: Installation shall not be required if the development does not require any other street improvements. In those instances, the developer shall pay a fee in lieu that will finance installation when street or utility improvements in that location occur.

16.118.030 - Underground Facilities

Except as otherwise provided, all utility facilities, including but not limited to, electric power, telephone, natural gas, lighting, cable television, and telecommunication cable, shall be placed underground, unless specifically authorized for above ground installation, because the points of connection to existing utilities make underground installation impractical, or for other reasons deemed acceptable by the City.

16.118.040 - Exceptions

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

ANALYSIS: All utilities are required to be placed underground in accordance with the standard above. Sherwood Broadband utilities are required to be installed along the subject properties frontage per requirements set forth in City Ordinance 2005-017 and City Resolution 2005-074.

FINDING: These standards are met as conditioned below.

CONDITION OF APPROVAL: Per City Municipal Code Chapter 16.118, all new utilities shall be placed underground unless covered by exceptions noted under Section 16.118.040, and as approved by the City Engineer. Utilities services for the existing house will need to be relocated underground.

CONDITION OF APPROVAL: Prior to Final Acceptance of Constructed Public Improvements, Sherwood Broadband utilities (vaults and conduit) shall be installed

along all subject properties street frontages per requirements set forth in City Ordinance 2005-017 and City Resolution 2005-074.

IV. DECISION AND CONDITIONS OF APPROVAL

Based on a review of the applicable code standards and approval criteria, the applicant's submittal, agency comments, and public testimony, the application LU 2022-008 SUB Brookman Place is APPROVED subject to the following 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. The development shall substantially comply with the submitted preliminary plans and narrative except as indicated in the 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. The continual operation of the property shall comply with the applicable requirements of the Sherwood Zoning and Community Development Code and Municipal Code.
5. 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.
6. The preliminary plat approval is valid for two years from the date of the Notice of Decision. The final plat shall be approved by the City within two years of Notice of Decision, unless an extension is granted by the City prior to the two-year deadline.
7. Tract B Storm Facility shall be dedicated to the City of Sherwood for permanent ownership and maintenance.
8. A 15 ft. wide visual corridor easement shall be recorded on the final plat. The plat notes or supporting easement document shall indicate the easement is for landscaping and open space only and that no buildings are permitted within the boundaries of the easement. The visual corridor shall be maintained by each individual property owner or the HOA.
9. All private sanitary laterals shall be installed in compliance with the current Oregon Plumbing Specialty Code.
10. All private water piping shall be installed in compliance with the current Oregon Plumbing Specialty Code.
11. Prior to Start of Construction, applicant shall obtain a City of Sherwood grading and erosion control permit.
12. The applicant shall comply with the TVF&R Service Provider Letter and all applicable fire code regulations, as determined by service provider.
13. No parking is permitted within the fire and emergency vehicle turnaround easements on Lots 5 and 6 while they are in effect. The turnaround

easements shall be extinguished by the future property owner upon such time that SW Wapato Island Dr. provides emergency vehicle circulation via a connection to an existing or future street to the west. Approval to remove the access easements shall be provided by the City of Sherwood and Tualatin Valley Fire and Rescue. All costs associated with removing the easement and conversion of the physical space is the responsibility of future property owners.

14. Per City Municipal Code Chapter 16.118, all new utilities shall be placed underground unless covered by exceptions noted under Section 16.118.040, and as approved by the City Engineer. Utilities services for the existing house will need to be relocated underground.

B. Prior to Final Plat Approval

1. Prior to Final Plat approval and Issuance of Building Permits, provide a revised setback plan that shows the required side and rear setbacks for Lots 3, 5, and 10 in accordance with the definitions provided in SZCDC § 16.10.
2. Prior to Final Plat approval, provide draft CC&Rs describing the access rights and maintenance responsibilities for all shared driveway easements.
3. Prior to Final Plat approval, provide a final open space improvement plan. The plan shall include a ground cover treatment for the open space that provides for a usable area (e.g. grass, concrete, etc.)
4. Prior to final plat approval, provide draft CC&Rs that describe ownership and maintenance responsibilities for Tract A Open Space and shared pedestrian easements between Lots 2 and 3 and 8 and 9. Tract A shall be owned and maintained by the HOA.
5. Prior to Final Plat approval, provide CC&Rs that describe maintenance responsibilities for the 15 ft. wide visual corridor easement on Lots 6 – 10.
6. Prior to Final Plat approval, the plans shall show Autumn Gold Ginko trees or a similar alternative for SW Wapato Island Dr. and American Linden trees or a similar alternative for SW Brookman Rd.
7. Prior to Final Approval of Plat, applicant shall design for the dedication of a 54.5-foot wide half street right-of-way to WACO along the subject property frontage of SW Brookman Road.
8. Prior to Final Approval of Plat, applicant shall design for the dedication of a 52-foot wide street right-of-way to the City of Sherwood for the new interior public street within the subject development.
9. Prior to Final Approval of Plat, show clear vision easements on all corner lots fronting public streets. The clear vision easement shall be to the City of Sherwood and conform with MC Section 16.58.010.
10. Prior to Final Plat approval, the applicant shall meet Condition of Approval II in the Washington County comments dated October 6, 2022.
11. Prior to Final Plat, any on-site septic system within the subject property shall be abandoned/removed in accordance with all applicable regulations.
12. Prior to Final Plat, any on-site well within the subject property shall be abandoned/removed in accordance with all applicable regulations.

C. Prior to Engineering Approval of the Public Improvement Plans

1. Prior to Final Engineering Plan Approval, the following payments shall be made to the City, and distributed into the appropriate fund accounts (either WACO TDT or City transportation SDC) as determined by the applicant.
 - a. Brookman Road frontage right-of-way land dedication.
 - i. WACO is requiring approximately 34.5-foot wide right-of-way dedication along the frontage of SW Brookman Road (54.4 feet of right-of-way from center line).
 - ii. Right-of-Way land valuation shall be credit eligible against either WACO TDT fees (100%), or the City transportation SDC fees (100%), or a combination of the two for right-of-way dedication in excess of a city half street local street section (26 feet).
 - b. SW Sunset Boulevard/SW Woodhaven Drive mitigation item
 - i. A proportionate share cost of \$2,820.70 (10 lots at \$282.07/lot) for a signalized intersection improvements.
 - ii. This mitigation item is credit eligible at 100% for WACO TDT fees, or 100% City transportation SDC fees, or a combination of the two fees not to exceed \$2,820.70.
 - c. SW Sunset Boulevard/SW Timbrel Lane mitigation item
 - i. A proportionate share cost of \$2,101.00 (10 lots at \$210.10/lot) for a mini-roundabout intersection improvement.
 - ii. This mitigation item is credit eligible at 100% for WACO TDT fees, or 100% City transportation SDC fees, or a combination of the two fees not to exceed \$2,101.00.
 - d. SW Ladd Hill Road/SW Main Street/SW Sunset Boulevard mitigation item
 - i. A proportionate share cost of \$2,790.20 (10 lots at \$279.02) for a signalized intersection improvement.
 - ii. This mitigation item is credit eligible at 100% for WACO TDT fees, or 100% City transportation SDC fees, or a combination of the two fees not to exceed \$2,790.20.
 - e. SW Baker Road/SW Murdock Road/SW Sunset Boulevard mitigation item
 - i. A proportionate share cost of \$9,509.70 (10 lots at \$950.97/lot) for addition of turn lane intersection improvements.
 - ii. This mitigation item is credit eligible at 100% for WACO TDT fees, or 100% City transportation SDC fees, or a combination of the two fees not to exceed \$9,509.70.
 - f. SW Brookman Road/SW Highway 99
 - i. A proportionate share cost of \$7,546.80 (10 lots at \$754.68/lot) for signalized intersection improvements.
 - ii. This mitigation item is credit eligible at 100% for WACO TDT fees.

2. Prior to Final Engineering Plan Approval, SW Brookman Road frontage improvements shall be designed to be widened to a 37-foot half street width, 5-foot wide landscape strip, a 12-foot wide concrete multi-use path, 0.5-foot wide buffer within a 54.5-foot half street right-of-way section meeting the approval of Washington County and the Sherwood Engineering Department. Frontage improvements to include street lighting and street trees.
3. Prior to Final Engineering Plan Approval, the new local city street interior to the subject development shall be designed to a 28-foot street width with 5-foot wide landscape strips, 6-foot wide concrete sidewalk and 0.5-foot wide buffers on each side within a 52-foot right-of-way section meeting the approval of the Sherwood Engineering Department. Street improvements to include street lighting and street trees.
4. Prior to Final Engineering Plan Approval, the street lighting design shall include a photometric analysis report for review and approval by the Sherwood Engineering Department. City lighting standards require Westbrooke fixtures on all internal streets to the subdivision. Street lighting for SW Brookman Road frontage shall conform to WACO standards.
5. Prior to Final Approval of Engineering Plans, the applicant shall obtain any necessary permits required from WACO for constructing public improvements within the SW Brookman Road right-of-way.
6. Prior to Final Approval of Engineering Plans, an Engineering Compliance Agreement shall be executed with Sherwood Engineering Department. Performance and payment bonds and insurance riders must be submitted to the City.
7. Prior to Final Approval of Engineering Plans, the subject development shall design to provide public sanitary sewer service to all proposed lots as required through new public streets meeting the approval of the Sherwood Engineering Department.
8. Prior to Final Approval of Engineering Plans, the subject development shall design for the extension of the sanitary sewer east of the subject property to be extended to the western property line of the subject property meeting the approval of the Sherwood Engineering Department.
9. Prior to Final Approval of Engineering Plans, the subject development shall design to provide public water service to all proposed lots as required through new public streets meeting the approval of the Sherwood Engineering Department. All public water pipe shall have joint restraints.
10. Prior to Final Approval of Engineering Plans, the subject development shall design to extend the existing 12-inch waterline the full length of the subject property frontage of SW Brookman Road meeting the approval of the Sherwood Engineering Department. The oversizing cost of construction (greater than 8") shall be eligible for water system SDC credits.
11. Prior to Engineering Plan Approval, the subject development shall design for a regional water quality treatment/hydro-modification facilities within an individual tract of land dedicated to the City of Sherwood meeting the approval of the Sherwood Engineering Department.
12. Prior to Final Engineering Plan Approval, a Final Stormwater Drainage Report in

compliance with Clean Water Services standards shall be provided meeting the approval of the Sherwood Engineering Department.

13. Prior to Final Engineering Plan Approval, the subject development shall design to provide stormwater improvements as needed to serve new street improvements and to serve each lot meeting the approval of the City of Sherwood Engineering Department.
14. Prior to Final Engineering Plan Approval, the subject development shall design to extend the existing storm sewer the full length of the subject property frontage of SW Brookman Road meeting the approval of the Sherwood Engineering Department.
15. Prior to Final Engineering Plan Approval, applicant shall obtain a DEQ NPDES 1200CN permit.
16. Prior to Final Approval of the Engineering Plans, a Stormwater Connection Permit shall be obtained from Clean Water Services.
17. Prior to Final Acceptance of Constructed Public Improvements, Sherwood Broadband utilities (vaults and conduit) shall be installed along all subject properties street frontages per requirements set forth in City Ordinance 2005-017 and City Resolution 2005-074.

D. Prior to Issuance of a Grading Permit

1. Prior to Issuance of a Grading Permit, the applicant shall meet Condition of Approval I in the Washington County comments dated October 6, 2022.

E. Prior to Issuance of Building Permits

1. Prior to Issuance of Building Permits, provide a plot plan that demonstrates the minimum lot width at building line for Lots 1, 2, 7, 8, 9 and 10 is a minimum of 50 ft.
2. Prior to Issuance of Building Permits, the applicant shall demonstrate how the proposed garages for each residential unit meet the garage standards in SZCDC § 16.12.040.
3. Prior to issuance of building permits, two off-street parking spaces per dwelling unit shall be provided when on street parking is not permitted abutting the lot. One off-street stall is required where street parking is available abutting the lot. Garages cannot be counted as parking stalls. Each stall shall be a minimum of 20 ft. deep x 9 ft. wide. Prior to Issuance of Building Permits, the applicant will need to receive substantial completion of the public improvements from the Sherwood Engineering Department.
4. Prior to Issuance of Building Permit, the developer/home builder shall pay the designated reimbursement amount from any reimbursement districts that the lot is within.

F. Prior to Acceptance of Public Improvements

1. Prior to Acceptance of Constructed Public Improvements, applicant will comply with all the requirements and conditions of the WACO letter dated October 6, 2022.
2. Prior to Final Acceptance of Public Improvements, all public improvements

shown within the approved engineering plans shall be in place and approved by the Sherwood Engineering Department.

3. Prior to Final Acceptance of Public Improvements, the subdivision plat shall be recorded with Washington County and monuments shall be set.
4. Prior to Final Acceptance of Constructed Public Improvements, any public storm sewer that is located on private property shall have a recorded public stormwater easement encompassing the related public storm sewer improvement meeting the approval of the Sherwood Engineering Department.
5. All private stormwater laterals shall be installed in compliance with the current Oregon Plumbing Specialty Code.

G. Prior to Receiving Occupancy

1. Prior to Occupancy each residence, the front yard of each lot shall be fully landscaped excluding any paved off-street parking areas, paved pedestrian paths, and utility areas.
2. Prior to Occupancy, all open space and common area landscaping shall be installed and supported according to nursery standards.
3. Prior to Occupancy, two off-street parking spaces per dwelling unit shall be provided when on street parking is not permitted abutting the lot. One off-street stall is required where street parking is available abutting the lot. Garages cannot be counted as parking stalls. Each stall shall be a minimum of 20 ft. deep x 9 ft. wide.
4. Prior to Occupancy, open space Tract A shall be installed and available for use.
5. Prior to Occupancy, the 15 ft. visual corridor plantings along SW Brookman Rd. shall be installed on each lot.
6. Prior to Occupancy, street trees along SW Wapato Island Dr. and SW Brookman Rd. shall be installed.
7. Prior to Occupancy, the applicant shall meet Condition of Approval III in the Washington County comments dated October 6, 2022.
8. Prior to Grant of Occupancy, final acceptance of the constructed public improvements shall be obtained from the Sherwood Engineering Department.

V. EXHIBITS

A. Applicant Submittal (complete application materials available in the project file at City Hall)

1. Application Form
2. Narrative
3. Preliminary Plat
4. Future Street Plan
5. Aerial Photograph
6. CWS SPL
7. TVF&R SPL
8. Arborist Report
9. Prelim Storm Drainage Report

10. Title Report
11. FIRM Map
12. Tax Map
13. Design Exception

B. Agency Comments

1. City of Sherwood Engineering
2. Washington County
3. Clean Water Services
4. Pride Disposal

IV. APPEAL

Per SZCDC § 16.76.020, land use actions taken pursuant to the development code shall be final unless a petition for review is filed with the Planning Director not more than fourteen (14) calendar days after the date on which the Hearing Authority took final action on the land use application, and written notice of the action has been mailed to the address provided by the person in the record. Any person who testified on the application prior to the close of the record may appeal the Planning Director's decision no later than 14 days from the date of this notice.

The Notice of Decision for this application (LU 2022-008) was issued on November 10, 2022 and placed in a U.S. Postal receptacle or emailed to persons in the record on November 10, 2022. Therefore, the appeal deadline is **5:00 PM on November 24, 2022**