



NOTICE OF DECISION

TAX LOT: S128B001050; 2S128B001051;
2S128B000700
ADDRESS: No site address
CASE NO: LU 2022-013 Barker Cabinets
DATE OF NOTICE: October 31, 2022

Applicant

AJ Michaud – RA Gray Construction
PO Box 1000
Sherwood, OR 97140

Owner

Oregon Street Partners
PO Box 1000
Sherwood, OR 97140

NOTICE

Because you are the applicant or because you testified on the subject application, you are receiving notice that on October 25, 2022, the Sherwood Planning Commission approved land use application 2022-013 SP Barker Cabinets. The approval is for a new ~29,500 SF industrial building and associated site improvements.

INFORMATION: The full Planning Commission findings report, conditions of approval, and land use exhibits can be viewed at: <https://www.sherwoodoregon.gov/planning/project/lu-2022-013-spla-barker-cabinets> or can be obtained by contacting Eric Rutledge, Associate Planner, at 503-625-4242 or rutledgee@sherwoodoregon.gov

APPEAL

Pursuant to Sherwood Zoning and Community Development Code Section 16.72.010.B.3.d, the Sherwood City Council is the Appeal Authority for Type IV land use decisions. Any person who testified before the Planning Commission at the public hearing or who submitted written comments prior to the close of the record may appeal the Planning Commission's decision, no later than 14 days from the date of this notice. Details on appeal procedures are located in SZCDC § 16.76. **An appeal of this decision must be filed no later than 5:00 PM on November 14, 2022.**

I, Eric Rutledge, for the Planning Department, City of Sherwood, State of Oregon, in Washington County, declare that the Notice of Decision LU 2022-013 SP was placed in a U.S. Postal receptacle, or transmitted via electronic mail, on October 31, 2022 before 5pm.

Eric Rutledge, Associate Planner
City of Sherwood Planning Department

**CITY OF SHERWOOD
PLANNING COMMISSION FINDINGS REPORT
OCTOBER 25, 2022**



Home of the Steelhead River National Wildlife Refuge

**BARKER CABINETS
SITE PLAN REVIEW AND LOT CONSOLIDATION
LU 2022-013 SP / LLA**

Pre-App Meeting:	December 16, 2020
App. Submitted:	April 25, 2022
App. Complete:	September 19, 2022
Hearing Date:	October 25, 2022
120-Day Deadline:	January 17, 2023

The City of Sherwood Planning Commission (Commission) held the initial evidentiary hearing on the Site Plan and Lot Consolidation application for Barker Cabinets on October 25, 2022. The Commission heard presentations from City staff and the applicant, followed by an opportunity for testimony from the public. No members of the public came forward for testimony.

The applicant agreed to all of the conditions of approval in the staff report, including a modification to Conditions of Approval B7 and B14. Condition B7 was modified to reflect changes to the parking analysis and a new minimum requirement of 32 off-street parking stalls. Condition B14 was modified to allow a 2 ft. overlap between the 10 ft. wide visual corridor and the on-site storm facility. Updated analysis and conditions of approval are provided in this report under SZCDC § 16.94.020(A) and 16.142.040.

After considering all of the information in the record, the Commission unanimously approved the application based on the findings in the staff report dated October 18, 2022 with modified analysis, findings, and conditions of approval for SZCDC § 16.94.020(A) and 16.142.040.

by  Jean Simson, chair

Jean Simson, Planning Commission Chair

10/29/2022

Date

I. BACKGROUND

- A. Applicant: AJ Michaud – RA Gray Construction
PO Box 1000
Sherwood, OR 97140
- Owner: Oregon Street Partners
PO Box 1000
Sherwood, OR 97140
- B. Location: No site address (Tax Lots S128B001050; 2S128B001051; 2S128B000700)
- C. Review Type: Type IV Site Plan Review
- D. 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 October 5, 2022. Notice of the application was also published in a local newspaper (Tigard Times) on October 6th and 20th, 2022.
- E. Review Criteria: SZCDC Chapter 16.31 Industrial Land Use Districts; Chapter 16.58 Vision Clearance and Fence Standards; Chapter 16.72 Procedures for Processing Development Permits; Chapter 16.90 Site Planning; 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 16.126 Replatting, Lot Consolidations and Vacation of Plats; Chapter 16.142 Parks, Trees, and Open Spaces; Chapter 16.144 Wetland, Habitat, Natural Areas; Chapter 16.146 Noise; Chapter 16.148 Vibrations; Chapter 16.150 Air Quality; Chapter 16.152 Odors; Chapter 16.154 Heat and Glare; Chapter 16.156 Energy Conservation
- F. Existing Conditions: The site is comprised of three (3) tax lots totaling 4.09-acres. The site is vacant and is currently being graded in anticipation of full development. SW Galbreath Dr. runs along the west side of Tax Lot 500 and along the north side of Tax Lots 500 and 700. There are no trees or other significant vegetation on the site. There are no known wetlands, floodplain, or other sensitive habitat on the site. Various public and private

easements are located on the property as shown on the Existing Conditions plan (Exhibit A – SubExhibit A – Sheet C1).

G. History and Background: The site is located in the General Industrial zone along SW Galbreath Dr. The property has obtained various lot line adjustment and minor land partition approvals since 2001. The applicant is required to remove established easements encumbering the site that are not compatible with the proposed Site Plan. The previous land use approvals on the subject site include:

- Lot Line Adjustment 2001 (LLA 01-07)
- Lot Line Adjustment 2003 (LLA 03-03)
- Partition Plat 2004-048 (MLP 03-05)
- Partition Plat 2008-020 (MLP 06-03)

H. Surrounding Land Uses:

- West Galbreath Dr. and storm water facility
- South Industrial development
- East Industrial development
- North Galbreath Dr. and industrial development

I. Current Zoning: General Industrial

II. **AFFECTED AGENCY AND PUBLIC COMMENTS**

A. Agency Comments - Notice of the application was sent to affected agencies via email on September 26, 2022 (agency contact list provided a Exhibit B5). The following responses were received:

1. City of Sherwood Engineering Department provided comments dated October 17, 2022 (Exhibit B1). The comments address traffic and transportation, public utilities, and other engineering requirements.
2. Tualatin Valley Fire and Rescue (TVF&R) – TVF&R has provided a Service Provider Letter (SPL) on the proposal dated June 15, 2022 (Exhibit A – SubExhibit E). The SPL indicates the site meets or can meet applicable fire code standards. The SPL indicates a site inspection is required prior to occupancy.
3. Clean Water Services (CWS) – CWS has provided a comment memorandum dated October 11, 2022 (Exhibit B2). The applicant is required to obtain a CWS Storm Water Connection Permit Authorization and comply with CWS Design and Construction Standards.

4. Portland General Electric (PGE) – PGE provided comment via email dated September 28, 2022 (Exhibit B3). The comments state adequate power exists to serve the proposed development, however, if right-of-way dedication is required the existing underground facilities will need to be relocated to within the new private property boundary (e.g. the new 8 ft. wide public utility easement).
5. Pride Disposal - Pride has provided comment on the location of the enclosure (Exhibit B4). The location did not meet Pride standards and the applicant revised the plans to obtain the attached Pride approval letter. These revisions are not reflected in the plans in Exhibit A and the applicant has been conditioned to revise the plans in accordance with the Pride approval letter prior to Final Site Plan approval.
6. The following agencies acknowledged the application without expressing any issues or concerns: ODOT Rail.

B. Public Testimony – as of the date of this report, no public testimony was received

III. APPLICABLE CODE PROVISIONS

*Note – three asterisks (***) Indicates code has been omitted because it is not applicable*

Chapter 16.72 PROCEDURES FOR PROCESSING DEVELOPMENT PERMITS

16.72.010 – 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:

5. Type IV

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

- c. **Site Plans — Greater than 40,000 square feet of floor area, parking or seating capacity.**

ANALYSIS: The application is proposing greater than 40,000 SF of building and parking area and is subject to the City’s Type IV review procedures.

FINDING: The application is subject to the Type IV land use review procedures and this criterion is met.

Chapter 16.31 - INDUSTRIAL LAND USE DISTRICTS

16.31.010 - Purpose

- C. General Industrial (GI) - The GI zoning district provides for the manufacturing, processing, assembling, packaging and treatment of products from previously prepared or raw materials, providing such activities can meet and maintain minimum environmental quality standards and are situated so as not to create significant adverse effects to residential and commercial areas of the City. The minimum contiguous area of any GI zoning district shall be fifty (50) acres.**

16.31.020 - Uses

- A. The table below identifies the land uses that are permitted outright (P), permitted conditionally (C) and not permitted (N) in the industrial zoning districts. The specific land use categories are described and defined in Chapter 16.88.**
- B. Uses listed in other sections of this Code, but not within this specific table are prohibited.**
- C. Any use not otherwise listed that can be shown to be consistent or associated with the uses permitted outright or conditionally in the industrial zones or contribute to the achievement of the objectives of the industrial zones may be permitted outright or conditionally, utilizing the provisions of Chapter 16.88.**
- D. Additional limitations for specific uses are identified in the footnotes of this table.**

Uses Industrial	LI
Distribution and warehousing up to 150,000 SF provided products are stored within an enclosed building⁹	P

⁹ For standalone warehousing and distribution only.

ANALYSIS: The applicant is proposing a new 29,500 SF industrial building for Barker Cabinets, a local business selling “ready to assemble” cabinets. Barker Cabinets has facilities in Tualatin and Portland. This site will serve as additional warehousing and shipping space for the company. No manufacturing, office, or other uses are proposed at this time.

FINDING: This standard is met.

16.31.030 - 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 (Variances and Adjustments).

B. Development Standards

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

Development Standards by Zone	GI Zone	Proposed (Consolidated Lot)
Lot area – Industrial Uses:	20,000 SF	4.09 AC
Lot area – Commercial Uses (subject to Section 16.31.050):	10,000 SF	-
Lot width at front property line:	100 feet	>100 ft.
Lot width at building line:	100 feet	>100 ft.
Front yard setback¹¹	None	> 20 ft.
Side yard setback¹⁰	None	6 ft.
Rear yard setback¹¹	None	6 ft.
Corner lot street side¹¹	None	-
Height¹¹	50 ft.	33 ft.

- 9 Lots within the EI zone that were legal lots of record prior to October 5, 2010 and smaller than the minimum lot size required in the table below may be developed if found consistent with other applicable requirements of Chapter 16.31 and this Code. Further subdivision of lots smaller than three acres shall be prohibited unless Section 16.31.050 applies.
- 10 When a yard is abutting a residential zone or public park, there shall be a minimum setback of forty (40) feet provided for properties zoned Employment Industrial and Light Industrial zones, and a minimum setback of fifty (50) feet provided for properties zoned General Industrial.
- 11 Structures located within one-hundred (100) feet of a residential zone shall be limited to the height requirements of that residential zone.

ANALYSIS: The applicant is proposing a concurrent lot consolidation with the Site Plan application. Parcel 3 of Partition Plat 2004-048 and Parcel 3 of Partition Plat 2008-020 will be combined to create a single lot of approximately 4.09-acres. The development standards are met after consolidation of the lots as shown in the table above.

FINDING: This standard is met.

16.31.070 - Community Design

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

ANALYSIS: The proposal includes development features that are subject to the Community Design Standards of the development code. The applicable standards are addressed in this report.

FINDING: Community Design standards apply and are addressed below.

Chapter 16.126 - REPLATTING, LOT CONSOLIDATIONS AND VACATION OF PLATS

16.126.010. - Generally

- A. Any plat or portion thereof may be re-platted, consolidated or vacated upon receiving an application signed by all of the owners as appearing on the deed.**
- B. All applications for a plat shall be made in accordance with the subdivision or the partition provisions within this Division and processed under the Type I procedure.**

16.126.020 - Basis for Denial

The application may be denied if it abridges or destroys any public right in any of its public uses, improvements, streets or alleys.

16.126.030. - Timing of Vacations

All approved plat vacations shall be recorded in accordance with [Section 16.122.010](#):

- A. Once recorded, the vacation shall operate to eliminate the force and effect of the plat prior to vacation; and
- B. The vacation shall also divest all public rights in the streets, alleys and public grounds, and all dedications laid out or described on the plat.

16.126.040 - After Sale of Lots

When lots have been sold, the plat may be vacated in the manner herein provided by all of the owners of lots within the platted area.

16.126.050 - Lot Consolidations

Upon approval of a Type I lot consolidation by the City Manager or designee, and upon demonstrating compliance with approval conditions:

- A. For the consolidation of lots or parcels of a recorded plat, the lot consolidation shall be finalized by a re-plat of the subdivision or partition.
- B. The County may consolidate parcels or tracts of land that are not within a recorded plat.

ANALYSIS: The applicant is proposing a concurrent lot consolidation with the Site Plan application. Parcel 3 of Partition Plat 2004-048 and Parcel 3 of Partition Plat 2008-020 will be combined to create a single approximately 4.09-acre lot. The Lot Consolidation details are provided in Exhibit A – SubExhibit G. The development standards are met after consolidation of the lots as shown in the findings for SZCDC § 16.31.030 above.

Two existing lots of record (three tax lots) will be combined to create a single lot of record. No new lots will be created. The lot consolidation is being processed concurrently with the Site Plan application and all applicable zoning and development standards are met or can be met by the conditions of approval. The lot consolidation was routed to affected agencies for comment.

FINDING: These criteria are met.

CONDITION OF APPROVAL A8: The lot consolidation shall be finalized by a re-plat of the partition within one year from the date of the Notice of Decision.

Chapter 16.58 - VISION CLEARANCE AND FENCE STANDARDS

16.58.010 Clear Vision Areas

- A. A clear vision area shall be maintained on the corners of all property at the intersection of two (2) streets, intersection of a street with a railroad, or intersection of a street with an alley or private driveway.
- B. A clear vision area shall consist of a triangular area, two (2) sides of which are lot lines measured from the corner intersection of the street lot lines for a distance specified in this regulation; or, where the lot lines have rounded corners, the lot lines extended in a straight line to a point of intersection, and so measured, and the third side of which is a line across the corner of the lot joining the non-intersecting ends of the other two (2) sides.
- C. A clear vision area shall contain no planting, sight obscuring fence, wall, structure, or temporary or permanent obstruction exceeding two and one-half (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: Access is proposed from two new driveways along SW Galbreath Dr. The Site Plan does not show the required clear vision areas.

FINDING: This standard is met as conditioned below.

CONDITION OF APPROVAL B1: Prior to Final Site Plan approval, the site shall show the clear vision areas for all driveway intersections in accordance with SZCDC § 16.58.010.

CONDITION OF APPROVAL G1: Prior to Occupancy, the clear vision areas shall be established for all driveway intersections in accordance with SZCDC § 16.58.010.

16.58.020 - Fences, Walls and Hedges.

- A. Purpose:** The fence standards promote the positive benefits of fences without negatively impacting the community or endangering public or vehicle safety. Fences can create a sense of privacy, protect children and pets, provide separation from busy streets, and enhance the appearance of property by providing attractive landscape materials. The negative effect of fences can include the creation of street walls that inhibit police and community surveillance, decrease the sense of community, hinder the safe movement of pedestrians and vehicles, and create an unattractive appearance. These standards are intended to promote the positive aspects of fences and to limit the negative ones.
- B. Reserved**
- C. Applicability:** The following standards apply to walls, fences, hedges, lattice, mounds, and decorative toppers. The standards do not apply to vegetation, sound walls and landscape features up to four (4) feet wide and at least twenty (20) feet apart.
- D. Location—Non-Residential Zone:**
 - 1. Fences up to eight (8) feet high are allowed along front, rear and side property lines, subject to Section 16.58.010. (Clear Vision) and building department requirements.
 - 2. A sound wall is permitted when required as a part of a development review or concurrent with a road improvement project. A sound wall may not be taller than twenty (20) feet.
 - 3. Hedges up to twelve (12) feet tall are allowed, however, when the non-residential zone abuts a residential zone the requirements of section 16.58.030.d.6. shall apply.
- E. General Conditions—All Fences:**
 - 1. Retaining, masonry, concrete, and modular retaining walls may not be constructed within the eight-foot public utility easement (PUE) located on the front and corner street side yards, without approval from the City Engineer.
 - 2. Fences must be structurally sound and maintained in good repair. A fence may not be propped up in any way from the exterior side.
 - 3. Chain link fencing is not allowed in any required residential front yard setback.
 - 4. The finished side of the fence must face the street or the neighboring property. This does not preclude finished sides on both sides.
 - 5. Buffering: If a proposed development is adjacent to a dissimilar use such as a commercial use adjacent to a

residential use, or development adjacent to an existing farming operation, a buffer plan that includes, but is not limited to, setbacks, fencing, landscaping, and maintenance via a homeowner's association or managing company must be submitted and approved as part of the preliminary plat or site plan review process per Section 16.90.020 and Chapter 16.122.

6. In the event of a conflict between this Section and the clear vision standards of Section 16.58.010, the standards in Section 16.58.010 prevail.
7. The height of a fence or wall is measured from the actual adjoining level of finished grade measured six (6) inches from the fence. In the event the ground is sloped, the lowest grade within six (6) inches of the fence is used to measure the height.
8. Call before you dig (811) if placing a fence within the public utility easement (PUE) to have your utility lines located. This easement area is usually located eight (8) feet across the front yard and the side yard setback on a corner lot. Utility lines can be buried just beneath the surface.

ANALYSIS: The Site Plan indicates no fences or walls are proposed. Fences and walls installed in the future are required to meet applicable development code and building code standards.

FINDING: These standards are met.

Chapter 16.90 – SITE PLANNING

16.90.020 – Site Plan Review

A. Site Plan Review Required

Site Plan review is required prior to any substantial change to a site or use that does not meet the criteria of a minor or major modification, issuance of building permits for a new building or structure, or for the substantial alteration of an existing structure or use.

ANALYSIS: The proposal is for a new building and site improvements including parking, circulation, and landscaping.

FINDING: The application is required to comply with the Site Planning criteria and standards.

D. Required Findings

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

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

ANALYSIS: As discussed in the findings under each Division, the proposed development meets or is conditioned to meet all of the applicable standards in Division II and VI.

FINDING: This criterion is met.

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

ANALYSIS: The subject site is located within City boundaries and can be adequately served by the required public facilities and services as demonstrated in this report under Division VII – Public Infrastructure and in the agency comments. The application was routed to public service providers including Tualatin Valley Fire and Rescue, Sherwood Police Department, Bonneville Power Administration, Portland General Electric, Clean Water Services, and others. No service capacity issues were raised. The proposed improvements combined with the Conditions of Approval ensure adequate services will be provided.

FINDING: This criterion is met.

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

ANALYSIS: The property will be under single ownership and the property owner is responsible for management and maintenance of on-site development features and landscaping.

The property is encumbered by various access and utility easements intended to serve the properties to the south. The easements were placed on the property during the previous land partitions. The applicant is proposing permanent development over the

easements and is required to extinguish the easements prior to issuance of building permits.

The following easement is required to be extinguished prior to issuance of building permits:

- 20 ft. wide Utility and Ingress / Egress easement per Partition Plat 2004-048. Recorded September 7, 2004, location is western 20 ft. of Parcel 3 of Partition Plat 2004-048.

The following easement has been extinguished, as demonstrated by the applicant's submittal Exhibit A - SubExhibit H:

- 20 ft. wide utility installation and operation easement per WACO Doc. No. 2002-132397.

FINDING: This criterion is met as conditioned below.

CONDITION OF APPROVAL E1: Prior to issuance of building permits, the 20 ft. wide utility and ingress / egress easement located on the western 20 ft. of Parcel 3 of Partition Plat 2004-048 shall be extinguished.

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

ANALYSIS: The development site does not contain significant natural features such as wetlands, trees, or topographic features. The applicant has provided a CWS Provider Letter than indicates sensitive habitat is not located on site. MetroMaps indicates Regionally Significant Upland habitat is located on the site, however, the tree canopy has been previously cleared. Aerial images indicate the site has been clear of trees since at least 1999.

FINDING: This criterion is met.

- 5. For developments that are likely to generate more than 400 average daily trips (ADTs), or at the discretion of the City Engineer, the applicant must provide adequate information,**

such as a traffic impact analysis (TIA) or traffic counts, to demonstrate the level of impact to the surrounding transportation system. The developer is required to mitigate for impacts attributable to the project, pursuant to TIA requirements in Section 16.106.080 and rough proportionality requirements in Section 16.106.090. The determination of impact or effect and the scope of the impact study must be coordinated with the provider of the affected transportation facility.

ANALYSIS: The applicant has provided a trip generation letter that indicates the building will be used exclusively for warehousing overflow space with an estimated 2 – 5 truck trips per day. A full TIA is not required.

FINDING: This criterion is met.

6. **The proposed commercial, multi-family, institutional or mixed-use development is oriented to the pedestrian and bicycle, and to existing and planned transit facilities. Urban design standards include the following:**

ANALYSIS: The proposal is for industrial development.

FINDING: This standard does not apply.

7. **Industrial developments provide employment opportunities for citizens of Sherwood and the region as a whole. The proposed industrial development is designed to enhance areas visible from arterial and collector streets by reducing the "bulk" appearance of large buildings. Industrial design standards include the following:**
 - a. **Portions of the proposed industrial development within 200 feet of an arterial or collector street and visible to the arterial or collector (i.e. not behind another building) must meet any four of the following six design criteria:**
 - (1) **A minimum 15% window glazing for all frontages facing an arterial or collector.**
 - (2) **A minimum of two (2) building materials used to break up vertical facade street facing frontages (no T-111 or aluminum siding).**

- (3) **Maximum thirty-five (35) foot setback for all parts of the building from the property line separating the site from all arterial or collector streets (required visual corridor falls within this maximum setback area).**
- (4) **Parking is located to the side or rear of the building when viewed from the arterial or collector.**
- (5) **Loading areas are located to the side or rear of the building when viewed from the arterial or collector. If a loading area is visible from an arterial or collector, it must be screened with vegetation or a screen made of materials matching the building materials.**
- (6) **All roof-mounted equipment is screened with materials complimentary to the building design materials.**

ANALYSIS: The development is located along SW Galbreath Dr. which is identified as a local street along the west property line of the subject site and a collector status street along the north property line of the subject site. Therefore the industrial design standards apply to portions of the site visible from and within 200 ft. of SW Galbreath Dr. along the north property line. The applicant is proposing to meet the design standards as follows:

- 15% window glazing
- Minimum two building materials (concrete, metal, glass)
- Loading area screened from right-of-way
- Roof mounted equipment screened with complimentary buildings materials

FINDING: This standard is met as conditioned below.

CONDITION OF APPROVAL G2: Prior to Occupancy, the development shall meet the industrial design standards as demonstrated in the application under SZCDC § 16.90.020(D)(7).

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

ANALYSIS: There are no existing or planned streets that the proposed driveways are required to align with. The proposed driveway on the north side of the site will align with the existing driveway on the north side of SW Galbreath Dr.

FINDING: This standard is met.

E. Approvals

The application is reviewed pursuant to Chapter 16.72 and action taken to approve, approve with conditions, or deny the application for site plan review. Conditions may be imposed by the Review Authority if necessary to fulfill the requirements of the adopted Comprehensive Plan, Transportation System Plan or the Zoning and Community Development Code. The action must include appropriate findings of fact as required by Section 16.90.020. The action may be appealed to the Council in accordance with Chapter 16.76.

F. Time Limits

Site plan approvals are void after two (2) years unless construction on the site has begun, as determined by the City. The City may extend site plan approvals for an additional period not to exceed one (1) year, upon written request from the applicant showing adequate cause for such extension, and payment of an extension application fee as per Section 16.74.010. A site plan approval granted on or after January 1, 2007 through December 31, 2009, is extended until December 31, 2013.

ANALYSIS: The applicant is required to comply with all conditions of approval included in the Notice of Decision and has the right to appeal to City Council in accordance with SZCDC § 16.76. The site plan approval becomes void after two (2) years unless construction on the site has begun, as determined by the City.

FINDING: This standard is met as conditioned below.

CONDITION OF APPROVAL A9: This approval is valid for a period of two (2) years from the date of the Notice of Decision. Extensions may be granted by the City as afforded by the Sherwood Zoning and Community Development Code.

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.

16.92.020 Landscaping Materials

A. Type of Landscaping

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

1. Ground Cover Plants

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

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.

C. Existing Vegetation

1. All developments subject to site plan review per Section 16.90.020 and required to submit landscaping plans per this section shall preserve existing trees, woodlands and vegetation on the site to the maximum extent possible, as determined by the Review Authority, in addition to complying with the provisions of Section 16.142 (Parks, Trees and Open Space) and Chapter 16.144 (Wetland, Habitat, and Natural Resources).
2. Existing vegetation, except those plants on the Nuisance Plants list as identified in the "Suggested Plant Lists for Required Landscaping Manual" may be used to meet the landscape standards, if protected and maintained during the construction phase of the development.
 - a. If existing trees are used, each tree six (6) inches or less in diameter counts as one (1) medium tree.
 - b. Each tree that is more than six (6) inches and up to nine (9) inches in diameter counts as two (2) medium trees.
 - c. Each additional three (3) inch diameter increment above nine (9) inches counts as an additional medium tree.

D. Non-Vegetative Features

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

ANALYSIS: The applicant has submitted a Landscape Plan (Exhibit A – SubExhibit A – Sheet L1.0) that shows perimeter, parking lot, and site landscaping. The size of the plantings is provided in accordance with the standards above. The required 30% tree canopy will be met primarily through new plantings.

FINDING: These standards are met.

16.92.030 Site Area Landscaping and Perimeter Screening Standards

A. Perimeter Screening and Buffering

1. Perimeter Screening Separating Residential Zones:

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

ANALYSIS: The property does not abut a residential zone.

FINDING: This standard is not applicable.

2. Perimeter Landscaping Buffer

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

3. Perimeter Landscape Buffer Reduction

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

ANALYSIS: The Site Plan proposes parking and drive aisles along the north and east property line. The 10 ft. buffer along the north property line is also required as part of the Galbreath Dr. visual corridor standard.

The landscaping adjacent to the east property line is shown at 2.69 ft. and does not meet the standard above. As 5 ft. of landscaping is provided on the adjacent property to the east (TL 2S128A001500), only 5 ft. of landscaping is required along the east property line of the subject site.

FINDING: This standard is met as conditioned below.

CONDITION OF APPROVAL B2: Prior to Final Site Plan approval, revise the plans to provide a minimum of 5 ft. of landscaping between the vehicle use area and the abutting property to the east.

B. Parking Area Landscaping

1. Purpose

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

2. Definitions

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

b. **Canopy Factor**

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

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

(2) **Growth Rate Factor:** The growth rate factor is three (3) for fast-growing trees, two (2) for medium growing trees, and one (1) for slow growing trees. The growth rate of a tree is identified in the "Suggested Plant Lists for Required Landscaping Manual."

3. Required Landscaping

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

4. Amount and Type of Required Parking Area Landscaping

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

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

- (1) Any combination of the following is required:
 - (i) One (1) large tree is required per four (4) parking spaces;
 - (ii) One (1) medium tree is required per three (3) parking spaces; or
 - (iii) One (1) small tree is required per two (2) parking spaces.
 - (iv) At least five (5) percent of the required trees must be evergreen.
- (2) Street trees may be included in the calculation for the number of required trees in the parking area.
- b. Shrubs:
 - (1) Two (2) shrubs are required per each space.
 - (2) For spaces where the front two (2) feet of parking spaces have been landscaped instead of paved, the standard requires one (1) shrub per space. Shrubs may be evergreen or deciduous.
- c. Ground cover plants:
 - (1) Any remainder in the parking area must be planted with ground cover plants.
 - (2) The plants selected must be spaced to cover the area within three (3) years. Mulch does not count as ground cover..
- 5. Individual Landscape Islands Requirements
 - a. Individual landscaped areas (islands) shall be at least ninety (90) square feet in area and a minimum width of five (5) feet and shall be curbed to protect the landscaping.
 - b. Each landscape island shall be planted with at least one (1) tree.
 - c. Landscape islands shall be evenly spaced throughout the parking area.
 - d. Landscape islands shall be distributed according to the following:
 - (2) Multi or mixed-uses, institutional and commercial uses: one (1) island for every ten (10) contiguous parking spaces.
 - e. Storm water bio-swales may be used in lieu of the parking landscape areas and may be included in the calculation of the required landscaping amount.

ANALYSIS: The applicant is proposing a total of 35 parking stalls. Parking lot landscaping calculations in conformance with the standards above are provided on the Landscape Plan. The width of the landscape island at the northwest corner of the parking lot appears to be less than 5 ft. wide.

FINDING: This standard is met as conditioned below.

CONDITION OF APPROVAL B3: Prior to Final Site Plan approval, provide the width and area of each landscape island. Each island shall be a minimum of 5 ft. wide and 90 SF.

- 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: Shrubs and trees are proposed near the clear vision area at the intersection of the private driveway on the north side of property. The applicant is conditioned to establish the clear vision area prior to occupancy of the site. The property owner is required to maintain vegetation in compliance with the code after site development.

FINDING: This standard is met.

- 7. Exceptions**
 - a. For properties with an environmentally sensitive area and/or trees or woodlands that merit protection per Chapters 16.142 (Parks, Trees and Open Space) and 16.144 (Wetland, Habitat and Natural Areas) the landscaping standards may be reduced, modified or "shifted" on-site where necessary in order to retain existing vegetation that would otherwise be removed to meet the above referenced landscaping requirements.**
 - b. The maximum reduction in required landscaping buffer permitted through this exception process shall be no more than fifty (50) percent. The resulting landscaping buffer after reduction may not be less than five (5) feet in width unless otherwise permitted by the underlying zone. Exceptions to the required landscaping may only be permitted when reviewed as part of a land use action**

application and do not require a separate variance permit.

ANALYSIS: The applicant is not requesting any additional reduction to the site landscaping requirements.

FINDING: This standard is not applicable.

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

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

ANALYSIS: The applicant is proposing loading and delivery areas between the building and right-of-way. The loading areas will be screened from view with landscaping along the north property line abutting SW Galbreath Dr. The Site Plan does not indicate any other areas of the site will be used for outdoor storage or equipment.

FINDING: This standard is met as conditioned below.

CONDITION OF APPROVAL G3: Prior to Occupancy, all mechanical equipment, outdoor storage and manufacturing, and service and delivery areas, shall be screened from view from all public streets

D. Visual Corridors

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

ANALYSIS: Visual corridor standards are addressed under SZCDC § 16.142.040(A).

FINDING: These standards are addressed under § 16.142.040(A).

16.92.040 Installation and Maintenance Standards

A. Installation

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

B. Maintenance and Mitigation of Landscaped Areas

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

C. Irrigation

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

1. Option 1: A permanent built-in irrigation system with an automatic controller installed.
2. Option 2: An irrigation system designed and certified by a licensed landscape architect or other qualified professional as part of the landscape plan, which provides sufficient water to ensure that the plants become established. The system does not have to be permanent if the plants chosen can survive independently once established.
3. Option 3: Irrigation by hand. If the applicant chooses this option, an inspection will be required one (1) year after final inspection to ensure that the landscaping has become established.

ANALYSIS: Landscaping is required to be in-ground and installed to current nursery standards with an approved form of irrigation. The plans and narrative do not address landscaping irrigation.

FINDING: These standards are met as conditioned below.

CONDITION OF APPROVAL B4: Prior to Final Site Plan approval, revise the landscape plan and/or to provide a form of irrigation in accordance with SZCDC § 16.92.040(C).

CONDITION OF APPROVAL G4: Prior to Occupancy, all landscaping must be installed to nursery standards and have an irrigation system in accordance with SZCDC § 16.92.040(C).

Chapter 16.94 OFF-STREET PARKING AND LOADING

16.94.010 General Requirements

A. Off-Street Parking Required

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

ANALYSIS: Details on the proposed off-street parking and loading areas are provided in the narrative and on the plans. The development can provide parking in accordance with this chapter, as described and conditioned below. No deferral of improvements is proposed at this time.

FINDING: This criterion is met.

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.

C. Options for Reducing the Required Parking Spaces

1. **Two (2) or more uses or, structures on multiple parcels of land may utilize jointly the same parking and loading spaces when the peak hours of operation do not substantially overlap, provided that satisfactory evidence is presented to the City, in the form of deeds, leases, or contracts, clearly establishing the joint use.**
 - a. **Within commercial, institutional and public, or industrial zones, shared parking may be provided on lots that are within five hundred (500) feet of the property line of the use to be served.**
 - b. **Shared parking is allowed if the application can show that the combined peak use is available by a parking study that demonstrates:**
 - (1) **There is a sufficient number of parking spaces to accommodate the requirements of the individual businesses; or**
 - (2) **That the peak hours of operation of such establishments do not overlap, and**
 - (3) **That an exclusive permanent easement over a delineated area has been granted for parking space use.**
2. **Mixed use projects are developments where a variety of uses occupies a development project or complex. For example, an eating establishment, professional office building and movie theater are all components of a mixed use site. It does not include a secondary use within a primary use such as an administrative office associated with a retail establishment. In mixed-use projects, the required minimum vehicle parking shall be determined using the following formula:**
 - a. **Primary use: i.e. that with the largest proportion of total floor area within the development at one hundred (100) percent of the minimum vehicle parking required for that use.**
 - b. **Secondary Use: i.e. that with the second largest percentage of total floor area within the development, at ninety (90) percent of the vehicle parking required for that use.**
 - c. **Subsequent use or uses, at eighty (80) percent of the vehicle parking required for that use.**

D. Prohibited Uses

Required parking, loading and maneuvering areas shall not be used for long-term storage or sale of vehicles or other materials, and shall

not be rented, leased or assigned to any person or organization not using or occupying the building or use served.

ANALYSIS: No deferral of improvements, shared parking, or prohibited uses are proposed.

FINDING: This standard is met.

E. Location

1. Residential off-street parking spaces:

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.

ANALYSIS: All required parking spaces are proposed on-site as shown in the applicant's plans.

FINDING: These standards are met.

F. Marking

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

ANALYSIS: The applicant's plans do not provide preliminary details on the direction and flow of vehicle and pedestrian traffic. Final plans are required.

FINDING: This standard is met as conditioned below.

CONDITION OF APPROVAL B5: Prior to Final Site Plan approval, provide a final marking plan for the on-site parking, loading, and maneuvering areas.

CONDITION OF APPROVAL G5: Prior to Receiving Occupancy, all parking, loading or maneuvering areas including ADA and loading stalls shall be clearly marked and signed.

G. Surface and Drainage

- 1. All parking and loading areas shall be improved with a permanent hard surface such as asphalt, concrete or a durable pervious surface. Use of pervious paving material is encouraged and preferred where appropriate considering soils, location, anticipated vehicle usage and other pertinent factors.**
- 2. Parking and loading areas shall include storm water drainage facilities approved by the City Engineer or Building Official.**

H. Repairs

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

I. Parking and Loading Plan

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

1. Delineation of individual parking and loading spaces and dimensions.
 2. Circulation areas necessary to serve parking and loading spaces.
 3. Location of accesses to streets, alleys and properties to be served, and any curb cuts.
 4. Landscaping as required by Chapter 16.92.
 5. Grading and drainage facilities.
 6. Signing and bumper guard specifications.
 7. Bicycle parking facilities as specified in Section 16.94.020.C.
 8. Parking lots more than one (1) acre in size shall provide street-like features including curbs, sidewalks, and street trees or planting strips.
- J. **Parking Districts**
 The City may establish a parking district (i.e., permits or signage) in residential areas in order to protect residential areas from spillover parking generated by adjacent commercial, employment or mixed-use areas, or other uses that generate a high demand for parking. The district request shall be made to the City Manager, who will forward a recommendation to the City Council for a decision. Structured parking and on-street parking are exempt from the parking space maximums in Section 16.94.020.A.

ANALYSIS: The application does not provide details on the type of surface that will be used for the parking area.

FINDING: This standard is met as conditioned below.

CONDITION OF APPROVAL B6: Prior to Final Site Plan approval, provide the type of surface that will be used for the parking area. All parking and loading areas shall be improved with a permanent hard surface such as asphalt, concrete or a durable pervious surface.

CONDITION OF APPROVAL G6: Prior to Occupancy, all parking and loading areas shall be improved with a permanent hard surface such as asphalt, concrete or a durable pervious surface in accordance with the Final Site Plan approval.

16.94.020 Off-Street Parking Standards

A. Generally

Where square feet are specified, the area measured shall be the gross building floor area primary to the functioning of the proposed use. Where employees are specified, persons counted shall be those

working on the premises, including proprietors, during the largest shift at peak season. Fractional space requirements shall be counted as a whole space. The Review Authority may determine alternate off-street parking and loading requirements for a use not specifically listed in this Section based upon the requirements of comparable uses.

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 A ¹	Maximum Permitted Parking Zone B ²
Industrial	1.6	n/a	n/a
Warehousing	0.3	0.4	0.5
Office	2.7	3.4	4.1

ANALYSIS: The applicant is proposing 29,500 SF of warehousing and is proposing 35 off-street parking stalls. When applying the parking ratio at a 100% warehouse use, the site would be limited to a maximum of 19 parking stalls. In order to develop the site with parking that can serve a mixture of future uses, the applicant has agreed to parking requirements based on the following use breakdown:

Office (2,000 SF)	$2.7 \times 2.0 = 5.40$ minimum	
Warehouse (13,750 SF)	$13.75 \times 0.3 = 4.12$ minimum	
Industrial (13,750)	$13.75 \times 1.6 = 22$ minimum	
Total	32 minimum	(No Maximum)

A minimum of 32 off-street stalls is required with no maximum.

FINDING: This standard is met as conditioned below.

CONDITION OF APPROVAL B7: Prior to Final Site Plan approval, revise the plans to provide a minimum of 32 off-street parking stalls.

B. Dimensional and General Configuration Standards

- Dimensions** For the purpose of this Chapter, a "parking space" means a stall nine (9) feet in width and twenty (20) feet in length. Up to twenty five (25) percent of required parking spaces may have a minimum dimension of eight (8) feet in

width and eighteen (18) feet in length so long as they are signed as compact car stalls.

2. Layout

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

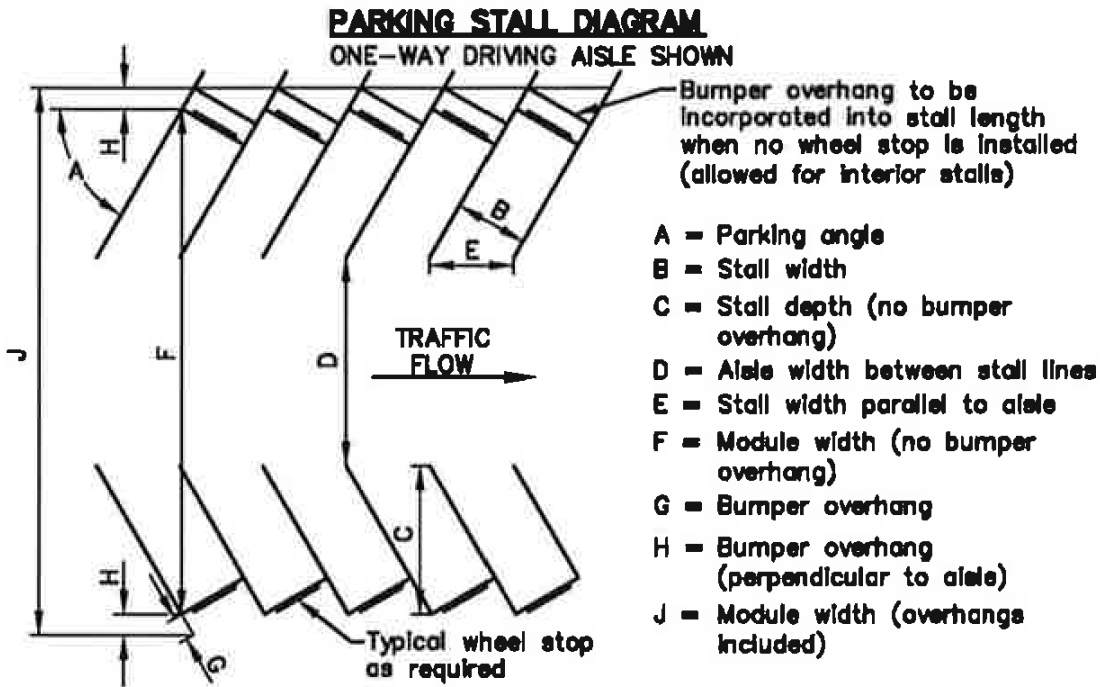


Table 3: Minimum Parking Dimension Requirements
Two-Way Driving Aisle (Dimensions in Feet)

A	B	C	D	E	F	G	H	J
90°	8.0	18.0	26.0	8.0	56.0	3.0	3.0	62.0
	9.0	20.0	24.0	9.0	58.0	3.0	3.0	64.0

3. Wheel Stops

- a. Parking spaces along the boundaries of a parking lot or adjacent to interior landscaped areas or sidewalks shall be provided with a wheel stop at least four (4) inches high,

located three (3) feet back from the front of the parking stall as shown in the above diagram.

- b. Wheel stops adjacent to landscaping, bio-swales or water quality facilities shall be designed to allow storm water runoff.
- c. The paved portion of the parking stall length may be reduced by three (3) feet if replaced with three (3) feet of low lying landscape or hardscape in lieu of a wheel stop; however, a curb is still required. In other words, the traditional three-foot vehicle overhang from a wheel stop may be low-lying landscaping rather than an impervious surface.

ANALYSIS: The applicant is proposing 90° parking stalls with two-way drive aisles. Standard stalls are shown at 9 ft. x 18 ft. with a 3 ft. overhang.

The stalls labeled 30 – 35 on the Site Plan will have an overhang that encroaches into the pedestrian pathway in front of the building. A condition of approval is provided below to maintain a minimum 4 ft. wide clear sidewalk in front of the building.

All drive aisles are a minimum of 24 ft. wide with the exception of the drive aisle adjacent to stalls 28 and 29. A wall or curb creates a pinch point at this location. A condition of approval is provided below to maintain a minimum drive aisle width of 24 ft. at all locations.

FINDING: These standards are met as conditioned below.

CONDITION OF APPROVAL B8: Prior to Final Site Plan approval, revise the plans to provide a minimum 7 ft. sidewalk in front of the building to accommodate for a 3 ft. vehicle overhang and resulting in a 4 ft. wide clear sidewalk area. As an alternative, the parking stalls in front of the building can be revised to be a minimum of 20 ft. in length with a wheel stop allowing for a 3 ft. overhang.

CONDITION OF APPROVAL B9: Prior to Final Site Plan approval, revise the plans to provide a minimum of 24 ft. of drive aisle width adjacent to each parking stall. The drive aisle adjacent to stalls 28 and 29 shall be a minimum of 24 ft. wide.

4. Service Drives

Service drives shall be clearly and permanently marked and defined through use of rails, fences, walls, or other barriers or markers, and shall have minimum vision clearance area formed by the intersection of the driveway center line, the street right-of-way line, and a straight line joining said lines through points fifteen (15) feet from their intersection.

ANALYSIS: No service drives are proposed.

FINDING: This standard does not apply.

6. **Reduction in Required Parking Spaces**
Developments utilizing Engineered storm water bio-swales or those adjacent to environmentally constrained or sensitive areas may reduce the amount of required parking spaces by ten (10) percent when twenty-five (25) through forty-nine (49) parking spaces are required, fifteen (15) percent when fifty (50) and seventy-four (74) parking spaces are required and twenty (20) percent when more than seventy-five (75) parking spaces are required, provided the area that would have been used for parking is maintained as a habitat area or is generally adjacent to an environmentally sensitive or constrained area.

ANALYSIS: A decrease to the amount of required parking is not proposed.

FINDINGS: This standard does not apply.

- C. **Bicycle Parking Facilities**
 1. **General Provisions**
 - a. **Applicability.** Bicycle parking spaces shall be provided for new development, changes of use, and major renovations, defined as construction valued at twenty-five (25) percent or more of the assessed value of the existing structure.
 - b. **Types of Spaces.** Bicycle parking facilities shall be provided in terms of short-term bicycle parking and long-term bicycle parking. Short-term bicycle parking is intended to encourage customers and other visitors to use bicycles by providing a convenient and readily accessible place to park bicycles. Long-term bicycle parking provides employees, students, residents, commuters, and others who generally stay at a site for at least several hours a weather-protected place to park bicycles.
 - c. **Minimum Number of Spaces.** The required total minimum number of bicycle parking spaces for each

use category is shown in Table 4, Minimum Required Bicycle Parking Spaces.

- d. **Minimum Number of Long-term Spaces.** If a development is required to provide eight (8) or more required bicycle parking spaces in Table 4, at least twenty-five (25) percent shall be provided as long-term bicycle with a minimum of one (1) long-term bicycle parking space.
- e. **Multiple Uses.** When there are two or more primary uses on a site, the required bicycle parking for the site is the sum of the required bicycle parking for the individual primary uses.

2. Location and Design.

a. General Provisions

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

b. Short-term Bicycle Parking

- (1) Provide lockers or racks that meet the standards of this section.

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

Table 4: Minimum Required Bicycle Parking Spaces

Use Categories	Minimum Required Spaces
Industrial	2 or 1 per 40 auto spaces, whichever is greater

ANALYSIS: A minimum of two bicycle parking stalls is required. The required bike parking is not shown on the plans.

FINDING: This standard is met as conditioned below.

CONDITION OF APPROVAL B10: Prior to Receiving Final Site Plan approval, revise the plans to show two bicycle parking stalls in accordance with SZCDC § 16.94.020(C)(2) including a 2x6’ space for each bicycle.

CONDITION OF APPROVAL G7: Prior to Receiving Occupancy, two bicycle parking shall be installed in accordance with the Final Site Plan approval and SZCDC § 16.94.020(C)(2) including a 2x6' space for each bicycle.

16.94.030 - Off-Street Loading Standards

A. Minimum Standards

1. A driveway designed for continuous forward flow of passenger vehicles for the purpose of loading and unloading passengers shall be located on the site of any school, or other public meeting place, which is designed to accommodate more than twenty five (25) persons at one time.
2. The minimum loading area for non-residential uses shall not be less than ten (10) feet in width by twenty-five (25) feet in length and shall have an unobstructed height of fourteen (14) feet.
3. Multiple uses on the same parcel or adjacent parcels may utilize the same loading area if it is shown in the development application that the uses will not have substantially overlapping delivery times.
4. The following additional minimum loading space is required for buildings in excess of twenty thousand (20,000) square feet of gross floor area:
 - a. Twenty thousand (20,000) to fifty (50,000) sq. ft. - five hundred (500) sq. ft.
 - b. Fifty (50,000) sq. ft. or more - seven hundred fifty (750) sq. ft.

B. Separation of Areas

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

ANALYSIS: The proposed Site Plan will include various bay doors and loading areas along the front of the building. Loading areas exceed the required 500 SF.

FINDING: This standard is met.

Chapter 16.96 - ONSITE CIRCULATION

16.92.010 – On-Site Pedestrian and Bicycle Circulation

A. Purpose

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

B. Maintenance

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

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.

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.**

E. Maintenance of Required Improvements

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

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: A new private sidewalk is proposed to connect the front entrances of the building to each other and to SW Galbreath Dr.

FINDING: These standards are met.

16.96.030 - Minimum Non-Residential Standards

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

A. Driveways

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

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

ANALYSIS: The applicant is proposing a 50 ft. wide two-way hard-surface driveway.

FINDING: This standard is met.

3. Surface materials are encouraged to be pervious when appropriate considering soils, anticipated vehicle usage and other pertinent factors.
- B. Sidewalks and Curbs**
1. A private pathway/sidewalk system extending throughout the development site shall be required to connect to existing development, to public rights-of-way with or without improvements, to parking and storage areas, and to connect all building entrances to one another. The system shall also connect to transit facilities within five hundred (500) feet of the site, future phases of development, and whenever possible to parks and open spaces.
 2. Curbs shall also be required at a standard approved by the Hearing Authority. Private pathways/sidewalks shall be connected to public rights-of-way along driveways but may be allowed other than along driveways if approved by the Hearing Authority.
 3. **Private Pathway/Sidewalk Design.** Private pathway surfaces shall be concrete, asphalt, brick/masonry pavers, or other pervious durable surface. Primary pathways connecting front entrances to the right of way shall be at least 6 feet wide and conform to ADA standards. Secondary pathways between buildings and within parking areas shall be a minimum of four (4) feet wide and/or conform to ADA standards. Where the system crosses a parking area, driveway or street, it shall be clearly marked with contrasting paving materials or raised crosswalk (hump). At a minimum all crosswalks shall include painted striping.
 4. **Exceptions.** Private pathways/sidewalks shall not be required where physical or topographic conditions make a connection impracticable, where buildings or other existing development on adjacent lands physically preclude a connection now or in the future considering the potential for redevelopment; or pathways would violate provisions of leases, restrictions or other agreements.

ANALYSIS: The width of the primary pathway connecting the building to the street is proposed at 5 ft. while the standard above requires a minimum of 6 ft. All other pathways are required to be 4 ft. wide.

FINDING: This standard is met as conditioned below.

CONDITION OF APPROVAL B11: Prior to Final Site Plan approval, revise the plans to show the primary pathway connecting the front entrance to SW Galbreath Dr. as 6 ft. wide. All other pathways shall be a minimum of 4 ft. wide when accounting for vehicle bumper overhangs.

16.96.040 - 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.
- 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.
- 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.
- 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: The applicant is proposing two access driveways to SW Galbreath Dr., a collector and local status roadway. The proposed 20 ft. gravel driveway access connecting the western portion of the site to SW Galbreath Dr. does not appear to be required based on development code or emergency response requirements. The gravel driveway does not meet the required pavement standards in SZCDC § 16.94.010(G) and does not provide a pedestrian pathway in conformance with SZCDC § 16.96.030.

The plans shall be revised to eliminate the drive aisle and driveway while maintaining the single northern access point with a pedestrian pathway connection.

FINDING: This standard is met as conditioned below.

CONDITION OF APPROVAL B12: Prior to Final Site Plan approval, revise the plans to eliminate the western drive aisle and driveway to SW Galbreath Dr.

Chapter 16.98 - ONSITE STORAGE

16.98.020 Solid Waste and Recycling Storage

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

16.98.030 - Material Storage

- A. Generally.** Except as otherwise provided herein, external material storage is prohibited, except in commercial and industrial zones where storage areas are approved by the Review Authority as part of a site plan or per Section 16.98.040.
- B. Standards.** Except as per Section 16.98.040, all service, repair, storage, and merchandise display activities carried on in connection with any commercial or industrial activity, and not conducted within an enclosed building, shall be screened from the view of all adjacent properties and adjacent streets by a six (6) foot to eight (8) foot high, sight obscuring fence subject to chapter 16.58.020. In addition, unless adjacent parcels to the side and rear of the storage area have existing solid evergreen screening or sight-obscuring fencing in place, new evergreen screening no less than three (3) feet in height shall be planted along side and rear property lines. Where other provisions of this Code require evergreen screening, fencing, or a landscaped berm along side and rear property lines, the additional screening stipulated by this Section shall not be required.
- C. Hazardous Materials.** Storage of hazardous, corrosive, flammable, or explosive materials, if such storage is otherwise permitted by this Code, shall comply with all local fire codes, and Federal and State regulations.

ANALYSIS: The Site Plan shows a new trash enclosure at the east end of the site. Pride Disposal has provided comment directly to the applicant on the location of the enclosure and in response the Site Plan was updated as shown in the approval letter (Exhibit B4). The applicant is required to submit a Final Site Plan to the City showing the new enclosure location and other changes required by the Conditions of Approval.

The narrative states that no outdoor storage is proposed.

FINDING: These standards are met as conditioned below.

CONDITION OF APPROVAL B13: Prior to Final Site Plan approval, applicant shall revise the plans to show the trash enclosure in the location approved by Pride Disposal or an alternative location approved by the agency. The design shall also meet the standards of SZCDC § 16.98.020.

CONDITION OF APPROVAL A10: External material storage is prohibited on the site unless specifically authorized through a Site Plan Review decision.

Chapter 16.106 - TRANSPORTATION FACILITIES

16.106.010 - Generally

A. Creation

Public streets shall be created in accordance with provisions of this Chapter. Except as otherwise provided, all street improvements and rights-of-way shall conform to standards for the City's functional street classification, as shown on the Transportation System Plan (TSP) Map (Figure 17) and other applicable City standards. The following table depicts the guidelines for the street characteristics.

Type of Street	Right of Way Width	Number of Lanes	Minimum Lane Width	On Street Parking Width	Bike Lane Width	Sidewalk Width	Landscaping Strip (exclusive of Curb)	Median Width
Collector	58-92'	2-3	11'	8' optional	6'	6-8'	5'	14' median turn lane
40' Commercial/Industrial Not Exceeding 3000 vehicles per day	64'	2	20'	8'	None	6'	5'	none

ANALYSIS: The City of Sherwood Engineering comments state “The subject property has public street frontage along SW Galbreath Drive to the north (Collector) and to the west (Standard Industrial).

Currently SW Galbreath Drive along the north side of the subject property has an 18-foot half street paved width within a 25-foot wide half-street right-of-way section with no sidewalk. The required half-street pavement width for a 2-lane collector with no on-street parking is 17 feet with a 5-foot wide landscape strip, a 6-foot wide concrete sidewalk and 1-foot wide buffer within a 29-foot wide half street right-of-way section. Since the existing pavement width is only 1-foot wider than required, adjustment of the street pavement width is not being required. A 6-foot wide concrete sidewalk and street trees along the frontage of the proposed portion of the proposed consolidated parcel is required to be installed in its ultimate location with the back of sidewalk being 1-foot inside the right-of-way line. This may require relocating street lights as necessary.

Dedication of right-of-way along the north side of the subject property is required to be dedicated to a 29-foot half right-of-way width.

Currently SW Galbreath Drive along the west side of the subject property has a 16-foot half street paved width (offset 2.5 feet from center of right-of-way) within a 20-foot wide half-street right-of-way section with no sidewalk. The required half-street pavement width for a 2-lane standard industrial street is 20 feet with a 5-foot wide landscape strip, a 6-foot wide concrete sidewalk and 1-foot wide buffer within a 32-foot wide half street right-of-way section. Therefore the existing pavement width is 4-feet narrower than required. Widening SW Galbreath Drive west of the subject property at this time is not recommended since it would be a short section of widening that would not match the rest of the existing street conditions. Therefore a fee-in-lieu of constructing the pavement widening will be required at the time of development of the western portion of the proposed consolidated parcel. The payment-in-lieu cost will be 125% of an engineer’s estimate meeting the approval of the Sherwood Engineering Department.

The installation of the 6-foot wide concrete sidewalk and street trees along the frontage of the western portion of the proposed consolidated parcel in its ultimate location with the back of sidewalk being 1-foot inside the right-of-way line is to be deferred to the site development of the western portion of the proposed consolidated parcel unless otherwise approved by the Sherwood Engineering Department. This may require relocating street lights and fire hydrant as necessary.

Dedication of right-of-way along the north side of the subject property is required to be dedicated to a 29.5-foot half right-of-way width, which accounts for the 2.5-foot street offset centerline.

The proposed driveway for the eastern parcel has access to SW Galbreath Drive north of the subject property and has been aligned to match the existing driveway to the north. There is also a secondary driveway through the western parcel that accesses SW Galbreath Drive west of the subject property.

An 8-foot wide PUE is required along all right-of-way adjacent to the subject property frontage.”

FINDING: This standard is met as conditioned below.

CONDITION OF APPROVAL C1: Prior to Approval of the Engineering Public Improvement Plans, the developer shall design for driveway approaches onto SW Galbreath Drive meeting the approval of the Sherwood Engineering Department.

CONDITION OF APPROVAL C2: Prior to Approval of the Engineering Public Improvement Plans, the developer shall design for the installation of a 6-foot wide concrete sidewalk and street trees along the subject property frontage (proposed developed portion) of SW Galbreath Drive. This may require relocating street lights as necessary.

CONDITION OF APPROVAL F1: Prior to Acceptance of Public Improvements, the developer shall dedicate right-of-way to a 29-foot half right-of-way section width along the north side of the subject property fronting SW Galbreath Drive meeting the approval of the Sherwood Engineering Department.

CONDITION OF APPROVAL F2: Prior to Acceptance of Public Improvements, the developer shall dedicate right-of-way to a 29.5-foot half right-of-way section width along the west side of the subject property fronting SW Galbreath Drive meeting the approval of the Sherwood Engineering Department.

CONDITION OF APPROVAL F3: Prior to Acceptance of Public Improvements, the developer shall dedicate an 8-foot wide PUE along the full length of the subject property frontage meeting the approval of the Sherwood Engineering Department.

16.106.020 - Required Improvements

A. Generally

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

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

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.

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

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 has been conditioned to dedicate right-of-way and construct sidewalk and other “back of curb” improvements in accordance with City standards. The requirements improvements apply to the portion of the frontage that is being developed. The western portion of the site will remain undeveloped and frontage improvements can be deferred until such time as that portion of the property develops.

FINDING: These standards are met.

16.106.040 - Design

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

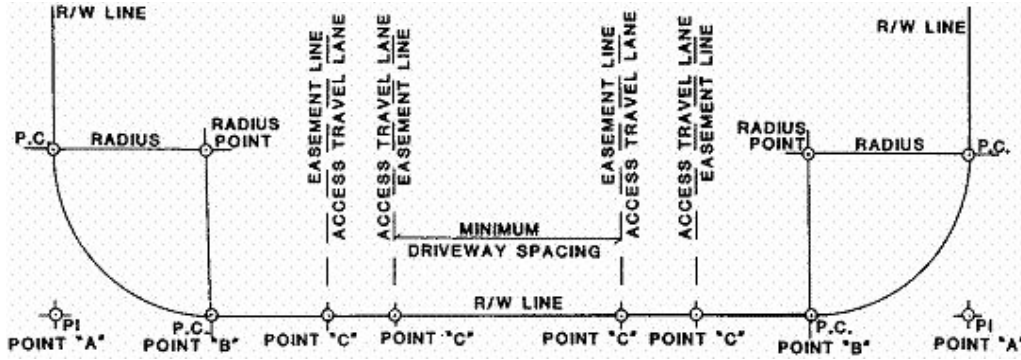
M. Vehicular Access Management

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.
- c. **Collectors:**
All commercial, industrial and institutional uses with one-hundred-fifty (150) feet or more of frontage will be permitted direct access to a Collector. Uses with less than one-hundred-fifty (150) feet of frontage shall not be permitted direct access to Collectors unless no other alternative exists.
Where joint access is available it shall be used, provided that such use is consistent with Section 16.96.040, Joint

Access. No use will be permitted direct access to a Collector within one- hundred (100) feet of any present Point "A." Minimum spacing between driveways (Point "C" to Point "C") shall be one-hundred (100) feet. In all instances, access points near an intersection with a Collector or Arterial shall be located beyond the influence of standing queues of the intersection in accordance with AASHTO standards. This requirement may result in access spacing greater than one hundred (100) feet.

ANALYSIS: The applicant is proposing two new access points to the consolidated lot. To minimize the number of access driveways along Galbreath Dr., the applicant has been conditioned to remove the access point to the street at the west end of the site. A secondary access can be considered in the future when the western portion of the site develops.

The proposed access point along the north side of the property meets the standards above. The site has greater than 150 ft. of frontage and is greater than 100 ft. from any existing driveway in all directions. The proposed driveway will be aligned with the existing driveway to the north to avoid an offset.

FINDING: These standards are met.

16.106.060 - Sidewalks

A. Required Improvements

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

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.

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: The applicant has been conditioned to provide sidewalks along the portion of the side being developed. Sidewalks are required at 5 ft. wide.

FINDING: These standards are 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: The development abuts a collector status road and adequate space exists within the right-of-way to accommodate bike lanes. As the remainder of the collector status road does not exist at this time, bike lanes are not required in front of the subject site. Bike lanes can be added within the right-of-way in the future.

FINDING: These standards are met.

16.106.090 - 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 development site abuts one existing street (SW Galbreath Dr.) with a local classification along the west boundary of the site and a collector classification along the north boundary of the site. The applicant has only been conditioned to provide right-of-way dedication and frontage improvements along the portion of the site being developed. The remainder of the improvements can be deferred until full site development. SDC credits are available in accordance with City and County code.

FINDING: These criteria are met.

Chapter 16.108 – IMPROVEMENT PLAN REVIEW

16.108.010 – 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.**

ANALYSIS: The development project will include the construction of new public facilities and improvement plan review is required. All work impacting or creating public facilities requires an Engineering Compliance Agreement issued by the City of Sherwood Engineering Department.

FINDING: This criterion is met as conditioned below.

CONDITION OF APPROVAL C3: Prior to Approval of the Engineering Public Improvement Plans, an Engineering Compliance Agreement shall be obtained from the Sherwood Engineering Department.

CONDITION OF APPROVAL E2: Prior to Issuance of Building Permit, the developer shall execute an Engineering Compliance Agreement with the Sherwood Engineering Department.

CONDITION OF APPROVAL G8: Prior to Occupancy, the developer shall obtain Final Acceptance of Constructed Public Improvements for the Sherwood Engineering Department.

Chapter 16.110 – SANITARY SEWERS

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.

16.110.020 - 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.

ANALYSIS: The City of Sherwood Engineering Comments (Exhibit B) state “An 8-inch diameter sanitary sewer main exists within SW Galbreath Drive along the subject property frontage of SW Galbreath Drive north of the subject property. This sanitary sewer was recently constructed by the developer but has not been accepted by the City of Sherwood at this time. This sanitary sewer will provide sanitary sewer service to the properties north of SW Galbreath Drive and may be extended westward in the future to provide sanitary sewer service to properties west of SW Galbreath Drive. Properties to the south have public sanitary sewer service via an onsite public sanitary sewer. Therefore the extension of the sanitary sewer southward is not required. There are 2 existing sanitary sewer laterals stubbed to the proposed consolidated parcel.”

FINDING: This standard is met as conditioned below.

CONDITION OF APPROVAL E3: Prior to Issuance of Building Permits, the public sanitary sewer within SW Galbreath Drive will need to have received Final Acceptance by the Sherwood Engineering Department.

CONDITION OF APPROVAL A11: 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.

16.112.020 - 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.

ANALYSIS: The City of Sherwood Engineering Comments state “A 12-inch diameter public water main exists within SW Galbreath Drive along the full length of the subject property frontage. Therefore the extension of the public water system is not required except as necessary to provide water to the proposed consolidated parcel. Site development of the western portion of the proposed consolidated parcel is not included with this application. However, potential future development of the western portion of the proposed consolidated parcel needs to be accounted for to determine domestic service sizing.

The subject development will need to provide a domestic water service and fire water service (if necessary) to the subject development. A fire double detector check assembly and vault will need to be provided if fire service to the site is necessary. The domestic service shall have a Reduced Pressure Backflow assembly.”

FINDING: This standard is met as conditioned below.

CONDITION OF APPROVAL C4: Prior to Final Approval of Engineering Plans, the subject development shall design to provide domestic water service and fire service (if necessary) to the subject development meeting the approval of the Sherwood Engineering Department.

CONDITION OF APPROVAL C5: Prior to Final Approval of Engineering Plans, the subject development shall design for to provide for a Reduced Pressure Backflow assembly on the domestic water service meeting the approval of the Sherwood Engineering Department.

CONDITION OF APPROVAL C6: Prior to Final Approval of Engineering Plans, the subject development shall design for to provide for a double detector check assembly and vault on the fire water service meeting the approval of the Sherwood Engineering Department.

CONDITION OF APPROVAL F4: Prior to Final Acceptance of Constructed Public Improvements, any public water line to be located on private property shall have a recorded public water line easement encompassing the related public water line improvement meeting the approval of the Sherwood Engineering Department.

CONDITION OF APPROVAL A12: All private water services shall be installed in compliance with the current Oregon Plumbing Specialty Code.

Chapter 16.114 – STORM WATER

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

16.114.020 - 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.

16.114.030 - 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: The City of Sherwood Engineering Comments (Exhibit B) state “A 15/18-inch diameter public storm sewer exists within SW Galbreath Drive along the subject property frontage of SW Galbreath Drive north of the subject property. A 12-inch diameter public storm sewer exists within SW Galbreath Drive along the subject property frontage of SW Galbreath Drive west of the subject property. This storm sewer provides for public storm sewer service to the properties around SW Galbreath Drive in this area. Therefore extension of the storm sewer is not required.

There are 2 existing public storm sewer laterals stubbed to the proposed consolidated parcel.

Clean Water Services standards require that all new impervious/modified impervious area associated within a development needs to provide for water quality treatment and hydro-modification or make a payment-in-lieu thereof.

The existing storm sewer system within SW Galbreath Drive north of the subject property currently flows to a public regional water quality swale. If this swale is to provided treatment for any of the new impervious area, then it will be up to the developer to show that the facility has capacity. The existing storm sewer system within SW Galbreath Drive west of the subject property currently flows to a public regional

water quality pond. This facility will not be receiving new storm water runoff as a result of the proposed development.

Water quality treatment and hydro-modification are proposed for on-site storm water runoff for the subject development proposed over the eastern portion of the proposed consolidate parcel. The western portion of the proposed consolidated parcel is remaining undeveloped at this time and will need to design for additional water quality treatment and hydro-modification facilities if not included with the currently development proposed.

Private water quality treatment and hydro-modification facilities require a Private Stormwater Facility Access and Maintenance Covenant to be recorded.

Public impervious improvements within the right-of-way will require payment of a fee-in-lieu for hydro-modification.

Storm water runoff for new impervious areas being treated by the public regional water quality facilities to the north will not require a fee-in-lieu payment since the developer of the subject property previously constructed the regional water quality facility. If the existing facility is to provide for water quality treatment for any portion of the subject development, then the developer will need to verify that the facility has capacity.

The proposed onsite water quality treatment/hydro-modification facility is proposing to use infiltration to reduce the size of the facilities. Testing of the soils to confirm the infiltration rate meets the assumed design rate (with a factor of safety of 2) will be required. A storm water report in compliance with CWS standards is required.

City policy requires that prior to grading, a permit is obtained from the Building Department for all grading on the private portion of the site.

The Engineering Department requires a grading permit for all areas graded as part of the public improvements. The Engineering permit for grading of the public improvements is reviewed, approved and released as part of the public improvement plans.

An erosion control plan and permit is required from the City of Sherwood Engineering Department for all public and private improvements. The erosion control permit is reviewed, approved and released as part of the public improvement plans.

Since the subject development exceeds 1.0 acres a DEQ NPDES 1200-CN permit is required. A 1200-CN permit was previously obtained for site grading. New grading and erosion control plans will need to be submitted for this new development.”

FINDING: This standard is met as conditioned below.

CONDITION OF APPROVAL C7: Prior to Approval of the Engineering Public Improvement Plans, the proposed development shall design to provide water quality treatment and hydro-modification facilities in compliance with Clean Water Services' standards meeting the approval of the Sherwood Engineering Department. The developer may make a fee-in-lieu payment for hydro-modification as it pertains to new impervious area within the public right-of-way.

CONDITION OF APPROVAL C8: Prior to Approval of the Engineering Public Improvement Plans, if an existing water quality facility is to provide for any water quality treatment as part of the subject development, then it will be required that the developer will need to verify that the existing facility has capacity to provide said treatment meeting the approval of the Sherwood Engineering Department.

CONDITION OF APPROVAL F5: Prior to Final Acceptance of Constructed Public Improvements, the developer shall record a Private Stormwater Facility Access and Maintenance Covenant for the onsite water quality treatment/hydro-modification facilities meeting the approval of the Sherwood Engineering Department.

CONDITION OF APPROVAL F6: Prior to Final Acceptance of Constructed Public Improvements, the project Engineer or Geotech shall perform an infiltration test to confirm that the infiltration rates equal or exceed the rates used within the stormwater report (with a factor of safety of 2) meeting the approval of the Sherwood Engineering Department.

CONDITION OF APPROVAL A13: The proposed development shall design for private storm water runoff within the subject property to be collected and conveyed in accordance with the current Oregon Plumbing Specialty Code.

CONDITION OF APPROVAL D1: Prior to Issuance of Grading Permit, the developer shall design for project erosion control meeting the approval of the Sherwood Engineering Department and obtain/maintain a DEQ NPDES 1200-CN permit.

CONDITION OF APPROVAL E4: Prior to Issuance of Building Permit, the developer shall obtain a Grading Permit from the Building Department.

CONDITION OF APPROVAL C9: Prior to Approval of the Engineering Public Improvement Plans, a Storm Water Connection Permit Authorization shall be obtained from Clean Water Services.

Chapter 16.116 - FIRE PROTECTION

16.116.010 Required Improvements

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

A. Capacity

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

B. Fire Flow

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

C. Access to Facilities

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

D. Hydrants

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

erected, or both, given notice that parking is prohibited for at least fifteen (15) feet in either direction.

ANALYSIS: Tualatin Valley Fire and Rescue has issued a Service Provider Letter for the proposed development. The applicant is conditioned to meet all applicable fire requirements prior to occupancy and receive approval of a final inspection.

FINDING: This standard is met as conditioned below.

CONDITION OF APPROVAL A14: The applicant shall comply with the TVF&R Service Provider Letter and all applicable fire code standards.

CONDITION OF APPROVAL G9: Prior to Occupancy, the applicant shall obtain written approval from TVF&R for occupancy of the site and building.

Chapter 16.118 - PUBLIC AND PRIVATE UTILITIES

16.118.010 Purpose

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

16.118.020 Standard

- A. Installation of utilities shall be provided in public utility easements and shall be sized, constructed, located and installed consistent with this Code, Chapter 7 of the Community Development Code, and applicable utility company and City standards.**
- B. Public utility easements shall be a minimum of eight (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: Sherwood Broadband exists along the subject property frontage of SW Galbreath Drive. Therefore no installation of Sherwood Broadband conduits and vaults will be required. All new utilities to serve the subject development shall be underground.

FINDING: These standards are as conditioned below.

CONDITION OF APPROVAL A15: All new utilities to serve the subject development shall be underground.

Chapter 16.142 Parks, Trees and Open Space

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:

	<u>Category</u>	<u>Width</u>
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 development site has frontage on SW Galbreath Dr. The street is a collector status road along the north property line and a local industrial status road along the west property line. A 10 ft. wide visual corridor is required only along the north property line within private property.

In addition to the 10 ft. wide visual corridor, an 8 ft. wide PUE is required on private property along SW Galbreath Dr. A storm facility is currently shown within the required visual corridor and PUE. The storm facility cannot encroach into the 8 ft. wide PUE. The storm facility may encroach into the 10 ft. wide visual corridor by 2 ft. and visual corridor trees can be planted in the storm facility if necessary to meet the landscaped visual corridor standards above. A variety of native deciduous and evergreen trees are

available for use within the storm facility based on CWS standards. A final design and any overlap between the visual corridor and storm facility will be reviewed and approved as part of the Final Site Plan and Engineering Compliance Agreement.

FINDING: This standard is met as conditioned below.

CONDITION OF APPROVAL B14: Prior to Final Site Plan approval, revise the plans to provide a 10 ft. wide visual corridor along the northern frontage of the site with SW Galbreath Dr. The storm facility can encroach into the 10 ft. wide visual corridor by a maximum of 2 ft. Visual corridor trees that are planted within the storm facility shall meet CWS standards and be maintained by the owner on a permanent basis to serve as part of the visual corridor.

16.142.060: STREET TREES

- A. Installation of Street Trees on New or Redeveloped Property.** Trees are required to be planted to the following specifications along public streets abutting or within any new development or re-development. Planting of such trees shall be a condition of development approval. The City shall be subject to the same standards for any developments involving City-owned property, or when constructing or reconstructing City streets. After installing street trees, the property owner shall be responsible for maintaining the street trees on the owner's property or within the right-of-way adjacent to the owner's property.
1. **Location:** Trees shall be planted within the planter strip along a newly created or improved streets. In the event that a planter strip is not required or available, the trees shall be planted on private property within the front yard setback area or within public street right-of-way between front property lines and street curb lines or as required by the City.
 2. **Size:** Trees shall have a minimum trunk diameter of two (2) caliper inches, which is measured six inches above the soil line, and a minimum height of six (6) feet when planted.
 3. **Types:** Developments shall include a variety of street trees. The trees planted shall be chosen from those listed in 16.142.080 of this Code.
 4. **Required Street Trees and Spacing:**
 - a. The minimum spacing is based on the maximum canopy spread identified in the recommended street tree list in section 16.142.080 with the intent of providing a

continuous canopy without openings between the trees. For example, if a tree has a canopy of forty (40) feet, the spacing between trees is forty (40) feet. If the tree is not on the list, the mature canopy width must be provided to the planning department by a certified arborist.

- b. All new developments shall provide adequate tree planting along all public streets. The number and spacing of trees shall be determined based on the type of tree and the spacing standards described in a. above and considering driveways, street light locations and utility connections. Unless exempt per c. below, trees shall not be spaced more than forty (40) feet apart in any development.
- c. A new development may exceed the forty-foot spacing requirement under section b. above, under the following circumstances:
 - (1) Installing the tree would interfere with existing utility lines and no substitute tree is appropriate for the site; or
 - (2) There is not adequate space in which to plant a street tree due to driveway or street light locations, vision clearance or utility connections, provided the driveways, street light or utilities could not be reasonably located elsewhere so as to accommodate adequate room for street trees; and
 - (3) The street trees are spaced as close as possible given the site limitations in (1) and (2) above.
 - (4) The location of street trees in an ODOT or Washington County right-of-way may require approval, respectively, by ODOT or Washington County and are subject to the relevant state or county standards.
 - (5) For arterial and collector streets, the City may require planted medians in lieu of paved twelve-foot wide center turning lanes, planted with trees to the specifications of this subsection.

ANALYSIS: Street trees are required within the right-of-way in front of the portion of the site being improved with sidewalks. Street trees in the right-of-way along the western portion of the site can be deferred until such time as the western portion of the site develops.

FINDING: These standards are met as conditioned below.

CONDITION OF APPROVAL B15: Prior to Final Site Plan approval, provide a final landscape plan that shows street trees within the right-of-way for the portion road being improved with sidewalks. Tree selection and spacing shall be in accordance with SZCDC § 16.142.060.

CONDITION OF APPROVAL G10: Prior to occupancy, street trees shall be installed in accordance with the Final Site Plan approval.

16.142.070 Trees on Property Subject to Certain Land Use Applications

A. Generally

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

B. Applicability

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

C. Inventory

1. To assist the City in making its determinations on the retention of trees and woodlands, land use applications including Type II - IV development shall include a tree and woodland inventory and report. The report shall be prepared by a qualified professional and must contain the following information:
 - a. Tree size (in DBH and canopy area)
 - b. Tree species
 - c. The condition of the tree with notes as applicable explaining the assessment
 - d. The location of the tree on the site

- e. **The location of the tree relative to the planned improvements**
 - f. **Assessment of whether the tree must be removed to accommodate the development**
 - g. **Recommendations on measures that must be taken to preserve trees during the construction that are not proposed to be removed.**
- 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.**
- 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.**
 - 3. **Required Tree Canopy - Non-Residential and Multi-family Developments**
Each net development site shall provide a variety of trees to achieve a minimum total tree canopy of 30 percent. The canopy percentage is based on the expected mature canopy of

each tree by using the equation πr^2 to calculate the expected square footage of each tree. The expected mature canopy is counted for each tree even if there is an overlap of multiple tree canopies.

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

	Residential (single family & two family developments)	Old Town & Infill developments	Commercial, Industrial, Institutional Public and Multi-family
Canopy Requirement	40%	N/A	30%
Counted Toward the Canopy Requirement			
Street trees included in canopy requirement	Yes	N/A	No
Landscaping requirements included in canopy requirement	N/A	N/A	Yes
Existing trees onsite	Yes x2	N/A	Yes x2
Planting new trees onsite	Yes	N/A	Yes
Mature Canopy in Square Feet Equation πr^2 or $(3.14159 * \text{radius}^2)$ (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			

ANALYSIS: The proposal is for a new industrial development and a 30% tree canopy is required. The 30% requirement is based on the net development site after accounting for any required right-of-way dedication.

There are no existing trees on site. The applicant's plans indicate new on-site trees will be planted to achieve a canopy of 25,965 SF or 31.7% before removal of right-of-way dedication.

FINDING: This standard is met.

Chapter 16.144 - WETLAND, HABITAT AND NATURAL AREAS*

16.144.010 – Generally

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

- C. When the Regionally Significant Fish and Wildlife Habitat map indicates there are resources on the site or within 50 feet of the site, the applicant shall provide plans that show the location of resources on the property. If resources are determined to be located on the property, the plans shall show the value of environmentally sensitive areas using the methodologies described in Sections 1 and 2 below. The Metro Regionally Significant Fish and Wildlife Habitat map shall be the basis for determining the location and value of environmentally sensitive habitat areas. In order to specify the exact locations on site, the following methodology shall be used to determine the appropriate boundaries and habitat values:**
 - 2. Verifying boundaries of inventoried upland habitat. Upland habitat was identified based on the existence of contiguous patches of forest canopy, with limited canopy openings. The "forest canopy" designation is made based on analysis of aerial photographs, as part of determining the vegetative cover status of land within the region. Upland habitat shall be as identified on the HCA map. The perimeter of an area delineated as "forest canopy" on the Metro Vegetative Cover map may be adjusted to more precisely indicate the drip line of the trees within the canopied area.**

ANALYSIS: MetroMaps indicates that regionally significant upland habitat is located on the property. Based on a review of historical aerial photos, the site was previously in crop production and has not had trees since at least 1999. The applicant's Existing Conditions Plan also shows there are no existing trees on-site.

FINDING: This standard is met.

Chapter 16.146 - Noise

16.146.010 - Generally

All otherwise permitted commercial, industrial, and institutional uses in the City shall comply with the noise standards contained in OAR 340-35-035. The City may require proof of compliance with OAR 340-35-035 in the form of copies of all applicable State permits or certification by a professional acoustical engineer that the proposed uses will not cause noise in excess of State standards.

16.146.020 - Noise Sensitive Uses

When proposed commercial and industrial uses do not adjoin land exclusively in commercial or industrial zones, or when said uses adjoin special care, institutional, or parks and recreational facilities, or other uses that are, in the City's determination, sensitive to noise impacts, then:

- A. The applicant shall submit to the City a noise level study prepared by a professional acoustical engineer. Said study shall define noise levels at the boundaries of the site in all directions.
- B. The applicant shall show that the use will not exceed the noise standards contained in OAR 340-35-035, based on accepted noise modeling procedures and worst case assumptions when all noise sources on the site are operating simultaneously.
- C. If the use exceeds applicable noise standards as per subsection B of this Section, then the applicant shall submit a noise mitigation program prepared by a professional acoustical engineer that shows how and when the use will come into compliance with said standards.

ANALYSIS: The proposed use is for interior storage of cabinet products. The applicant's narrative states no other uses are proposed. Noises will be limited to delivery trucks and forklifts. The site is surrounded in all directions by industrial zoning and land uses.

FINDING: This standard is met.

Chapter 16.148 - Vibrations

16.148.010 - Vibrations

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

ANALYSIS: The proposed use is for interior storage of cabinet products. The applicant's narrative states no other uses are proposed. Vibrations in excess of 0.002 gravity at the property line are not anticipated.

FINDING: This standard is met.

Chapter 16.150 - Air Quality

16.150.010 – Air Quality

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

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

ANALYSIS: The proposed use is for interior storage of cabinet products. The applicant's narrative states no other uses are proposed. An air quality permit is not expected to be required, however, the applicant is responsible for obtaining any applicable air quality permits.

FINDING: This standard is met.

Chapter 16.152 - Odors

16.152.010 - Odors

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

ANALYSIS: The proposed use is for interior storage of cabinet products. The applicant's narrative states no other uses are proposed. Odors are not expected to be discernible at any point beyond the boundaries of the site.

FINDING: This standard is met.

Chapter 16.154 - Heat and Glare

16.154.010 – Heat and Glare

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

ANALYSIS: The proposed use is for interior storage of cabinet products. The applicant's narrative states no other uses are proposed. Details on exterior lighting have not been provided.

FINDING: This standard is met as conditioned below.

CONDITON OF APPROVAL B16: Prior to Final Site Plan approval, demonstrate how all exterior lighting will be directed away from adjoining properties.

Chapter 16.156 - Energy Conservation

16.156.020 Standards

- A. Building Orientation - The maximum number of buildings feasible shall receive sunlight sufficient for using solar energy systems for space, water or industrial process heating or cooling. Buildings and vegetation shall be sited with respect to each other and the topography of the site so that unobstructed sunlight reaches the south wall of the greatest possible number of buildings between the hours of 9:00 AM and 3:00 PM, Pacific Standard Time on December 21st.**
- B. Wind - The cooling effects of prevailing summer breezes and shading vegetation shall be accounted for in site design. The extent solar access to adjacent sites is not impaired vegetation shall be used to moderate prevailing winter wind on the site.**

ANALYSIS: The building will be oriented east to west with a south facing wall. Trees are proposed around the perimeter of the site for shade and wind screens.

FINDING: This standard is met.

IV. STAFF RECOMMENDATION AND CONDITION OF APPROVAL

Staff recommends approval of LU 2022-013 SP / LLA Barker Cabinets, subject to the findings and Conditions of Approval described in this report. The recommendation is based on review of the applicable code standards and approval criteria, the applicant's submittal, agency comments, and public testimony.

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 continual operation of the property shall comply with the applicable requirements of the Sherwood Zoning and Community Development Code and Municipal Code.
4. 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.
5. Retaining walls within public easements or the public right-of-way shall require engineering approval.
6. Any departure from approved plans not authorized by the Hearing Authority shall be cause for revocation of applicable building and occupancy permits.
7. The site shall conform to all local building and fire code regulations, in addition to any applicable state and federal regulations, for hazardous materials storage on the site.
8. The lot consolidation shall be finalized by a re-plat of the partition within one year from the date of the Notice of Decision.
9. This approval is valid for a period of two (2) years from the date of the Notice of Decision. Extensions may be granted by the City as afforded by the Sherwood Zoning and Community Development Code.
10. External material storage is prohibited on the site unless specifically authorized through a Site Plan Review decision.
11. All private sanitary laterals shall be installed in compliance with the current Oregon Plumbing Specialty Code.
12. All private water services shall be installed in compliance with the current Oregon Plumbing Specialty Code.
13. The proposed development shall design for private storm water runoff within the subject property to be collected and conveyed in accordance with the current Oregon Plumbing Specialty Code.
14. The applicant shall comply with the TVF&R Service Provider Letter and all applicable fire code standards.
15. All new utilities to serve the subject development shall be underground.

B. Prior to Final Site Plan Approval

1. Prior to Final Site Plan approval, the site shall show the clear vision areas for all driveway intersections in accordance with SZCDC § 16.58.010.
2. Prior to Final Site Plan approval, revise the plans to provide a minimum of 5 ft. of landscaping between the vehicle use area and the abutting property to the east.
3. Prior to Final Site Plan approval, provide the width and area of each landscape island. Each island shall be a minimum of 5 ft. wide and 90 SF.
4. Prior to Final Site Plan approval, revise the landscape plan and/or to provide a form of irrigation in accordance with SZCDC § 16.92.040(C).
5. Prior to Final Site Plan approval, provide a final marking plan for the on-site parking, loading, and maneuvering areas.
6. Prior to Final Site Plan approval, provide the type of surface that will be used for the parking area. All parking and loading areas shall be improved with a permanent hard surface such as asphalt, concrete or a durable pervious surface.
7. Prior to Final Site Plan approval, revise the plans to provide a minimum of 32 off-street parking stalls.
8. Prior to Final Site Plan approval, revise the plans to provide a minimum 7 ft. sidewalk in front of the building to accommodate for a 3 ft. vehicle overhang and resulting in a 4 ft. wide clear sidewalk area. As an alternative, the parking stalls in front of the building can be revised to be a minimum of 20 ft. in length with a wheel stop allowing for a 3 ft. overhang.
9. Prior to Final Site Plan approval, revise the plans to provide a minimum of 24 ft. of drive aisle width adjacent to each parking stall. The drive aisle adjacent to stalls 28 and 29 shall be a minimum of 24 ft. wide.
10. Prior to Receiving Final Site Plan approval, revise the plans to show two bicycle parking stalls in accordance with SZCDC § 16.94.020(C)(2) including a 2x6' space for each bicycle.
11. Prior to Final Site Plan approval, revise the plans to show the primary pathway connecting the front entrance to SW Galbreath Dr. as 6 ft. wide. All other pathways shall be a minimum of 4 ft. wide when accounting for vehicle bumper overhangs.
12. Prior to Final Site Plan approval, revise the plans to eliminate the western drive aisle and driveway to SW Galbreath Dr.
13. Prior to Final Site Plan approval, applicant shall revise the plans to show the trash enclosure in a location approved by Pride Disposal. The design shall also meet the standards of SZCDC § 16.98.020.
14. Prior to Final Site Plan approval, revise the plans to provide a 10 ft. wide visual corridor along the northern frontage of the site with SW Galbreath Dr. The storm facility can encroach into the 10 ft. wide visual corridor by a maximum of 2 ft. Visual corridor trees that are planted within the storm facility shall meet CWS standards and be maintained by the owner on a permanent basis to serve as part of the visual corridor. Prior to Final Site Plan approval, provide a final landscape plan that shows street trees within the right-of-way for the portion of road being

improved with sidewalks. Tree selection and spacing shall be in accordance with SZCDC § 16.142.060.

15. Prior to Final Site Plan approval, demonstrate how all exterior lighting will be directed away from adjoining properties.

C. Prior to Approval of the Engineering Public Improvement Plans / Issuance of the Engineering Compliance Agreement

1. Prior to Approval of the Engineering Public Improvement Plans, the developer shall design for driveway approaches onto SW Galbreath Drive meeting the approval of the Sherwood Engineering Department.
2. Prior to Approval of the Engineering Public Improvement Plans, the developer shall design for the installation of a 6-foot wide concrete sidewalk and street trees along the subject property frontage (proposed developed portion) of SW Galbreath Drive. This may require relocating street lights as necessary.
3. Prior to Approval of the Engineering Public Improvement Plans, an Engineering Compliance Agreement shall be obtained from the Sherwood Engineering Department.
4. Prior to Final Approval of Engineering Plans, the subject development shall design to provide domestic water service and fire service (if necessary) to the subject development meeting the approval of the Sherwood Engineering Department.
5. Prior to Final Approval of Engineering Plans, the subject development shall design for to provide for a Reduced Pressure Backflow assembly on the domestic water service meeting the approval of the Sherwood Engineering Department.
6. Prior to Final Approval of Engineering Plans, the subject development shall design for to provide for a double detector check assembly and vault on the fire water service meeting the approval of the Sherwood Engineering Department.
7. Prior to Approval of the Engineering Public Improvement Plans, the proposed development shall design to provide water quality treatment and hydro-modification facilities in compliance with Clean Water Services' standards meeting the approval of the Sherwood Engineering Department. The developer may make a fee-in-lieu payment for hydro-modification as it pertains to new impervious area within the public right-of-way.
8. Prior to Approval of the Engineering Public Improvement Plans, if an existing water quality facility is to provide for any water quality treatment as part of the subject development, then it will be required that the developer will need to verify that the existing facility has capacity to provide said treatment meeting the approval of the Sherwood Engineering Department.
9. Prior to Approval of the Engineering Public Improvement Plans, a Storm Water Connection Permit Authorization shall be obtained from Clean Water Services.

D. Prior to Issuance of a Grading Permit

1. Prior to Issuance of Grading Permit, the developer shall design for project erosion control meeting the approval of the Sherwood Engineering Department and obtain/maintain a DEQ NPDES 1200-CN permit.

E. Prior to Issuance of Building Permits

1. Prior to issuance of building permits, the 20 ft. wide utility and ingress / egress easement located on the western 20 ft. of Parcel 3 of Partition Plat 2004-048 shall be extinguished.
2. Prior to Issuance of Building Permit, the developer shall execute an Engineering Compliance Agreement with the Sherwood Engineering Department.
3. Prior to Issuance of Building Permits, the public sanitary sewer within SW Galbreath Drive will need to have received Final Acceptance by the Sherwood Engineering Department.
4. Prior to Issuance of Building Permit, the developer shall obtain a Grading Permit from the Building Department.

F. Prior to Acceptance of Public Improvements

1. Prior to Acceptance of Public Improvements, the developer shall dedicate right-of-way to a 29-foot half right-of-way section width along the north side of the subject property fronting SW Galbreath Drive meeting the approval of the Sherwood Engineering Department.
2. Prior to Acceptance of Public Improvements, the developer shall dedicate right-of-way to a 29.5-foot half right-of-way section width along the west side of the subject property fronting SW Galbreath Drive meeting the approval of the Sherwood Engineering Department.
3. Prior to Acceptance of Public Improvements, the developer shall dedicate an 8-foot wide PUE along the full length of the subject property frontage meeting the approval of the Sherwood Engineering Department.
4. Prior to Final Acceptance of Constructed Public Improvements, any public water line to be located on private property shall have a recorded public water line easement encompassing the related public water line improvement meeting the approval of the Sherwood Engineering Department.
5. Prior to Final Acceptance of Constructed Public Improvements, the developer shall record a Private Stormwater Facility Access and Maintenance Covenant for the onsite water quality treatment/hydro-modification facilities meeting the approval of the Sherwood Engineering Department.
6. Prior to Final Acceptance of Constructed Public Improvements, the project Engineer or Geotech shall perform an infiltration test to confirm that the infiltration rates equal or exceed the rates used within the stormwater report (with a factor of safety of 2) meeting the approval of the Sherwood Engineering Department.

G. Prior to Receiving Occupancy

1. Prior to Occupancy, the clear vision areas shall be established for all driveway intersections in accordance with SZCDC § 16.58.010.
2. Prior to Occupancy, the development shall meet the industrial design standards as demonstrated in the application under SZCDC § 16.90.020(D)(7).
3. Prior to Occupancy, all mechanical equipment, outdoor storage and manufacturing, and service and delivery areas, shall be screened from view from all public streets.
4. Prior to Occupancy, all landscaping must be installed to nursery standards and have an irrigation system in accordance with SZCDC § 16.92.040(C).
5. Prior to Receiving Occupancy, all parking, loading or maneuvering areas including ADA and loading stalls shall be clearly marked and signed.
6. Prior to Occupancy, all parking and loading areas shall be improved with a permanent hard surface such as asphalt, concrete or a durable pervious surface in accordance with the Final Site Plan approval.
7. Prior to Receiving Occupancy, two bicycle parking shall be installed in accordance with the Final Site Plan approval and SZCDC § 16.94.020(C)(2) including a 2x6' space for each bicycle.
8. Prior to Occupancy, the developer shall obtain Final Acceptance of Constructed Public Improvements for the Sherwood Engineering Department.
9. Prior to Occupancy, the applicant shall obtain written approval from TVF&R for occupancy of the site and building.
10. Prior to occupancy, street trees shall be installed in accordance with the Final Site Plan approval.

V. EXHIBITS*

A. Applicant Submittal – Land Use Form and Narrative

1. Preliminary Plans
2. Stormwater Calculations
3. Neighborhood Meeting Info
4. Traffic Memo
5. Service Provider Letters
6. Title Report and Tax Map
7. Lot Consolidation Application and Survey
8. East Easement Termination
9. Soil Report

B. Agency Comments

1. City of Sherwood Engineering
2. Clean Water Services
3. Portland General Electric
4. Pride Disposal

- C. Public Testimony
 - 1. n/a

**The complete application materials are available in the paper project file at City Hall.*