

CITY OF SHERWOOD
October 18, 2021
STAFF REPORT AND NOTICE OF DECISION

KERR SITE GRADING
SITE PLAN REVIEW
LU 2021-014

Planning Department



Eric Rutledge
Associate Planner

Pre-App Meeting: January 23, 2020
App. Submitted: June 22, 2021
App. Complete: September 14, 2021
Hearing Date: N/A
120-Day Deadline: January 12, 2022

PROPOSAL: The applicant is requesting land use approval for site grading activities on two lots in the Employment Industrial zone. The development site is 28.17-acres and is comprised of tax lots 2S133BB00100 and 2S1330000400, located on the east side of SW Tonquin Road. The purpose of the proposed site grading is to prepare the site for future industrial uses consistent with those allowed in the Employment Industrial (EI) zone. The proposed grading work will result in a balanced site, with minimal import material needed. It is anticipated that site grading will take approximately four to six months. During on-site work, access to the site will occur through two separate entrances, including the existing entrance along SW Tonquin Road, as well as from the existing private roadway along the site's northern boundary.

I. BACKGROUND

- A. Applicant: Tim Kerr
395 Shenandoah Lane NE
Woodburn, OR 97071

Owner: Woodburn Industrial Capital Group LLC
395 Shenandoah Lane NE
Woodburn, OR 97071
- B. Location: No site address; Tax Lots 2S133BB00100, 2S133BB00400
- C. Review Type: Type II Fast-track Site Plan Review. Applications that propose less than 15,000 square feet of floor area, parking or seating capacity of public, institutional, commercial or industrial use permitted by

the underlying zone are processed as a Type II Fast Track 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 September 24, 2021.
- E. Review Criteria: Sherwood Zoning and Community Development Code (SZCDC) Chapter 16.31 - Industrial Land Use Districts; Chapter 16.72 - Procedures for Processing Development Permits; Chapter 16.90 Site Planning
- F. History and Background: The development site is comprised of two tax lots comprised of 28.17-acres. Both lots are located in the City of Sherwood's Tonquin Employment Area and were annexed into the City and Clean Water in 2020 (LU 2020-012 AN). No land use permits have been issued for the lots by the City of Sherwood. Tax Lot 400 has a quarry operating permit issued by the Oregon Department of Geology and Mineral Industries (DOGAMI) (ID 34-0011).
- G. Existing Conditions: The development site is comprised of two tax lots comprised of 28.17-acres. The site is undeveloped and has been cleared of most vegetation. Mature trees and vegetation are present along the north and west ends of Tax Lot 100. The site abuts SW Tonquin Rd. to the west and an unnamed roadway to the north.
- H. Surrounding Land Uses: Single-family residential and vacant industrial land to the north, undeveloped land to the south (outside City UGB), Tonquin Rd. and Rock Creek to the east, and Tri County Gun Club and undeveloped industrial land to the west.
- I. Current Zoning: Employment Industrial

II. **AFFECTED AGENCY AND PUBLIC COMMENTS**

- A. Agency Comments - The land use application was routed to affected agencies via email on September 15, 2021. Responses are summarized below.
 - 1. The City of Sherwood Engineering Department provided comments dated September 27, 2021 (Exhibit B1). The comments address sanitary sewer, water, storm sewer, transportation, grading and

erosion control, and miscellaneous engineering issues. A DEQ NPDES 1200C permit is required prior to issuance of a City grading permit.

2. Washington County Land Use and Transportation provided comments dated October 4, 2021 (Exhibit B2). The applicant is required to obtain a Washington County Right-of-Way permit for temporary access to the site. Final Sight Distance Certification is required prior to issuance of the Right-of-Way permit.
3. Oregon Department of Geology and Mineral Resources provided comments dated October 6, 2021 (Exhibit B3). The comments state the applicant is required to change the DOGAMI approved post mining land use from Forestry / Pasture to Industrial. The grading activities may qualify for a DOGAMI on-site construction operation and reclamation plan waiver.
4. Clean Water Services (CWS) provided comments dated October 1, 2021 (Exhibit B4). The comments state a CWS Storm Water Connection Permit Authorization must be obtained for the site. The development must be in accordance with the requirements of CWS Design and Construction Standards.
5. The following agencies acknowledged the application without comment or concern: City of Sherwood Police Department

B. Public Comments – No public comments were 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:

2. Type II

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

- c. **"Fast-track" Site Plan review, defined as those site plan applications which propose less than 15,000 square feet of floor area, parking or seating capacity of public, institutional, commercial or industrial use permitted by the underlying zone, or up to a total of 20% increase in**

floor area, parking or seating capacity for a land use or structure subject to a Conditional Use Permit, except as follows: auditoriums, theaters, stadiums, and those applications subject to Section 16.72.010.A.4.

ANALYSIS: The application is proposing to grade the site for future industrial development. Less than 15,000 SF of floor area, parking, and seating capacity is proposed. The application is being processed as a Type II quasi-judicial action in conformance with the section above.

FINDING: This criterion is met.

B. Hearing and Appeal Authority

3. The quasi-judicial Hearing and Appeal Authorities shall be as follows:

b. The Type II Hearing Authority is the Planning Director and the Appeal Authority is the Planning Commission.

(1) The Planning Director's decision shall be made without a public hearing, but not until at least fourteen (14) days after a public notice has been mailed to the applicant and all property owners within 1,000 feet of the proposal. Any person may submit written comments to the Planning Director which address the relevant approval criteria of the Zoning and Development Code. Such comments must be received by the Planning Department within fourteen (14) days from the date of the notice.

(2) Any person providing written comments may appeal the Planning Director's decision.

ANALYSIS: The application is being processed as a Type II quasi-judicial decision with the Planning Director as the Hearing Authority. Notice of the application was provided on or before September 15, 2021 which included at least 14 days for comment and testimony prior to issuance of the Notice of Decision.

FINDING: These criteria have been met.

Chapter 16.31 - INDUSTRIAL LAND USE DISTRICTS

16.31.010 - Purpose

- A. Employment Industrial (EI) - The EI zoning district provides employment areas that are suitable for, and attractive to, key industries and industry clusters that have been identified by the State of Oregon and the City's economic development strategy as important to the state and local economy. The following are preferred industry sectors for areas zoned EI: Clean Technology; Technology and Advanced Manufacturing; and Outdoor Gear and Active Wear.**

Land zoned EI shall provide for large and medium-sized parcels for industrial campuses and other industrial sites that can accommodate a variety of industrial companies and related businesses. Areas zoned EI are also intended to provide the opportunity for flex building space within small- and medium-sized industrial campuses and business parks to accommodate research and development companies, incubator/emerging technology businesses, related materials and equipment suppliers, and/or spin-off companies and other businesses that derive from, or are extensions of, larger campus users and developments. Retail and commercial uses are allowed only when directly supporting area employers and employees.

Industrial establishments and support services shall not have objectionable external features and shall feature well-landscaped sites and attractive architectural design, as determined by the Hearing Authority.

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.**

***Abbreviated table

Uses	EI
Manufacture, compounding, processing, assembling, packaging, treatment, fabrication of products contained wholly within an enclosed building provided exterior odor and noise is consistent with municipal code standards and there is no unscreened storage and not otherwise regulated elsewhere in the code	P
Distribution and warehousing up to 150,000 square feet, provided product(s) are stored within an enclosed building ⁹	P
Medical or dental laboratories, including biomedical compounding	P
Research and development and associated manufacturing	P
Sand and gravel pits, rock crushing facilities, aggregate storage and distribution facilities or concrete or asphalt batch plants	N

ANALYSIS: The applicant is proposing to grade the site in preparation of future industrial development. No buildings or permanent site features are proposed as part of the application. Common industrial uses that are permitted outright in the EI zone are shown with a “P” in the table above. A separate land use permit is required for any buildings and permanent site improvements. Future uses of the site will be required to meet the use restrictions for the EI zone.

Sand and gravel pits and aggregate storage and distribution facilities are not a permitted use in the EI zone. The proposed use is for site grading in preparation of industrial development and does not constitute an industrial service use described in SZCDC § 16.88.040(D)(5) or the sand and gravel pit use shown in the table above.

The Grading and Erosion Control Plan (Exhibit A5- Sheet C3.0) indicates the work will require a net import of 900 cubic yards of material fill. Material import and export from the site is limited as conditioned below. Additional material import and export can be approved through a separate land use application.

Mining activities in the State of Oregon are regulated by the Oregon Department of Geology and Mineral Industries (DOGAMI). DOGAMI has provided comment on the application included as Exhibit B3. The comment state “A *DOGAMI Operating Permit amendment will be needed to change the DOGAMI approved post mining land use from Forestry/Pasture to Industrial. This site’s proposed plans may qualify for the DOGAMI*

On-Site Construction Operation and Reclamation Plan Waiver. The Suspension Order in place may remain or the permit may be conditioned to restrict material export.” The applicant is required to comply with applicable DOGAMI permits and regulations as conditioned below.

FINDING: This standard is met as conditioned below.

CONDITION OF APPROVAL: The land use approval is for site grading activities only as shown in the Grading and Erosion Control Plan (Exhibit A5 Sheet C3.0). It is estimated that 900 CY of material will be imported to the site for grading activities. Material import and export from the site shall not exceed 5,000 CY. Additional material import and export can be approved through a separate land use application.

CONDITION OF APPROVAL: The applicant shall comply with applicable regulations of the Oregon Department of Geology and Mineral Resources and the specific comments provided by DOGAMI staff on the proposed grading work dated October 6, 2021 (Exhibit B3).

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	EI
Lot area – Industrial Uses:	3 acres⁹
Lot area – Commercial Uses (subject to Section 16.31.050):	10,000 SF
Lot width at front property line:	100 feet

Lot width at building line:	100 feet
Front yard setback¹¹	20 feet
Side yard setback¹⁰	None
Rear yard setback¹¹	None
Corner lot street side¹¹	20 feet
Height¹¹	50 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 existing lots comply with the dimensional standards of the EI zone as shown in the table below. No buildings or permanent site improvements are proposed at this time. Compliance with building height, setback, and other development standards will be reviewed through a future land use application.

	TL 100	TL 400
Lot area	8.17 AC	18.86 AC
Lot width at front property line	~1,140 ft.	~630 ft.*

*Tax Lot 400 does not abut a public street; however, a public access easement is located over the entirety of Tax Lot 100. The lot width at front property line shown (~630 ft.) is the length of the shared property line between Tax Lots 100 and 400.

FINDING: This standard is met.

Chapter 16.90 – SITE PLANNING

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: The proposed development project is for site grading activities only. No buildings or other permanent improvements are proposed. The grading will support future industrial development on the site as permitted by the EI zone. Community design standards including parking, loading, and landscaping are not applied to this application because no permanent uses are proposed. Applicable standards related to tree preservation and natural resources are addressed in this report below.

The applicant has provided a Traffic Impact Plan that describes the proposed construction access for the grading activities. Access to the site will be provided from two locations along SW Tonquin Rd., a Washington County arterial roadway. The applicant is required to obtain a Washington County right-of-way permit for temporary construction access. The use of the accesses is for grading only and is limited to six (6) months as proposed by the applicant.

The plans (Exhibit A5 – Sheet C2.0) shows the proposed future access point for when the site is improved with industrial uses. The access is proposed from the northeast corner of Tax Lot 100 which can be served by the future street SW Tonquin Ct. SW Tonquin Ct. is identified in Figure 17 of the Tonquin Employment Area Implementation Plan (Exhibit C1). The access point is dependent on properties between the subject lots and SW Oregon St. developing and dedicating the necessary right-of-way.

FINDING: This standard is met as conditioned below.

CONDITION OF APPROVAL: Prior to Issuance of a Grading Permit, the applicant shall comply with the Washington County comments dated October 4, 2021 including obtaining a County Right-of-Way permit for temporary construction access.

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 lots were annexed into the City of Sherwood in 2020 which indicates general availability of public services conforming to the Community Development Plan. New public improvements including streets, water, sanitary sewer, and storm sewer will be required to serve the site at the time of development. The current proposal is for site grading activities only and does not many of the services described above. The availability of all required services will be reviewed and approved with the future land use application for industrial development.

FINDING: This standard 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 proposal is for grading activities only and permanent improvements that would require covenants and agreements will be reviewed and approved under a separate land use application. Tax Lot 100 is subject to a blanket public utility and access easement for the benefit of Tax Lot 400 as described in Exhibit A5 – Sheet C1.0. No additional documents described in the standard above are required for site grading.

FINDING: This standard is met.

- 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 applicant has provided an Existing Conditions Plan (Exhibit A5 – Sheet C1.0) that shows natural features on and near the site. The applicant has also provided a Natural Resource Assessment (Exhibit A7) and Service Provider Letter from Clean Water Services (Exhibit A6).

The Natural Resource Assessment and Clean Water Services SPL indicate that no sensitive natural areas including wetlands are located on the development site. While the Rock Creek corridor exists to the west of the site, it is separated from the site by SW Tonquin Rd. A very small portion of the site near the northeast corner of Tax Lot 100 is covered by a 100-year floodplain, although no temporary or permanent impacts to the floodplain are proposed.

Most of the mature trees that are associated with upland habitat have been previously removed from the site. The proposed site grading activities will result in the removal of mature trees at the northwest corner of Tax Lot 100 in order to accommodate the temporary construction road on the site. It is anticipated that additional tree removal will be required in the future to accommodate industrial development as envisioned by the Employment Industrial zone.

FINDING: This standard is met as conditioned below.

CONDITION OF APPROVAL: The applicant shall comply with the CWS Pre-Screening Site Assessment dated June 30, 2021 (File #20-001292), the CWS memorandum dated October 1, 2021 and all CWS Design and Construction Standards (R&O 19-5).

CONDITION OF APPROVAL: Prior to issuance of Grading Permit, the developer shall obtain a NPDES 1200C permit from DEQ.

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 proposal is for site grading activities only and will not result in more than 400 average daily trips. A TIA is not required.

FINDING: This standard is met.

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.

ANALYSIS: This applicant has provided a tree inventory that details the location, size, and species of trees on the site. A total of eight (8) trees are proposed for removal in order to accommodate the new construction access road at the northwest corner of Tax Lot 100. All other mature trees on the site will be preserved through site grading. It is anticipated that additional trees on the site will be removed through a separate land use permit in order to develop the site for industrial uses. The 30% tree canopy requirement will be primarily met through new plantings and will be reviewed and approved through the future land use application for permanent industrial development on the site.

FINDING: This standard is met as conditioned below.

CONDITION OF APPROVAL: Trees that will remain on the site shall be protected through site grading activities. Final tree protection measures shall be determined by a Certified Arborist or other qualified tree professional. Trees required to be protected are shown in Exhibit A5 – Sheet C3.0.

IV. DECISION & CONDITIONS OF APPROVAL

Based upon review of the applicant's submittal information, review of the code, agency comments and consideration of the applicant's submittal, staff finds that the proposed site plan does not fully comply with the standards but can be conditioned to comply. **Therefore, the application LU 2021-014 SP is approved subject to the following conditions of approval:**

A. General Conditions

1. Compliance with the Conditions of Approval is the responsibility of the developer or its successor in interest.
2. The development shall substantially comply with the submitted preliminary plans and narrative except as indicated in the conditions of the Notice of Decision. Additional development or change of use may require a new development application and approval.
3. The developer is responsible for all costs associated with any remaining public facility improvements and shall assure the construction of all public streets and utilities within and adjacent to the plat as required by these conditions of approval, to the plans, standards, and specifications of the City of Sherwood.
4. This approval is valid for a period of two (2) years from the date of the decision notice. Extensions may be granted by the City as afforded by the Sherwood Zoning and Community Development Code.
5. The continual operation of the property shall comply with the applicable requirements of the Sherwood Zoning and Community Development Code and Municipal Code.
6. This approval does not negate the need to obtain permits, as appropriate from other local, state or federal agencies even if not specifically required by this decision.
7. The land use approval is for site grading activities only as shown in the Grading and Erosion Control Plan (Exhibit A5 C3.0). It is estimated that 900 CY of material will be imported to the site associated with grading activities. Material import and export from the site shall not exceed 5,000 CY. Additional material import and export can be approved through a separate land use application.
8. The applicant shall comply with applicable regulations of the Oregon Department of Geology and Mineral Resources and the specific comments provided by DOGAMI staff on the proposed grading work dated October 6, 2021 (Exhibit B3).
9. The applicant shall comply with the CWS Pre-Screening Site Assessment dated June 30, 2021 (File #20-001292), the CWS memorandum dated October 1, 2021 and all CWS Design and Construction Standards (R&O 19-5).
10. Trees that will remain on the site shall be protected through site grading activities. Final tree protection measures shall be determined by a Certified

Arborist or other qualified tree professional and implemented by the site construction manager. Trees required to be protected are shown in Exhibit A5 – Sheet C3.0.

11. The construction site shall comply with the City noise regulations in SZCDC § 9.52.

B. Prior to Final Site Plan Approval

1. None applicable

C. Prior to Approval of the Engineering Public Improvement Plans

1. None applicable

D. Prior to Issuance of a Grading Permit

1. Prior to issuance of Grading Permit, the developer shall obtain a NPDES 1200C permit from DEQ.
2. Prior to Issuance of a Grading Permit, the applicant shall comply with the Washington County comments dated October 4, 2021 including obtaining a County Right-of-Way permit for temporary construction access.

E. Prior to Issuance of Building Permits

1. None applicable

F. Prior to Acceptance of Public Improvements

1. None applicable

G. Prior to Receiving Occupancy

1. None applicable

V. EXHIBITS

A. Application Submittal

1. Application Form
2. Title Report and Ownership Information
3. Pre-Application Conference Notes
4. Mailing Labels
5. Plan Set (updated 8-26-21)
6. CWS Service Provider Letter
7. Natural Resource Assessment
8. Stormwater Drainage Report
9. Traffic impact Plan
10. Preliminary Sight Distance Certification
11. Narrative

- B. Agency Comments
 - 1. City of Sherwood Engineering Comments
 - 2. Washington County Land Use and Transportation Comments
 - 3. Oregon Department of Geology and Mineral Resources Comments
 - 4. Clean Water Services Comments
- C. Supplemental Information
 - 1. Figure 17 of the Tonquin Employment Area Implementation Plan

VI. APPEAL

Per Sherwood Zoning & Community Development Code § 16.76.020, land use actions shall become final unless a petition for review is filed with the Planning Director not more than fourteen (14) calendar days after the date on which the Hearing Authority took final action on the land use application and written notice of the action has been mailed to the address provided by the person in the record. The Notice of Decision for this application (LU 2021-014) was issued on October 18, 2021 and placed in a U.S. Postal receptacle and/or emailed to persons in the record on October 18, 2021. Therefore, the appeal deadline is **5:00 PM on November 1, 2021**.



Home of the Tualatin River National Wildlife Refuge

Case No. LU 2021-014 SP
Fee 2466.90
Receipt # 071160
Date 06.22.2021
TYPE II

City of Sherwood Application for Land Use Action

Type of Land Use Action Requested: (check all that apply)

- Annexation
- Plan Amendment (Proposed Zone _____)
- Planned Unit Development
- Site Plan (square footage of building and parking area)
- Variance (list standards to be varied in description)
- Conditional Use
- Partition (# of lots _____)
- Subdivision (# of lots _____)
- Other: _____

By submitting this form the Owner, or Owner's authorized agent/ representative, acknowledges and agrees that City of Sherwood employees, and appointed or elected City Officials, have authority to enter the project site at all reasonable times for the purpose of inspecting project site conditions and gathering information related specifically to the project site.

Note: See City of Sherwood current Fee Schedule, which includes the "Publication/Distribution of Notice" fee, at www.sherwoodoregon.gov. Click on Government/Finance/Fee Schedule.

Owner/Applicant Information:

Applicant: Tim Kerr Phone: 971-235-5003
 Applicant Address: 395 Shenandoah Lane NE, Woodburn, OR 97071 Email: tkerr@kerrcontractors.com
 Owner: Woodburn Industrial Capital Group LLC Phone: 971-235-5003
 Owner Address: 395 Shenandoah Lane NE, Woodburn, OR 97071 Email: tkerr@kerrcontractors.com
 Contact for Additional Information: Read Stapleton, DOWL, 971-280-8648, rstapleton@dowl.com

Property Information:

Street Location: Address not assigned, Sherwood, OR 97140
 Tax Lot and Map No: 2S133BB00100, 2S1330000400
 Existing Structures/Use: Vacant
 Existing Plan/Zone Designation: Employment Industrial (EI)
 Size of Property(ies) 28.17 acres (approx.)

Proposed Action:

Purpose and Description of Proposed Action:

Site plan review for grading activities on tax lots 2S133BB00100 & 2S1330000400 to be processed as a Type II Fast Track Site Plan Review

Proposed Use: Industrial uses (future)

Proposed No. of Phases (one year each): Site development beyond grading activities is not proposed at this time.

LAND USE APPLICATION FORM

Authorizing Signatures:

I am the owner/authorized agent of the owner empowered to submit this application and affirm that the information submitted with this application is correct to the best of my knowledge.

I further acknowledge that I have read the applicable standards for review of the land use action I am requesting and understand that I must demonstrate to the City review authorities compliance with these standards prior to approval of my request.

Applicant's Signature

Jim Kerr

Owner's Signature

Date

6/16/21

Date

The following materials must be submitted with your application or it will not be accepted at the counter. Once taken at the counter, the City has up to 30 days to review the materials submitted to determine if we have everything we need to complete the review. Applicant can verify submittal includes specific materials necessary for the application per checklist.

3 Copies of Application Form* completely filled out and signed by the property owner (or person with authority to make decisions on the property).

Copy of Deed to verify ownership, easements, etc.

At least 3 folded sets of plans*

At least 3 copies of narrative addressing application criteria*

Fee (along with calculations utilized to determine fee if applicable)

Neighborhood Meeting Verification including affidavit, sign-in sheet and meeting summary (required for Type III, IV and V projects)

* **Note** that the required numbers of copies identified on the checklist are required for completeness; however, upon initial submittal applicants are encouraged to submit only 3 copies for completeness review. Prior to completeness, the required number of copies identified on the checklist and one full electronic copy will be required to be submitted.

Remittance Advice

Check: 1595 Paid by: WOODBURN INDUSTRIAL GROUP
Date: 06/16/21 Paid to: CITY OF SHERWOOD
Amount: 2,466.90

Our Account #: CITSHE00
Vendor Code:

Inv. Date	Invoice No.	Job Number	Inv. Amount	Discount	Amount Paid	Retention	Remarks
06/16/21	SITE PLAN		2,466.90	0.00	2,466.90	0.00	
<u>Check Totals</u>			2,466.90	0.00	2,466.90	0.00	

WOODBURN INDUSTRIAL CAPITAL GROUP, LLC

001595

* WARNING * ORIGINAL DOCUMENT CONTAINS SECURITY FEATURES * SEE BACK FOR DETAILS *

WOODBURN INDUSTRIAL CAPITAL GROUP, LLC
PO BOX 1060
WOODBURN, OR 97071

BANK OF AMERICA
24-7038/3230 OR

001595

06/16/21

1595

PAY TO THE ORDER OF TWO THOUSAND FOUR HUNDRED SIXTY-SIX AND 90 / 100 DOLLARS

\$

**2,466.90

DOLLARS

CITY OF SHERWOOD
PLANNING DEPARTMENT



AUTHORIZED SIGNATURE

MEMO

001595 323070380 485010381619



PROPERTY INFORMATION REPORT

Date: September 18, 2020

File No.: 20-304385

Property: R558006 and R558042, SW Tonquin Road, Sherwood, OR 97140

Michael Janusek
720 SW Washington Street, Suite 750
Portland, OR 97205

Your Reference:

The information contained in this report is furnished by WFG National Title Insurance Company (the "Company") as an information service based on the records and the indices maintained by the Company for the county identified below. This report does not constitute title insurance and is not to be construed or used as a commitment for title insurance. The Company assumes and shall have no liability whatsoever for any errors or inaccuracies in this report. In the event any such liability is ever asserted or enforced, such liability shall in no event exceed the paid herein. No examination has been made of the Company's records, other than as specifically set forth in this report.

The effective date of this report is September 3, 2020

REPORT FINDINGS

A. The land referred to in this report is located in the county of Washington State of Oregon, and is described as follows:

See Attached Exhibit "A"

B. As of the Effective Date and according to the last deed of record, we find the title to the land to be vested as follows:

Woodburn Industrial Capital Group, LLC, an Oregon limited liability company

C. As of the Effective Date and according to the Public Records, the Land is subject to the following liens and encumbrances, which are not necessarily shown in the order of priority:

1. Rights of the public in and to any portion of the herein described premises lying within the boundaries of streets, roads or highways.
2. Mineral Reservation, other than col or iron, including terms and provisions thereof:

Reserved by	:	Oregon and California Railroad Company, an Oregon corporation
Recorded	:	December 22, 1988
Recording No(s)	:	(book) Z (page) 311
(Affects Parcel II)		
3. Easement, including the terms and provisions thereof:

For	:	Electric Power Transmission and appurtenances
Granted to	:	Portland General Electric Company, an Oregon Corporation
Recorded	:	July 9, 1959
Recording no(s)	:	(book) 419 (page) 725
Affects	:	along the northeasterly line of County Road 1260 (aka Tonquin Road) - Affects Parcel I

4. Easement, including the terms and provisions thereof:

For	:	Slope and public utilities
Granted to	:	Washington County, a political subdivision of the State of Oregon
Recorded	:	October 7, 2002
Recording No(s)	:	2002-116985
Affects	:	a portion along SW Tonquin Road - see document for location, affecting Parcel I

5. 2020-2021 taxes, a lien not yet due and payable.

LINKS FOR ADDITIONAL SUPPORTING DOCUMENTS:

- [Assessor's Map](#)
- Taxes [R558042](#) - Parcel I
- Taxes [R558006](#) - Parcel II
- Deed [Book 804 page 898](#) and adjoiner North of TL 100
- Dedication Deed [2002-116985](#)
- Adjoiner Deed [2S13300 00401](#)
- Adjoiner Deed [2S13300 00600](#)
- Adjoiner Deed [2S1300-00200 and 00201](#)
- Adjoiner Deed [2S13300 00402](#)

END OF EXCEPTIONS

NOTE: The Oregon Corporation Commission disclosed that [Woodburn Industrial Capital Group, LLC](#), is an active Oregon limited liability company:

Filed	:	January 26, 2005
Member	:	Alan W. Aplin
Member	:	Tim J. Kerr
Member	:	Brent Kerr
Registered Agent	:	Brent Kerr

NOTE: Taxes paid in full for 2019 -2020:

Levied Amount	:	\$2,243.76
Property ID No.	:	R558042
Levy Code	:	088.13
Map Tax Lot No.	:	2S133BB-00100

(Affects Parcel I)

NOTE: Taxes paid in full for 2019-2020:

Levied Amount	:	\$4,189.44
Property ID No.	:	R558006
Levy Code	:	088.13
Map Tax Lot No.	:	2S13300-0400

(Affects Parcel II)

NOTE: Easement Agreement for ingress and egress over Parcel I for the benefit of Parcel II, recorded September 17, 1975, in [Book 1044 page 547](#), has merged with same ownership.

END OF REPORT

Diane Brokke
 WFG National Title Insurance Company
 12909 SW 68th Pkwy., Suite 350
 Portland, OR 97223
 Phone: **(503) 431-8504**
 Fax: **(503) 684-2978**
 Email: dbrokke@wfgnationaltitle.com

**EXHIBIT A
LEGAL DESCRIPTION**

PARCEL I:

All of that certain tract of land in the Northwest one-quarter of the Northwest one-quarter of Section 33, Township 2 South, Range 1 West of the Willamette Meridian, in the County of Washington and State of Oregon, lying Easterly and Northerly of the center line of County Road No. 1260, also known as S.W. Tonquin Road.

EXCEPTING THEREFROM that portion dedicated to the public recorded January 26, 1971 in Book 804, page 898, Records of Washington County, Oregon.

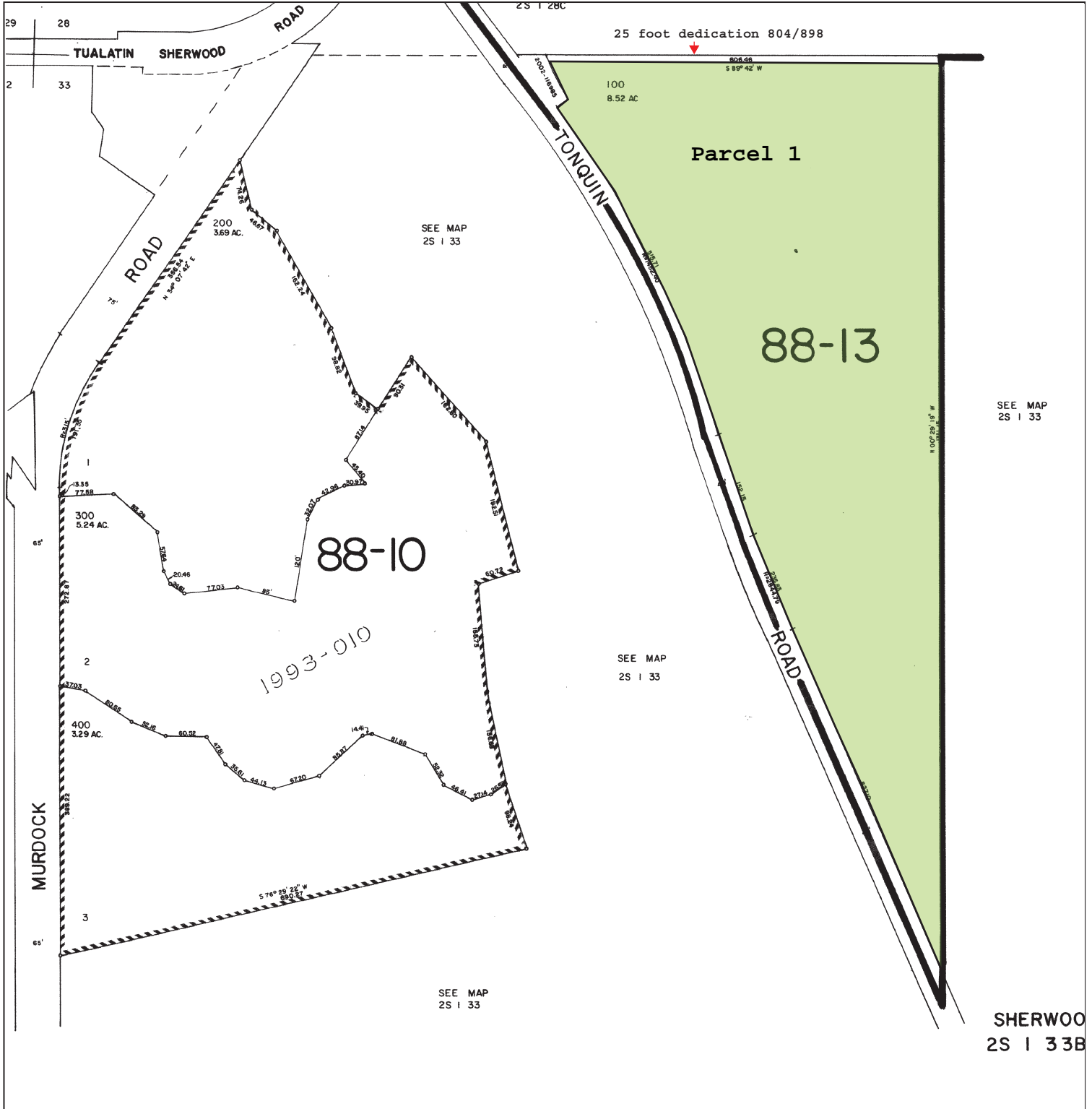
FURTHER EXCEPTING THEREFROM that portion conveyed to Washington County, a political subdivision of the State of Oregon for public roadway by Dedication Deed recorded October 7, 2002, Recording No. 2002-116985.

PARCEL II:

The South one-half of the Northeast one-quarter of the Northwest one-quarter of Section 33, Township 2 South, Range 1 West, of the Willamette Meridian, in the County of Washington and State of Oregon.



Parcel # : R0558042 / 2S133BB 00100



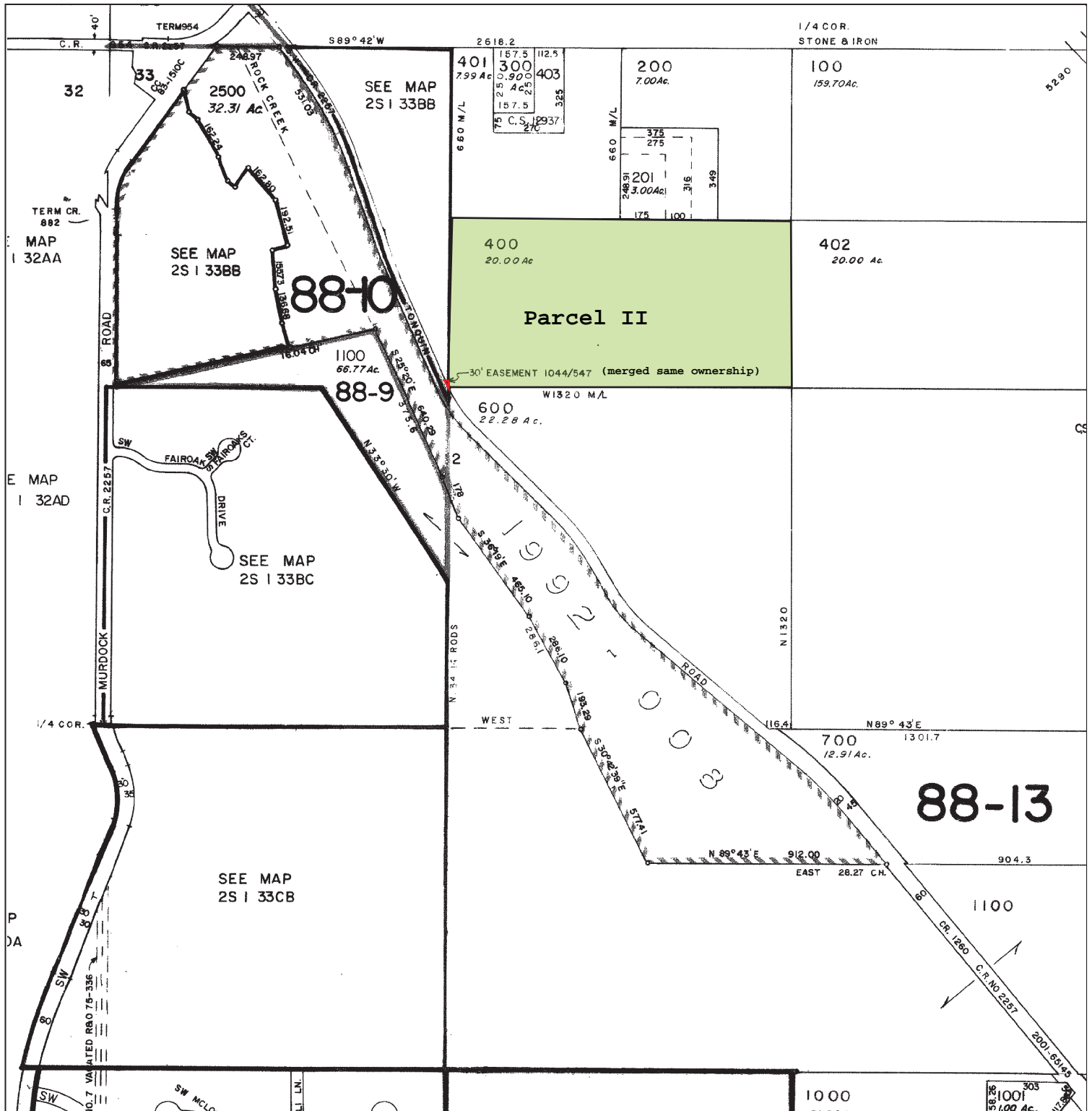
This map is a copy of public record and is provided solely for informational purposes. WFG National Title assumes no liability for variations, if any, in dimensions, area or location of the premises or the location of improvements.



WFG National Title
Title Department
12909 SW 68th Pkwy # 350
Portland, OR 97223
Phone: 503.431.8500
Fax: 503.684.2978



Parcel # : R0558006/ 2S13300 00400



This map is a copy of public record and is provided solely for informational purposes. WFG National Title assumes no liability for variations, if any, in dimensions, area or location of the premises or the location of improvements.

File No.: 17-105687

Washington County, Oregon **2017-083748**
D-DW **10/23/2017 01:40:55 PM**
 SIn=0 A STROM
 \$25.00 \$11.00 \$5.00 \$20.00 \$900.00 **\$961.00**
 I, Richard Hobernicht, Director of Assessment and Taxation and Ex-
 Officio County Clerk for Washington County, Oregon, do hereby
 certify that the within instrument of writing was received and
 recorded in the book of records of said county.
 Richard Hobernicht, Director of
 Assessment and Taxation, Ex-Officio

Grantor
Stiller Marital Trust and SHERWOOD 20A, LLC
Grantee
WOODBURN INDUSTRIAL CAPITAL GROUP 395 Shenandoah Lane Woodburn, OR 97071
After recording return to
WOODBURN INDUSTRIAL CAPITAL GROUP 395 Shenandoah Lane Woodburn, OR 97071
Until requested, all tax statements shall be sent to
WOODBURN INDUSTRIAL CAPITAL GROUP, LLC 395 Shenandoah Lane Woodburn, OR 97071
Tax Acct No(s): R558006

Reserved for Recorder's Use

WFG Title 17-105687 Comm

STATUTORY WARRANTY DEED

John T Strohecker, Successor Trustee of the Stiller Marital Trust and SHERWOOD 20A, LLC, an Oregon limited liability company, Grantor(s) convey and warrant to **WOODBURN INDUSTRIAL CAPITAL GROUP, LLC**, an Oregon limited liability company, Grantee(s), the real property described in the attached Exhibit A, subject only to those liens and encumbrances set forth on the attached Exhibit B.

The true consideration for this conveyance is **\$900,000.00**. (Here comply with requirements of ORS 93.030)

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009 AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Executed this 20 day of October, 2017

Stiller Marital Trust

By: [Signature]
Name: John T. Stoecker
Its: Successor Trustee

SHERWOOD 20A, LLC, an Oregon limited liability company

By: _____
Name: Roxce Stavney
Its: Manager

STATE OF Oregon
COUNTY OF Multnomah

This instrument was acknowledged before me this 20th day of October, 2017 by John T Stoecker, as Successor Trustee, of Stiller Marital Trust, on behalf of the Trust.

[Signature]
Print Name: Karen Hagele Duns
Notary Public for the State of: Oregon
My Commission Expires: 1/18/20



STATE OF _____
COUNTY OF _____

This instrument was acknowledged before me this _____ day of October, 2017 by , as , of SHERWOOD 20A, LLC, an Oregon limited liability company, on behalf of the company.

Print Name:
Notary Public for the State of:
My Commission Expires:

Executed this 20th day of October, 2017

Stiller Marital Trust

By: _____
Name: John T Strohecker
Its: Successor Trustee

SHERWOOD 20A, LLC, an Oregon limited liability company

By: Roxce Stavney
Name: Roxce Stavney
Its: Manager

STATE OF _____
COUNTY OF _____

This instrument was acknowledged before me this _____ day of October, 2017 by John T Stohecker, as Successor Trustee, of Stiller Marital Trust, on behalf of the Trust.

Print Name:
Notary Public for the State of:
My Commission Expires:

STATE OF Oregon
COUNTY OF Lincoln

This instrument was acknowledged before me this 20th day of October, 2017 by , as , of SHERWOOD 20A, LLC, an Oregon limited liability company, on behalf of the company.

Roxce Stavney
as Manager

Diane C. Dupont
Print Name: Diane C. Dupont
Notary Public for the State of: Oregon
My Commission Expires: 10-23-18

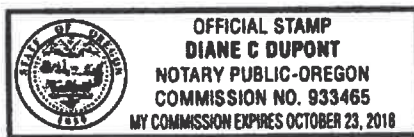


EXHIBIT "A"
LEGAL DESCRIPTION

The South one-half of the Northeast one-quarter of the Northwest one-quarter of Section 33, Township 2 South, Range 1 West, of the Willamette Meridian, in the County of Washington and State of Oregon.

TOGETHER with Easement for Ingress and egress recorded September 17, 1975 in Book 1044, page 547, Records of Washington County Oregon.

EXHIBIT "B"
Exceptions

1. Mineral Reservation, other than coal or iron, including terms and provisions thereof:
 - Reserved by : Oregon and California Railroad Company, an Oregon corporation
 - Recorded : December 22, 1988
 - Recording No(s) : (book) Z (page) 311

2. Terms and provisions of Easement Agreement, subject to Maintenance rights per ORS 105.175 statute:
 - For : ingress and egress
 - Granted to : Frank F. and Edna May Stiller and Charles O. and Reval L. Stiller, known as Stiller Bros.
 - Recorded : September 17, 1975
 - Recording No(s) : (book) 1044 (page) 547
 - Affects : appurtenant rights insured herein

WFG Title 17-115013 comm

File No.: 17-115013

Grantor
The Estate of Arthur Raymond Bridges
Grantee
WOODBURN INDUSTRIAL CAPITAL GROUP PO Box 1060 Woodburn, OR 97071
After recording return to
WOODBURN INDUSTRIAL CAPITAL GROUP PO Box 1060 Woodburn, OR 97071
Until requested, all tax statements shall be sent to
WOODBURN INDUSTRIAL CAPITAL GROUP PO Box 1060 Woodburn, OR 97071
Tax Acct No(s): R558042

Washington County, Oregon **2017-083736**
D-DPR
Stn=0 A STROM **10/23/2017 01:26:59 PM**
\$10.00 \$11.00 \$5.00 \$20.00 \$600.00 **\$646.00**

I, Richard Hobernicht, Director of Assessment and Taxation and Ex-Officio County Clerk for Washington County, Oregon, do hereby certify that the within instrument of writing was received and recorded in the book of records of said county.

Richard Hobernicht, Director of Assessment and Taxation, Ex-Officio

Reserved for Recorder's Use

PERSONAL REPRESENTATIVE DEED

Billy D. Barnes, Personal Representative of the Estate of Arthur Raymond Bridges, Washington County Circuit Court Case No. 17PB04176, Grantor, conveys to **WOODBURN INDUSTRIAL CAPITAL GROUP, LLC, an Oregon limited liability company**, Grantee, the following real property described in the attached Exhibit A.

The true consideration for this conveyance is **\$600,000.00**. (Here comply with requirements of ORS 93.030)

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009 AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Executed this 18 day of October, 2017

The Estate of Arthur Raymond Bridges, Washington County Circuit Court Case No. 17PB04176

By: [Signature]
Name: Billy D. Barnes
Its: Personal Representative

STATE OF ARIZONA
COUNTY OF MARICOPA

This instrument was acknowledged before me this 18 day of October, 2017 by Billy D. Barnes, as Personal Representative of The Estate of Arthur Raymond Bridges, Washington County Circuit Court Case No. 17PB04176, on behalf of the Estate.

[Signature]
Print Name: Jeffrey Scott Prairie
Notary Public for the State of: ARIZONA
My Commission Expires: 11-30-2019

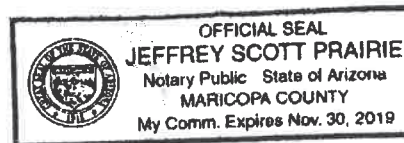


EXHIBIT "A"
LEGAL DESCRIPTION

All of that certain tract of land in the Northwest one-quarter of the Northwest one-quarter of Section 33, Township 2 South, Range 1 West of the Willamette Meridian, in the County of Washington and State of Oregon, lying Easterly and Northerly of the center line of County Road No. 1260, also known as S.W. Tonquin Road.

EXCEPTING THEREFROM that portion dedicated to the public recorded January 26, 1971 in Book 804, page 898, Records of Washington County, Oregon.

FURTHER EXCEPTING THEREFROM that portion conveyed to Washington County, a political subdivision of the State of Oregon for public roadway by Dedication Deed recorded October 7, 2002, Recording No. 2002-116985.



Home of the Tualatin River National Wildlife Refuge

Pre-Application Conference Notes

PAC 2020-003

Meeting Date: January 23, 2020

Planning Staff Contact: Joy L. Chang

503-625-4214 or changj@sherwoodoregon.gov

Annexation / Conditional Use Permit / Site Plan Review

PLEASE NOTE: The conference and notes cannot cover all Code requirements and aspects related to site planning that should apply to the development of your proposal. Failure of the staff to provide information required by the Code shall not constitute a waiver of the applicable standards or requirements. It is recommended that a prospective applicant either obtain and read the Community Development Code or ask any questions of City staff relative to Code requirements prior to submitting an application.

Proposed project name: Kerr – Annexation and Contractor's Establishment

PROPOSAL DESCRIPTION: The applicant is proposing annexation of a ±28.17 acre site into the City. The applicant is also pursuing a contractors' establishment on the site.

APPLICANT: Mike Towle, DOWL
720 SW Washington Street, Suite 750
Portland OR 97205

OWNER: Woodburn Industrial Capital Group LLC
PO BOX 1060, Woodburn OR 97071

PROPERTY LOCATION: Approximately 280 feet south of SW Oregon Street and on the east side of SW Tonquin Road

TAX LOT ID: 2S1330000400 and 2S133BB00100

LAND USE DESIGNATION: Employment Industrial (EI) once annexed into the City boundary

IDENTIFIED POTENTIAL CONSTRAINTS/ISSUES: Extension of City Services to Tax Lot 400, Tonquin Employment Area (Employment Industrial Zoning, Conditional Use, Constrained Land)

Based on the information provided, NECESSARY APPLICATIONS:

- Type V Annexation
- Type IV Site Plan Review – Site Plans greater than 40,000 square feet of floor area, parking or seating capacity.
- Type III Conditional Use Permit

STAFF COMMENTS

The following comments are based on staff’s review of the information provided on the Pre-Application Form and accompanying attachments.

1. **Annexation** – There are four methods of annexation to the City of Sherwood. Three of the four methods requires a vote of the citizens of the City of Sherwood. **SB1573 Method** does not - 100% of the property owners file a petition to be annexed, and if all criteria outlined in SB1573 are satisfied, then the requirement from the City Charter for a mandated City wide vote is exempted. The City Council becomes the acting authority and no vote of the public is required or permitted.

See all requirements identified in the “[Checklist for Annexation Request](#)” packet.

One criterion for annexation approval is feasibility of public services (sewer, water, stormwater, etc.). Tax Lot 400 is land locked and does not have direct access to utilities. One option is to complete a lot consolidation, combining TL 100 with TL 400. The other option is to provide a public throughway through TL 100 that benefit TL 400.

2. Once annexed, the property will be zoned **Employment Industrial**. Allowed uses and dimensional requirements are reflected in Chapter 16.31. Contractors’ storage and equipment yards use is shown on the table below.

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.*

<i>Uses</i>	<i>EI¹</i>
INDUSTRIAL	
• <i>Contractors' storage and equipment yards</i>	C⁴

⁴ On constrained land where structures would not otherwise be permitted, provided that no natural resources such as wetland or floodplains are impacted.

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:

<i>Development Standards by Zone</i>	<i>EI</i>
<i>Lot area - Industrial Uses:</i>	<i>3 acres⁹</i>
<i>Lot area - Commercial Uses (subject to Section 16.31.050):</i>	<i>10,000 SF</i>
<i>Lot width at front property line:</i>	<i>100 feet</i>
<i>Lot width at building line:</i>	<i>100 feet</i>
<i>Front yard setback¹¹</i>	<i>20 feet</i>
<i>Side yard setback¹⁰</i>	<i>None</i>
<i>Rear yard setback¹¹</i>	<i>None</i>
<i>Corner lot street side¹¹</i>	<i>20 feet</i>
<i>Height¹¹</i>	<i>50 feet</i>

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 (3) 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.

16.31.040 - Employment Industrial (EI) Restrictions

A. Use Restrictions

1. Retail and professional services that cater to daily customers, such as restaurants and financial, insurance, real estate, legal, medical and dental offices, shall be limited in the EI zone.

- a. *New buildings for stores, branches, agencies or other retail uses and services shall not occupy more than five thousand (5,000) square feet of sales or service area in a single outlet and no more than twenty thousand (20,000) square feet of sales or service area in multiple outlets in the same development project, and*
 - b. *New buildings for stores, branches, agencies or other retail uses and services shall not be located on lots or parcels smaller than five (5) acres in size. A "development project" includes all improvements proposed through a site plan application.*
2. *Notwithstanding the provisions of Section 16.31.050 "Commercial Nodes Use Restrictions," commercial development permitted under 16.31.050(1)(a) may only be proposed concurrent with or after industrial development on the same parcel. Commercial development may not occur prior to industrial development on the same parcel.*
- B. Land Division Restrictions*
1. *Lots of record prior to October 5, 2010 that are smaller than the minimum lot size required in the EI zone may be developed if found consistent with other applicable requirements of Chapter 16.31 and this code. Further subdivision of lots smaller than three (3) acres shall be prohibited unless Section 16.31.050 applies.*
 2. *Lots or parcels larger than fifty (50) acres may be divided into smaller lots and parcels pursuant to a Planned Unit Development approved by the city so long as the resulting division yields at least one (1) lot or parcel of at least 50 acres in size.*
 3. *Lots or parcels fifty (50) acres or larger, including those created pursuant to subsection (2) above, may be divided into any number of smaller lots or parcels pursuant to a Planned Unit Development approved by the city so long as at least forty (40) percent of the area of the lot or parcel has been developed with industrial uses or uses accessory to industrial use.*

16.31.050 - Tonquin Employment Area (TEA) Commercial Nodes Use Restrictions

- A. *Within the Tonquin Employment Area (TEA), only commercial uses that directly support industrial uses located within the TEA are permitted as conditional uses.*
- B. *Commercial development, not to exceed a total of five (5) contiguous acres in size, may be permitted.*
- C. *Commercial development may not be located within three hundred (300) feet of SW 124th Avenue or SW Oregon Street, and must be adjacent to the proposed east-west collector street.*

Based on the Tonquin Employment Area Concept Plan, the intent of the proposed EI zone is highlighted below.

development objectives may result in short-term employment gains but future land uses that hinder or preclude the identified desired industries. The intent of the proposed EI zone is to provide a unique place for emerging technologies and for the possibility of synergistic clusterings of similar uses, while at the same time allowing for more traditional light industrial uses that could be sited in, or compatibly among, industrial park or campus developments.

Consistent with the zone's purpose statement, uses associated with the three identified key industries are permitted outright. Through a conditional use permit process, uses that can be shown to be "consistent with, or a variation of" target industry uses will also be permitted. No other new uses have been included in the EI zone, but many LI permitted uses have been modified to better meet the objectives of the new employment area(s). Some uses that are

The **Sherwood Comprehensive Plan Part 2, Environmental Resource** section defines constrained lands as reflected below:

4. Limit land development in areas with known natural hazards, special topographic soil, or drainage characteristics according to the kind and degree of hazard or characteristic present.
 - a. Restrict the nature and intensity of development in:
 - 1) 100-year floodplains
 - 2) Areas with slopes which have slide or erosion potential.
 - 3) Areas with weak foundation soils.
 - 4) Wetlands
 - b. Natural hazards such as runoff from paving and soil slippage due to weak foundation soils that could result from new developments should be considered.

Environmentally Constrained Land is also defined under §16.10.020 Definitions- Any portion of land located within the floodway, one hundred-year floodplain, wetlands and/or vegetated corridor as defined by Clean Water Services.

3. The applicant is considering a Contractor's Storage and Equipment Yard in the Employment Industrial Designation. The site is zoned Employment Industrial and Contractor's Storage and Equipment Yard use are permitted with a Condition Use Permit with additional limitations for specific uses. See footnote 4 of EI Uses Table. **Conditional Use Permit (CUP)** provisions are delineated in Chapter 16.82 of the Zoning and Community Development Code (ZCDC).

16.82.020 - Permit Approval

A. Hearing Authority Action

1. *The Hearings Authority shall conduct a public hearing pursuant to Chapter 16.72 and take action to approve, approve with conditions, or deny the application. Conditions may be imposed by the Hearings Authority if necessary to fulfill the requirements of the adopted Comprehensive Plan, Transportation System Plan, or the Code. The decision shall include appropriate findings of fact as required by this Section, and an effective date.*
2. *Conditional uses may be approved at the hearing for a larger development (i.e. business campus or industrial park), to include future tenants of such development, if the range of uses allowed as conditional uses are considered, and specifically approved, at the time of original application.*

B. Final Site Plan

Upon approval of a conditional use by the Hearing Authority, the applicant shall prepare a final site plan for review and approval pursuant to Section 16.90. The final site plan shall include any revisions or other features or conditions required by the Hearing Authority at the time of the approval of the conditional use.

C. Use Criteria

No conditional use shall be granted unless each of the following is found:

- 1. All public facilities and services to the proposed use, including but not limited to sanitary sewers, water, transportation facilities, and services, storm drains, electrical distribution, park and open space and public safety are adequate; or that the construction of improvements needed to provide adequate services and facilities is guaranteed by binding agreement between the applicant and the City.*
- 2. Proposed use conforms to other standards of the applicable zone and is compatible with abutting land uses in regard to noise generation and public safety.*
- 3. The granting of the proposal will provide for a facility or use that meets the overall needs of the community and achievement of the goals and/or policies of the Comprehensive Plan, the adopted City of Sherwood Transportation System Plan and this Code.*
- 4. Surrounding property will not be adversely affected by the use, or that the adverse effects of the use on the surrounding uses, the neighborhood, or the City as a whole are sufficiently mitigated by the conditions proposed.*
- 5. The impacts of the proposed use of the site can be accommodated considering size, shape, location, topography and natural features.*
- 6. The use as proposed does not pose likely significant adverse impacts to sensitive wildlife species or the natural environment.*

...

D. Additional Conditions

In permitting a conditional use or modification of an existing conditional use, additional conditions may be applied to protect the best interests of the surrounding properties and neighborhoods, the City as a whole, and the intent of this Chapter. These conditions may include but are not limited to the following:

- 1. Mitigation of air, land, or water degradation, noise, glare, heat, vibration, or other conditions which may be injurious to public health, safety or welfare in accordance with environmental performance standards.*
- 2. Provisions for improvement of public facilities including sanitary sewers, storm drainage, water lines, fire hydrants, street improvements, including curb and sidewalks, and other above and underground utilities.*
- 3. Increased required lot sizes, yard dimensions, street widths, and off-street parking and loading facilities.*
- 4. Requirements for the location, number, type, size or area of vehicular access points, signs, lighting, landscaping, fencing or screening, building height and coverage, and building security.*
- 5. Submittal of final site plans, land dedications or money-in-lieu of parks or other improvements, and suitable security guaranteeing conditional use requirements.*
- 6. Limiting the number, size, location, height and lighting of signs.*

7. *Requirements for the protection and preservation of existing trees, soils, vegetation, watercourses, habitat areas and drainage areas.*
8. *Requirements for design features which minimize potentially harmful environmental impacts such as noise, vibration, air pollution, glare, odor and dust.*

E. Time Limits

Unless approved under Section 16.82.020.A.2 for a larger development to include future tenants of such development, authorization of a conditional use shall be void after two (2) years or such lesser time as the approval may specify unless substantial construction, in the City's determination, has taken place. The Hearing Authority may extend authorization for an additional period, not to exceed one (1) year, upon a written request from the applicant showing adequate cause for such extension, and payment of an extension application fee as per Section 16.74.010.

F. Revocation

Any departure from approved plans not authorized by the Hearing Authority shall be cause for revocation of applicable building and occupancy permits. Furthermore, if, in the City's determination, a condition or conditions of CUP approval are not or cannot be satisfied, the CUP approval, or building and occupancy permits, shall be revoked.

4. The approval criteria for **Site Plan Reviews** are delineated in the Sherwood Zoning and Community Development Code (SZCDC) Section 16.90.

16.90.020.D Required Findings

No site plan approval will 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.*
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.*
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.*
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.*
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.*
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:*
 - a. *Primary, front entrances are located and oriented to the street, and have significant articulation and treatment, via facades, porticos, arcades, porches, portal, forecourt, or stoop to identify the entrance for pedestrians. Additional*

entrance/exit points for buildings, such as a postern, are allowed from secondary streets or parking areas.

- b. Buildings are located adjacent to and flush to the street, subject to landscape corridor and setback standards of the underlying zone.*
- c. The architecture of buildings are oriented to the pedestrian and designed for the long term and be adaptable to other uses. Aluminum, vinyl, and T-111 siding are prohibited. Street facing elevations have windows, transparent fenestration, and divisions to break up the mass of any window. Roll up and sliding doors are acceptable. Awnings that provide a minimum 3 feet of shelter from rain are required unless other architectural elements are provided for similar protection, such as an arcade.*
- d. As an alternative to the standards in Section 16.90.020.D.6.a—c, the following Commercial Design Review Matrix may be applied to any commercial, multi-family, institutional or mixed use development (this matrix may not be utilized for developments within the Old Town Overlay). A development must propose a minimum of 60 percent of the total possible points to be eligible for exemption from the standards in Section 16.90.020.D.6.a—c. In addition, a development proposing between 15,001 and 40,000 square feet of floor area, parking or seating capacity and proposing a minimum of 80 percent of the total possible points from the matrix below may be reviewed as a Type II administrative review, per the standards of Section 16.72.010.A.2.*
- e. As an alternative to the standards in Sections 16.90.020.D.6.a—c, the Old Town Design Standards (Chapter [16.162](#)) may be applied to achieve this performance measure.*
- f. As an alternative to the standards in Sections 16.90.020.D.6.a.—e, an applicant may opt to have a design review hearing before the Planning Commission to demonstrate how the proposed development meets or exceeds the objectives in Section 16.90.010.B of this Code. This design review hearing will be processed as a Type IV review with public notice and a public hearing.*

The Commercial Design Review Matrix is not applicable to this proposal. The applicant must meet the Industrial Design Standards (16.90.030.D.7 a or b) stated below.

- 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.*
 - b. As an alternative to Section 16.90.020.D.7.a, an applicant may opt to have a design review hearing before the*

Planning Commission to demonstrate how the proposed development meets or exceeds the applicable industrial design objectives below (this design review hearing will be processed as a Type IV review):

- (1) Provide high-value industrial projects that result in benefits to the community, consumers and developers.*
 - (2) Provide diversified and innovative working environments that take into consideration community needs and activity patterns.*
 - (3) Support the City's goals of economic development.*
 - (4) Complement and enhance projects previously developed under the industrial design standards identified in Section 16.90.020.D.7.*
 - (5) Enhance the appearance of industrial developments visible from arterials and collectors, particularly those considered "entrances" to Sherwood, including but not limited to: Highway 99W, Tualatin-Sherwood Road and Oregon Street.*
 - (6) Reduce the "bulk" appearance of large industrial buildings as viewed from the public street by applying exterior features such as architectural articulation, windows and landscaping.*
 - (7) Protect natural resources and encourage integration of natural resources into site design (including access to natural resources and open space amenities by the employees of the site and the community as a whole).*
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.*

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.

7. **Visual Corridor (Section 16.142.040)** - The subject property is located adjacent to SW Tonquin Road that is classified as an Arterial rights-of-way on the City's Street Functional Classification Map. A landscaped visual corridor is required along all collectors and arterials (as designated by the Transportation System Plan [TSP]) as well as Highway 99W. The required width of the corridor for collectors is ten (10) feet, arterials is fifteen (15) feet and Highway 99W is twenty-five (25) feet. **Any new formal development permits will require the developer to provide a landscaped visual corridor.** In all other developments (not residential), the visual corridor shall be on private property adjacent to the right-of-way. The site affects the following visual corridor roadways:

SW Tonquin Road is designated as Arterial roadway on the TSP and a 15-foot landscaped visual corridor will be required along their frontage.

8. **Landscaping**, particularly visual corridors, perimeter buffer, and parking area landscaping will be

required in accordance with **Chapter 16.92**.

9. **Off-Street Parking** (Chapter 16.94) and **On Site Circulation** (Chapter 16.96) – the proposed development must comply with the requirements. Parking counts were reflected on the site plan, but building use was not identified and staff could not determine if off-street parking requirements are satisfied.
10. **Solid Waste and Recycling Storage** (Section 16.98.020) – The preliminary plans must identify all storage and address the required criteria. Staff recommends early coordination with Pride Disposal regarding their specific requirements/standards that must also be satisfied. See Pride Waste Disposal / Enclosure Requirements handout.
11. The development will need to comply with **Chapter 16.142, Parks, Trees, and Open Space**. New developments are required to achieve minimum canopy requirements, and may be required to inventory any existing trees. **Industrial development has a 30% tree canopy requirement**.
12. The development must comply with **Chapter 16.132, Environmental Resources**. The applicant will need to contact Clean Water Services (CWS) and obtain a Service Provider Letter.
13. The development must comply with **Chapter 16.144, Wetlands, Habitat, and Natural Areas**. Our mapping system identified several natural resources on site. The applicant must comply with Chapter 16.144 along with Clean Water Services requirements.

The Code allows flexibility in development standards in exchange for the protection of sensitive lands as outlined in this Chapter. For example, qualifying developments may be allowed to reduce lot sizes up to 10% and reduce setbacks up to 30% (see Section 16.144.030). These provisions can be utilized when an equal amount of inventoried resource above and beyond that already required to be protected is held in a public or private open space tract or otherwise protected from further development.

14. Please refer to the City of Sherwood (COS) Engineering Comments for information regarding the availability of water, sanitary sewer, stormwater, transportation, and other public facilities (**Division VI. Public Infrastructure**). Below are some key points.
 - CWS Hydromodification
 - Water service for fire protection
 - Sanitary service
 - Abandon both water well and septic system
15. **Washington County, Land Use & Transportation** – SW Tonquin Road is owned and maintained by Washington County. Below are key points identified by Washington County. Contact Naomi Vogel at 503-846-7639 with further questions.
 - ROW dedication – 45 feet from centerline of Tonquin. ROW or public easement needed for Regional Trail.
 - Half-street improvement – pavement, bike lane, gutter/curb, street lighting, planter strip with street trees and sidewalk (per city widths). Regional trail location/width per City.
 - TIA – in addition to City requirements include analysis for access to Tonquin (spacing from Oregon St intersection), sight distance analysis (based on 55 MPH), 10% impact to

intersection(s) within study area, left-turn lane/queuing needs/other lanes (RT decel) and truck turning templates. Refer to R&O 86-95 for report requirements.

- Access will need to request a design exception to the Arterial access standards (refer to TIA requirements). The same requirements as an AMP (County Code).
- Include circulation and access for other parcels to/from Tonquin. Other public street access will be problematic due to the spacing from the intersection with Oregon Street. As Bob noted, Oregon/Tonquin intersection is on the RTP list (#10590).

16. **Building Division and Tualatin Valley Fire & Rescue** reviewed the proposed development and identified the following items:

- The proposed industrial buildings will need **Fire Sprinklers and Fire Alarms**.
- An **enhanced Radio transmitter** will be required for all buildings over 50,000 square feet to assist with radio frequency or pay a fee in lieu.
- Please see Tualatin Valley Fire & Rescue for additional comments.

Since limited structural building information was submitted, the City of Sherwood Building Department has no further comments at this time. Proposed structures must meet current State of Oregon Building Codes.

17. A separate permit is required for all permanent signs per SZCDC **Chapter 16.102- SIGNS**. Sign permits may be applied for through the Sherwood Building Department. Temporary sign permits are issued through the Sherwood Planning Department.
18. Based on the **Ice Age Tonquin Trail Master Plan**, your site has been identified with the Preferred Alignment for the regional trail (see attached Map 13 and Tile 7). The trail will be required as part of any proposed development.

APPLICABLE CODE CRITERIA

(These sections **must** be addressed in the narrative submitted with the land use application)

<input checked="" type="checkbox"/> Division II Zoning District – 16.31	<input checked="" type="checkbox"/> 16.92 (Landscaping)	<input type="checkbox"/> 16.122 (Land Partitions)
<input type="checkbox"/> 16.40 (Planned Unit Development)	<input checked="" type="checkbox"/> 16.94 (Off-Street Parking and Loading)	<input type="checkbox"/> 16.124 (Property Line Adjustments and Lot Consolidations)
<input type="checkbox"/> 16.44 (Townhomes)	<input checked="" type="checkbox"/> 16.96 (On-Site Circulation)	<input type="checkbox"/> 16.134. (Flood Plain Overlay)
<input type="checkbox"/> 16.46 (Manufactured Homes)	<input checked="" type="checkbox"/> 16.98 (On-Site Storage)	<input checked="" type="checkbox"/> 16.142 (Parks, trees, and Open Space)
		<input checked="" type="checkbox"/> 16.144 (Wetland, Habitat and Natural Areas)
<input type="checkbox"/> 16.48 (Non-Conforming Uses)	<input type="checkbox"/> 16.102 (Signs)	<input checked="" type="checkbox"/> 16.146 (Noise)
<input type="checkbox"/> 16.50 (Accessory Uses)	<input checked="" type="checkbox"/> 16.106 (Transportation Facilities)	<input checked="" type="checkbox"/> 16.148 (Vibrations)
<input type="checkbox"/> 16.80 (Plan Amendments)	<input type="checkbox"/> 16.106.030(D) (Additional Setbacks)	<input checked="" type="checkbox"/> 16.150 (Air Quality)
<input checked="" type="checkbox"/> 16.82 (Conditional Uses)	<input checked="" type="checkbox"/> 16.108.040.D (Clear Vision Areas)	<input checked="" type="checkbox"/> 16.152 (Odors)
<input type="checkbox"/> 16.86 (Variances)		<input checked="" type="checkbox"/> 16.154 (Heat and Glare/Lighting)

<input type="checkbox"/> 16.88 (Interpretation of Similar Uses)	<input checked="" type="checkbox"/> 16.112 (Water Supply)	<input checked="" type="checkbox"/> 16.156 (Energy Conservation)
<input checked="" type="checkbox"/> 16.90 (Site Planning)	<input checked="" type="checkbox"/> 16.114 (Storm Water)	<input type="checkbox"/> 16.162 (Old Town Overlay District)
	<input checked="" type="checkbox"/> 16.116 (Fire Protection)	<input type="checkbox"/> 16.166 (Landmark Designation)
	<input type="checkbox"/> 16.118 (Private Improvements)	<input type="checkbox"/> 16.168 (Landmark Alteration)
	<input type="checkbox"/> 16.120 (Subdivisions)	

PROCEDURES

- Annexation, Type V – Hearing authority is the City Council (typically two hearings) with appeal opportunity to the Land Use Board of Appeals.

Once annexation into the city limits is complete, the following reviews can be proceed:

- Site Plan Review, Type IV – Site Plans – greater than 40,000 square feet of floor area, parking or seating capacity. The Planning Commission will conduct the hearing and render the final decision. Any appeals will be heard by the City Council.
- Conditional Use Permit, Type III – the Conditional Use Permit will be processed concurrently with the Site Plan Type IV Review.
- Final Site Plan Review, Type I (once a preliminary land use decision has been rendered).

FEES

Fees from July 1, 2019 (subject to change July 1, 2020)

CONFIRM FEES WITH STAFF PRIOR TO SUBMITTAL. WE WILL HELP YOU TO CALCULATE THE FEES.

- Annexation, Type V - \$7,500 deposit (applicant pays 100% of actual expenses including staff time and any balance owing is due within 30-days from the final annexation invoice date.)

And

- Site Plan Review, Type IV - \$6,577.41 + \$7,650 (additional \$102 for every 10,000 square feet or portion thereof over the first 15,000 square feet of building area) = \$14,227.41 plus
- Conditional Use Permit with concurrent review, Type III - \$2,190.04 plus
 - Publication/distribution of Type IV Notice \$466
- Final Site Plan Review, Type I - \$699.15

APPLICATION SUBMITTAL PROCESS FOR LAND USE REVIEWS – Note, Annexation Applications have different application submittal requirements.

The following materials must be submitted with your land use application or it will not be accepted at the counter. Once taken at the counter, the City has up to 30 days to review the materials submitted to determine if we have everything we need to complete the review.

3 * copies of Application Form completely filled out and signed by the property owner (or person with authority to make decisions on the property).

Copy of Deed to verify ownership, easements, etc.

- CWS Service Provider Letter.**
- At least 3 * folded** sets of plans
- At least 3 * sets** of narrative addressing application criteria. The narrative provides findings based on the applicable approval standards. Failure to provide a narrative or adequately address criteria would be reason to consider an application incomplete and delay review of the proposal. The applicant should review the code for applicable criteria.
- Fee** (along with calculations utilized to determine fee if applicable)
- Signed checklist** verifying submittal includes specific materials necessary for the application process
- Neighborhood Meeting Verification** including affidavit, sign-in sheet and meeting summary (required for Type III, IV and V projects)
- PDF Electronic version of all submittal items broken down by item on a disc. Not a single PDF**

* **Note** that the required number of copies must be submitted when the application is deemed complete; however, upon initial submittal applicants are encouraged to submit only 3 copies for completeness review. Prior to completeness, required number of copies and one updated full electronic copy will be required to be submitted.

TIME LINE

The Planning Department will perform a preliminary review of the application and will determine whether an application is complete within 30 days of the counter submittal. Staff will notify the applicant if additional information or additional copies of the submitted materials are required.

The administrative decision or public hearing will typically occur approximately 45 to 60 days after an application is deemed complete by the Planning Department. Applications involving difficult or protracted issues or requiring review by other jurisdictions may take additional time to review. Written recommendations from the Planning staff are issued seven (7) days prior to the public hearing. A 14-day public appeal period follows all land use decisions.

Planning Staff Contact: Joy L. Chang, (503)625-4214 changj@sherwoodoregon.gov

RESPONSES TO QUESTION FROM THE APPLICANT

1. Please confirm if the proposed contractor's establishment use would be considered a contractor's storage and equipment yard and any potential concerns regarding the viability of obtaining a conditional use permit for that use in the EI zoning district. ***This proposal would be considered a Contractor's Storage and Equipment Yard. Potential concerns regarding the viability of obtaining a Conditional Use Permit in the Tonquin Employment Area, Employment Industrial Zone would only be allowed on constrained land. Furthermore, all Conditional Use Permit approval criteria must also be satisfied.***

2. Please identify any and all public infrastructure improvements that will be required on or adjacent to the site and if any of these improvements can be deferred, through an annexation agreement or other means, until such point in time when a long-term industrial employment use is established on the property. **See *Engineering Comments*.**
3. Please confirm if there are any city-mapped natural resource features on the site that would need to be addressed with the site development process and what the process would be to allow impacts, if any. ***The site is within the Tonquin Scabland Geologic Area. The City also relies on Metro Natural Resource mapping and the site shows upland and riparian habitats.***
4. Please confirm the anticipated City review timelines for the annexation. ***Once an application is deemed complete, an annexation decision would typically be rendered within 2-3 months. This would allow for required notification and two City Council hearings.***
5. Please confirm if a site plan review application is required to allow the full extent of grading anticipated in conjunction with the contractor's establishment use. **Yes**
6. Please confirm any special studies that would be required with the annexation and site development applications. ***No special studies are required with the annexation. However, the following are needed for Site Development:***
 - Traffic Impact Analysis
 - Stormwater Report
 - Geotech Report for half-street improvements
7. Please confirm the agency review fees for the applicable applications. ***Noted above, but does not include any building review fees.***
8. Please confirm the system development charges that would apply to the proposed contractor's establishment use. **See *Engineering Comments*.**



CITY OF SHERWOOD

PRE-APPLICATION CONFERENCE SIGN-IN SHEET

Project: PAC 2020-003	Meeting Date: January 23, 2020
Facilitator: Joy Chang, Senior Planner	Place/Room: City of Sherwood, Conf. Rm. A

Name	Agency or Representation	Email Address
Joy Chang	COS - Planning	changj@sherwoodoregon.gov
Naomi Vogel	Wash. County	naomi.vogel@co.washington.or.us
Bob GIALATI	COS - ENGINEERING	GIALATI@SHERWOODOREGON.GOV
Tom Mooney	TVFR	thomas.mooney@tvfr.com
ERIC RUTLEDGE	COS - ASSOC. PLANNER	RUTLEDGEE@SHERWOODOREGON.GOV
Tim Kerr	Woodburn Ind.	tkerr@kerrcontractors.com
MIKE TOWLE	DOWL	MTOWLE@DOWL.COM
READ STAPLETON	DOWL	RSTAPLETON@DOWL.COM

Engineering Pre-Application Comments



To: Joy Chang, Senior Planner
 From: Bob Galati P.E., City Engineer
 Project: Tonquin Road Site Development (PAC 20-03)
 Date: February 6, 2020

Engineering staff have reviewed the proposed site development submittal information. All final approved construction plans will need to conform to the design and construction standards established by the City of Sherwood's Engineering and Public Works Departments, Washington County Department of Land Use and Transportation (WACO), Clean Water Services (CWS), Tualatin Valley Fire and Rescue (TVF&R), in addition to other jurisdictional agencies which may provide land use comments. The City of Sherwood Engineering Department review comments are as follows:

General Observations

The proposed site development consists of two tax lots (2S1330000100 and 2S1330000400) located along the east side of SW Tonquin Road approximately 350' south of the intersection of SW Tonquin Road and SW Oregon Street. TL# 2S1330000100 is 8.17 acres in size, and TL# 2S1330000400 is 20.0 acres in size. The total site development area is 28.17 acres.

Transportation Comments

TL#100 fronts SW Tonquin Road. The WACO TSP shows SW Tonquin Road as a 2-lane arterial classification, and the Metro RTP classifying it as a Rural Arterial. WACO ISPIRIT survey information shows SW Tonquin Road within a 40-foot right-of-way.

As SW Tonquin Road is under WACO jurisdictional control, access improvements from the site onto SW Tonquin Road will have to meet WACO design standards for sight distance. WACO review comments are as follows:

1. ROW dedication – 45-feet from centerline of Tonquin ROW or public easement needed for Regional Trail.
2. Half-street improvement – pavement, bike lane, gutter/curb, street lighting, planter strip with street trees, and sidewalks (per City widths). Regional trail location/width per City.
3. TIA – in addition to City requirements include analysis for access to Tonquin (spacing from Oregon Street intersection), sight distance analysis (based on 55 mph), 10% impact to intersection (s) within study area, left-turn lane/queuing needs/other lanes (right-turn deceleration) and truck turning templates. Refer to R&O 86-95 for report requirements.
4. Access will need to request a design exception to the Arterial access standards (refer to TIA requirements). The same requirements as an AMP (WACO Code).
5. Include circulation and access for other parcels to/from Tonquin. The other public street access will be problematic due to the spacing from the intersection with Oregon Street. Oregon/Tonquin intersection is on the RTP list (#10590).

Frontage improvements of the SW Tonquin Road would conform with City of Sherwood Municipal Code Sections 16.106.010 through 16.106.090.

City of Sherwood required frontage improvements for a 2-lane arterial classification roadway include the following items:

1. 64-foot right-of-way, which means a 32-foot right-of-way width from the existing right-of-way centerline. Development may be required to dedicate the difference between the existing and proposed ROW of approximately 12-feet.
2. Pavement width from centerline of the ROW to face of curb would be 18-feet.
3. Planter strip with a width of 5-feet
4. An 8-foot wide sidewalk
5. A 1-foot clear space between back of sidewalk and ROW line..
6. An 8-foot wide PUE measured from ROW line.
7. And a 25-foot wide visual corridor measured from the ROW line.
8. Street lighting along the Tonquin Road frontage would be Cobrahead Street lights at an appropriate spacing.
9. Street trees within planter strip.

TL#400 is an isolated lot which does not have direct connection to Tonquin Road. The application may be required to provide a public residential road section from Tonquin Road to TL#400. The City's standard residential roadway section includes the following requirements:

1. 52-foot wide right-of-way with a 28-foot wide face of curb to face of curb paved width.
2. Two 5-foot wide planter strips
3. Two 6-foot wide sidewalks
4. Two 1-foot clear space between back of sidewalk and ROW line.
5. 8-foot wide PUE as measured from ROW on all public street frontage.
6. Street trees
7. Street lighting, Westbrooke style on residential/local roads.

A TIA may be required to determine impacts to the intersection of Oregon Street and Tonquin Road, and the roundabout of Oregon Street and Murdock Road (MC Section 16.106.080). The following critical data identifies an issue with the intersection of Oregon Street and Tonquin Road, and in the opinion of the City Engineer justifies the request for a TIA.

1. The intersection of Tonquin Road and Oregon Street is listed in the Metro 2035 RTP (Project No. 10674) as a CIP based on limited capacity and safety.
2. The intersection of Tonquin Road and Oregon Street is listed in the City TSP as a CIP based on limited capacity and safety.
3. The intersection of Tonquin Road and Oregon Street is listed in the WACO 2014 TSP Project List (Oregon-Tonquin Roundabout) as a CIP based on capacity and safety.

Per Section 16.106.080.B a TIA may be required to be submitted to the City with a land use application at the request of the City Engineer or if the proposal is expected to involve one or more of the subsections of Section 16.106.080.B (1) through (6).

The results of the TIA may be used to determine a proportionate share improvement cost of impact to the Oregon Street and Tonquin Road intersection.

Sanitary Sewer System Comments

TL#100 fronts directly onto SW Tonquin Road and is located approximately 365' south of the nearest public sanitary sewer system infrastructure. TL#400 abuts along TL#100 along its east property line. From public records, it does not appear that TL#400 has any direct access to a public corridor, by which extension of the public sanitary sewer systems could be achieved to provide public service.

A public sanitary sewer mainline extension down Tonquin Road and through TL#100 may be required as part of the site development process.

Water System Comments

TL#100 fronts directly onto SW Tonquin Road and is located approximately 365' south of the nearest public water system infrastructure. TL#400 abuts along TL#100 along its east property line. From public records, it does not appear that TL#400 has any direct access to a public corridor, by which extension of the public water systems could be achieved to provide public service.

A public water system mainline extension down Tonquin Road and through TL#100 may be required as part of the site development process.

Stormwater System Comments

TL#100 fronts directly onto SW Tonquin Road and is located east of and adjacent to the Rock Creek wetland and stream corridor. TL#400 abuts along TL#100 along its east property line. From public records, it does not appear that TL#400 has any direct access to a public corridor, by which extension of the public stormwater systems could be achieved to provide public service.

A public stormwater system mainline extension across Tonquin Road and through TL#100 may be required as part of the site development process.

The site development submittal would need to include a stormwater report stamped by a registered civil engineer in the State of Oregon, which provides design data for collection, conveyance, treatment, detention, and discharge of on-site stormwater runoff in conformance with CWS standards.

Since both TL#100 and TL#400 are more than 5 acres in size, and the apparent disturbed area is a significant portion of both sites, it can be anticipated that an DEQ NPDES 1200-C permit, issued by CWS will need to be obtained.

The stormwater report and system design will need to meet the requirement established by CWS for hydromodification.

Other Engineering Miscellaneous Comments

- A. An "As-Built Request" form is available on the City of Sherwood website for obtaining as-built information and documents. A fee is associated with the As-Built Request.
- B. City of Sherwood MC standards require an 8-foot wide Public Utility Easement (PUE) along all dedicated right-of-way.
- C. Site developments which create a surface area impact of 5 or more acres will require obtaining an NPDES 1200-C permit from CWS. For surface area impacts of between 1 and 5

acres, an NPDES 1200-CN permit will need to be obtained through the City of Sherwood. Surface area impacts of less than 1 acre will only require a site grading and erosion control permit issued from the City of Sherwood Building Department.

- D. As part of the Land Use submittal requirements, the applicant must submit a Site Pre-Screening Assessment request to CWS, and provide the City with a copy of the Service Provider Letter (SPL) issued by CWS for the site development. Final site development approval will require a Stormwater Connection Permit being issued from CWS for the proposed site development.
- E. Permits for demolition of any existing structures located on the proposed site development, will be obtained from the City of Sherwood Building Department. Permit fees for the demolition permit will be apply.
- F. City of Sherwood Broadband utilities shall be installed (if not in existence) along the proposed site development frontage along all public street right-of-way, as per requirements set forth in City Ordinances 2005-017 and City Resolution 2005-074.
- G. A draft estimate of City SDCs, CWS SDCs and WACO TDT, has been provided as part of this review, if the application has provided sufficient development information to conduct such estimate. If provided, the estimate will list the assumptions made in the calculations. If certain SDCs have been left undefined it is because there is not sufficient information to provide said estimate amount. NOTE: SDC/TDT estimate amounts are based on assumptions and SDC/TDT rates current at the time the estimate was created. Final authorized SDC/TDT fee amounts will be calculated at the time building permits are issued, and may vary significantly from the estimate amount provided with these review comments.

End of Comments

Disclaimer

The comments provided above are initial in nature and in no way binding as to what the conditions may or may not be imposed on the development due to the City of Sherwood Land Use approval process.

January 24, 2020

Joy Chang
Senior Planner
City of Sherwood
22560 SW Pine Street
Sherwood, Oregon 97140

Re: Tonquin Rd Annexation
Tax Lot I.D: 2S133BB00100, 2S1330000400

Dear Joy,

Thank you for the opportunity to review the proposed site plan surrounding the above-named development project. These notes are provided regarding the pre-application meeting held on January 23, 2020 and are based on the current New Construction Guide version 4.2C. There may be more or less requirements needed based upon the final project design, however, Tualatin Valley Fire & Rescue will endorse this proposal predicated on the following criteria and conditions of approval.

FIRE APPARATUS ACCESS:

1. **FIRE APPARATUS ACCESS ROADS:** Access roads shall be provided for every facility, building, or portion of a building hereafter constructed or moved into or within the jurisdiction. **Exception:** Approved agricultural and equine structures complying with ORS 455.315 are not required to have fire apparatus access roads (see New Construction Guide Appendix C). Access roads are not required to be modified for commercial buildings that undergo a change in occupancy, change in use, or conversion from agricultural or equine exempt to non-exempt unless there is a change to the structure's square footage or building footprint. (OFC 503.1.1)
2. **FIRE ACCESS ROAD DISTANCE FROM BUILDINGS:** The access shall extend to within 150 feet of all portions of the exterior wall of the first story of the building as measured by an approved route around the exterior of the building or facility. (OFC 503.1.1)
3. **DEAD ENDS AND ROADS IN EXCESS OF 150 FEET (TURNAROUNDS):** Dead end fire apparatus access roads or roads in excess of 150 feet in length shall be provided with an approved turnaround. Diagrams of approved turnarounds can be found in the corresponding guide that is located at <http://www.tvfr.com/DocumentCenter/View/1296>. (OFC 503.2.5 & Figure D103.1)
4. **ADDITIONAL ACCESS ROADS – COMMERCIAL/INDUSTRIAL HEIGHT:** Buildings exceeding 30 feet in height or three stories in height shall have at least two separate means of fire apparatus access. (D104.1)
If buildings will exceed 30ft in height this requirement will apply.
5. **AERIAL FIRE APPARATUS ROADS:** Buildings with a vertical distance between the grade plane and the highest roof surface that exceeds 30 feet in height shall be provided with a fire apparatus access road constructed for use by aerial apparatus with an unobstructed driving surface width of not less than 26 feet. For the purposes of this section, the

highest roof surface shall be determined by measurement to the eave of a pitched roof, the intersection of the roof to the exterior wall, or the top of the parapet walls, whichever is greater. Any portion of the building may be used for this measurement, provided that it is accessible to firefighters and is capable of supporting ground ladder placement. (OFC D105.1, D105.2)

If buildings will exceed 30ft in height this requirement will apply.

6. **AERIAL APPARATUS OPERATIONS:** At least one of the required aerial access routes shall be located within a minimum of 15 feet and a maximum of 30 feet from the building, and shall be positioned parallel to one entire side of the building. The side of the building on which the aerial access road is positioned shall be approved by the Fire Marshal. Overhead utility and power lines shall not be located over the aerial access road or between the aerial access road and the building. (D105.3, D105.4)

If buildings will exceed 30ft in height this requirement will apply.

7. **MULTIPLE ACCESS ROADS SEPARATION:** Where two access roads are required, they shall be placed a distance apart equal to not less than one half of the length of the maximum overall diagonal dimension of the area to be served (as identified by the Fire Marshal), measured in a straight line between accesses. (OFC D104.3)

If buildings will exceed 30ft in height this requirement will apply.

8. **FIRE APPARATUS ACCESS ROAD WIDTH AND VERTICAL CLEARANCE:** Fire apparatus access roads shall have an unobstructed driving surface width of not less than 20 feet (26 feet adjacent to fire hydrants (OFC D103.1)) and an unobstructed vertical clearance of not less than 13 feet 6 inches. (OFC 503.2.1 & D103.1)
9. **NO PARKING SIGNS:** Where fire apparatus roadways are not of sufficient width to accommodate parked vehicles and 20 feet of unobstructed driving surface, "No Parking" signs shall be installed on one or both sides of the roadway and in turnarounds as needed. Signs shall read "NO PARKING - FIRE LANE" and shall be installed with a clear space above grade level of 7 feet. Signs shall be 12 inches wide by 18 inches high and shall have red letters on a white reflective background. (OFC D103.6)

May be required in certain areas.

10. **NO PARKING:** Parking on emergency access roads shall be as follows (OFC D103.6.1-2):
1. 20-26 feet road width – no parking on either side of roadway
 2. 26-32 feet road width – parking is allowed on one side
 3. Greater than 32 feet road width – parking is not restricted

Note: For specific widths and parking allowances, contact the local municipality.

11. **PAINTED CURBS:** Where required, fire apparatus access roadway curbs shall be painted red (or as approved) and marked "NO PARKING FIRE LANE" at 25 foot intervals. Lettering shall have a stroke of not less than one inch wide by six inches high. Lettering shall be white on red background (or as approved). (OFC 503.3)
12. **FIRE APPARATUS ACCESS ROADS WITH FIRE HYDRANTS:** Where a fire hydrant is located on a fire apparatus access road, the minimum road width shall be 26 feet and shall extend 20 feet before and after the point of the hydrant. (OFC D103.1)
13. **SURFACE AND LOAD CAPACITIES:** Fire apparatus access roads shall be of an all-weather surface that is easily distinguishable from the surrounding area and is capable of supporting not less than 12,500 pounds point load (wheel load) and 75,000 pounds live load (gross vehicle weight). Documentation from a registered engineer that the final construction is in accordance with approved plans or the requirements of the Fire Code may be requested. (OFC 503.2.3)

14. **TURNING RADIUS:** The inside turning radius and outside turning radius shall not be less than 28 feet and 48 feet respectively, measured from the same center point. (OFC 503.2.4 & D103.3)

Indicate turning radius on plans. The use of Auto-Turn is allowed.

15. **ACCESS ROAD GRADE:** Fire apparatus access roadway grades shall not exceed 15%. Alternate methods and materials may be available at the discretion of the Fire Marshal (for grade exceeding 15%).

Indicate grade on plans.

16. **ANGLE OF APPROACH/GRADE FOR INTERSECTIONS:** Intersections shall be level (maximum 5%) with the exception of crowning for water run-off. (OFC 503.2.7 & D103.2)

17. **AERIAL APPARATUS OPERATING GRADES:** Portions of aerial apparatus roads that will be used for aerial operations shall be as flat as possible. Front to rear and side to side maximum slope shall not exceed 10%.

18. **GATES:** Gates securing fire apparatus roads shall comply with all of the following (OFC D103.5, and 503.6):

1. Minimum unobstructed width shall be not less than 20 feet (or the required roadway surface width).
2. Gates shall be set back at minimum of 30 feet from the intersecting roadway or as approved.
3. Electric gates shall be equipped with a means for operation by fire department personnel
4. Electric automatic gates shall comply with ASTM F 2200 and UL 325.

19. **ACCESS DURING CONSTRUCTION:** Approved fire apparatus access roadways shall be installed and operational prior to any combustible construction or storage of combustible materials on the site. Temporary address signage shall also be provided during construction. (OFC 3309 and 3310.1)

20. **TRAFFIC CALMING DEVICES:** Shall be prohibited on fire access routes unless approved by the Fire Marshal. (OFC 503.4.1). Traffic calming measures linked here: <http://www.tvfr.com/DocumentCenter/View/1578>

FIREFIGHTING WATER SUPPLIES:

21. **COMMERCIAL BUILDINGS – REQUIRED FIRE FLOW:** The minimum fire flow and flow duration shall be determined in accordance with OFC Table B105.2. The required fire flow for a building shall not exceed the available GPM in the water delivery system at 20 psi residual. (OFC B105.3)

Note: OFC B106, Limiting Fire-Flow is also enforced, except for the following:

- The maximum needed fire flow shall be 3,000 GPM, measured at 20 psi residual pressure.
- Tualatin Valley Fire & Rescue does not adopt Occupancy Hazards Modifiers in section B105.4-B105.4.1

Provide construction type in order to determine required fire flow.

22. **FIRE FLOW WATER AVAILABILITY:** Applicants shall provide documentation of a fire hydrant flow test or flow test modeling of water availability from the local water purveyor if the project includes a new structure or increase in the floor area of an existing structure. Tests shall be conducted from a fire hydrant within 400 feet for commercial projects, or 600 feet for residential development. Flow tests will be accepted if they were performed within 5 years as long as no adverse modifications have been made to the supply system. Water availability information may not be required to be submitted for every project. (OFC Appendix B)

Provide documentation of fire hydrant flow test or modeling.

23. **WATER SUPPLY DURING CONSTRUCTION:** Approved firefighting water supplies shall be installed and operational prior to any combustible construction or storage of combustible materials on the site. (OFC 3312.1)

FIRE HYDRANTS:

24. **FIRE HYDRANTS – COMMERCIAL BUILDINGS:** Where a portion of the building is more than 400 feet from a hydrant on a fire apparatus access road, as measured in an approved route around the exterior of the building, on-site fire hydrants and mains shall be provided. (OFC 507.5.1)
- This distance may be increased to 600 feet for buildings equipped throughout with an approved automatic sprinkler system.
 - The number and distribution of fire hydrants required for commercial structure(s) is based on Table C105.1, following any fire-flow reductions allowed by section B105.3.1. Additional fire hydrants may be required due to spacing and/or section 507.5 of the Oregon Fire Code.
25. **FIRE HYDRANT(S) PLACEMENT:** (OFC C104)
- Existing hydrants in the area may be used to meet the required number of hydrants as approved. Hydrants that are up to 600 feet away from the nearest point of a subject building that is protected with fire sprinklers may contribute to the required number of hydrants. (OFC 507.5.1)
 - Hydrants that are separated from the subject building by railroad tracks shall not contribute to the required number of hydrants unless approved by the Fire Marshal.
 - Hydrants that are separated from the subject building by divided highways or freeways shall not contribute to the required number of hydrants. Heavily traveled collector streets may be considered when approved by the Fire Marshal.
 - Hydrants that are accessible only by a bridge shall be acceptable to contribute to the required number of hydrants only if approved by the Fire Marshal.
- Indicate on plans the location of proposed fire hydrants.**
26. **PRIVATE FIRE HYDRANT IDENTIFICATION:** Private fire hydrants shall be painted red in color. Exception: Private fire hydrants within the City of Tualatin shall be yellow in color. (OFC 507)
- If system will be private and a storage tank is proposed then it will need to be sized and installed as per NFPA 24 and NFPA 22. If connecting tanks to fire hydrants then a fire pump maybe be required in order to achieve adequate pressure.**
27. **FIRE HYDRANT DISTANCE FROM AN ACCESS ROAD:** Fire hydrants shall be located not more than 15 feet from an approved fire apparatus access roadway unless approved by the Fire Marshal. (OFC C102.1)
28. **REFLECTIVE HYDRANT MARKERS:** Fire hydrant locations shall be identified by the installation of blue reflective markers. They shall be located adjacent and to the side of the center line of the access roadway that the fire hydrant is located on. In the case that there is no center line, then assume a center line and place the reflectors accordingly. (OFC 507)
29. **PHYSICAL PROTECTION:** Where fire hydrants are subject to impact by a motor vehicle, guard posts, bollards or other approved means of protection shall be provided. (OFC 507.5.6 & OFC 312)
30. **CLEAR SPACE AROUND FIRE HYDRANTS:** A 3 foot clear space shall be provided around the circumference of fire hydrants. (OFC 507.5.5)
31. **FIRE DEPARTMENT CONNECTION (FDC) LOCATIONS:** FDCs shall be located within 100 feet of a fire hydrant (or as approved). Hydrants and FDC's shall be located on the same side of the fire apparatus access roadway or drive aisle, fully visible, and recognizable from the street or nearest point of the fire department vehicle access or as otherwise approved. (OFC 912.2.1 & NFPA 13)

- Fire department connections (FDCs) shall normally be located remotely and outside of the fall-line of the building when required. FDCs may be mounted on the building they serve, when approved.
- FDCs shall be plumbed on the system side of the check valve when sprinklers are served by underground lines also serving private fire hydrants.

Indicate on plans location of FDC's.

BUILDING ACCESS AND FIRE SERVICE FEATURES

32. **KNOX BOX**: A Knox Box for building access may be required for structures and gates. See Appendix B for further information and detail on required installations. Order via www.tvfr.com or contact TVF&R for assistance and instructions regarding installation and placement. (OFC 506.1)

A knox box will be required for each building.

33. **FIRE PROTECTION EQUIPMENT IDENTIFICATION**: Rooms containing controls to fire suppression and detection equipment shall be identified as "Fire Control Room." Signage shall have letters with a minimum of 4 inches high with a minimum stroke width of 1/2 inch, and be plainly legible, and contrast with its background. (OFC 509.1)

Label door as indicated above.

34. **PREMISES IDENTIFICATION**: New and existing buildings shall have approved address numbers; building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property, including monument signs. These numbers shall contrast with their background. Numbers shall be a minimum of 4 inches high with a minimum stroke width of 1/2 inch. (OFC 505.1)

Provide address sign at main entrance.

If you have questions or need further clarification, please feel free to contact me at 503-259-1419.

Sincerely,

Tom Mooney

Tom Mooney
Deputy Fire Marshal II

Thomas.mooney@tvfr.com

Cc: File
City of Sherwood

A full copy of the New Construction Fire Code Applications Guide for Commercial and Multi-Family Development is available at <http://www.tvfr.com/DocumentCenter/View/1296>

Tonquin Employment Area Concept Plan: Preferred Concept Plan Report

October 2010

Final Report



9. *Encourage future development designs that are sensitive to the existing natural features of the area and support development proposals that incorporate, preserve, and enhance natural features.*

Implementation

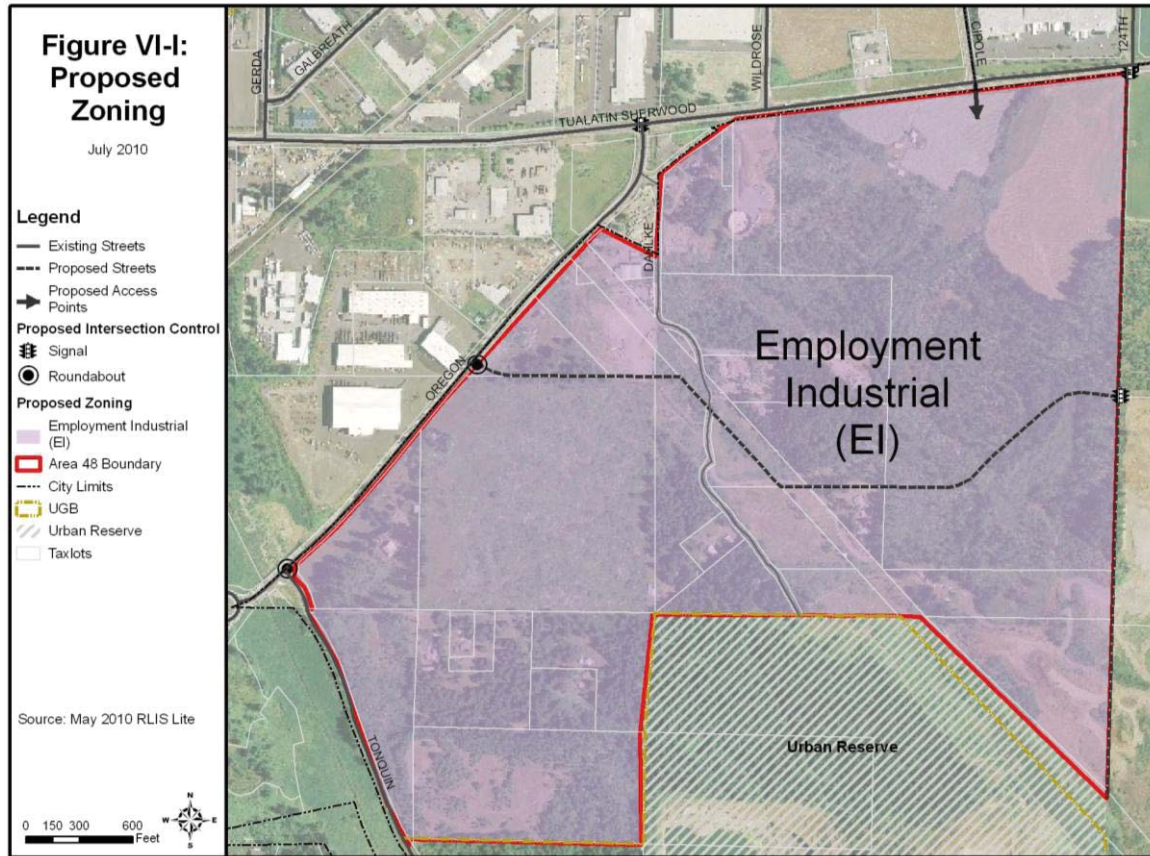
1. *The City of Sherwood shall amend the Zoning and Community Development Code to include an Employment Industrial zone that implements the goals and policies in this section.*
2. *The Employment Industrial zone may be applied only to those properties within city limits, or upon their annexation to the city.*

VI. Zoning Code Requirements

A proposed new chapter for the City of Sherwood Zoning and Development Code has been developed in order to implement the Tonquin Employment Area Preferred Concept Plan. Specifically, the Employment Industrial (EI) zone (Appendix B) is intended to implement the city's development strategies for the Tonquin Employment Area. While supportive of economic growth, the EI zone is targeted to support the type of employment opportunities envisioned for the Tonquin Employment Area when it was included in the Urban Growth Boundary. As described below, the zone is intended to promote preferred industry sectors that the city has targeted in its Economic Development Strategy, as reflected in the proposed Comprehensive Plan policies in Section V.B of this report. At the same time, the zone restricts uses that would impede or be inconsistent with the types of employment uses targeted for the area. The EI zone also implements the land division requirements of Metro's Title 4. Figure VI-1 shows the application of the EI zone to the Tonquin Employment Area.



Figure VI-1: Proposed Zoning



Guidance for the development of the Employment Industrial (EI) zone came from the participants in a Tonquin Employment Area Economic Development Meeting, November 2009, discussing the topic of future employment uses in the area. Participants included key members of the Tonquin Employment Area Concept Plan development team, Tom Nelson, the City's Economic Development Manager, and commercial real estate brokers. Additional input from City staff refined the approach and resulted in the proposed draft EI zone chapter.

The model for the draft Employment Industrial (EI) zone chapter is the city's existing Light Industrial zone. The EI zone is distinguishable from the city's existing LI zone by the new zone's purpose statement, the permitted uses, and dimensional standards addressing the retention of a large (50 acre) parcel. The following purpose statement has been drafted for the EI zone that reflects the proposed policy language and emphasizes that areas with the EI zone designation are intended to be attractive to and suitable for key industries and the businesses that supply them.

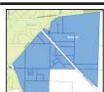
Purpose

The EI zoning district provides employment areas that are suitable for, and attractive to, key industries and industry clusters that have been identified by the State of Oregon and the City's economic development strategy as important to the state and local economy. The following are preferred industry sectors for areas zoned EI: Clean Technology; Technology and Advanced Manufacturing; and Outdoor Gear and Active Wear.

Land zoned EI shall provide for large and medium-sized parcels for industrial campuses and other industrial sites that can accommodate a variety of industrial companies and related businesses. Areas zoned EI are also intended to provide the opportunity for flex building space within small- and medium-sized industrial campuses and business parks to accommodate research and development companies, incubator/emerging technology businesses, related materials and equipment suppliers, and or spin-off companies and other businesses that derive from, or are extensions of, larger campus users and developments. Retail and commercial uses are allowed only when directly supporting area employers and employees.

Industrial establishments and support services shall not have objectionable external features and shall feature well-landscaped sites and attractive architectural design, as determined by the Commission.

Reflecting the conversation at the Tonquin Employment Area Economic Development Meeting, the challenge with regulating new employment areas can be characterized as the tension between aspirations, as described in the EI policies and reflected in the purpose statement, and the current, market-driven demand that exists today. In anemic growth periods such as exists today it is politically unpopular to deny permitting any business or industry that brings employment opportunities. However, permitting uses that do not fulfill long-term economic



development objectives may result in short-term employment gains but future land uses that hinder or preclude the identified desired industries. The intent of the proposed EI zone is to provide a unique place for emerging technologies and for the possibility of synergistic clusterings of similar uses, while at the same time allowing for more traditional light industrial uses that could be sited in, or compatibly among, industrial park or campus developments.

Consistent with the zone's purpose statement, uses associated with the three identified key industries are permitted outright. Through a conditional use permit process, uses that can be shown to be "consistent with, or a variation of" target industry uses will also be permitted. No other new uses have been included in the EI zone, but many LI permitted uses have been modified to better meet the objectives of the new employment area(s). Some uses that are permitted in the LI zone are not recommended for the EI zone because they are not closely related to the targeted industries or are uses that have the potential to remove a large amount of buildable land from the available inventory without providing the type of employment envisioned for the EI designated-areas.

The city has recently modified both the Light Industrial (LI) and the General Industrial (GI) zone chapters to include Metro Title 4 limitations on commercial uses in industrial zones. The proposed EI zone also includes these requirements, but they are located in the standards, not the use, section of the chapter. In addition to standards that are identical to the existing LI zone, the EI zone includes provisions that apply to only the Tonquin Employment Area.

Finally, some additional definitions will need to be adopted to describe new terms in the EI zone. Draft definitions have been included at the end of the Employment Industrial (EI) Zone document for convenience, but ultimately should be incorporated into the definitions section of the Zoning and Community Development Code. Proposed definitions have been modified from definitions readily available via dictionary and industry-related internet sites.



ranging from hiking to active team sports. Both private and public lands may provide open space benefits. Privately owned land reduces recreational use pressure on public land. Certain uses of open space land such as the minimization of landslide potential on steep hillsides requires joint efforts by the city and private developer. A city's open space and recreation land resource is composed of both private and public lands which simultaneously serve a number of individual and community objectives.

Energy Sources

There are no developed energy sources within the Sherwood UGB. All fossil and wood fuels, and electricity generated by hydro and nuclear power, come from sources outside the city. There are however, unconventional energy sources available within Sherwood. These include solar and wind energy. Solar energy, in particular, holds promise as an alternative form of energy which could meet a significant amount of the energy demand for domestic space heating and water heating. The technology exists to take advantage of solar energy and wind energy for these purposes, and such use should be encouraged.

The following Table V-I is an inventory of the areas natural resources and open space, wetlands, parks and schools, historic and scenic resources. These areas are also identified on the Natural Resources and Recreation Plan Map, updated in 1990, (Map V-I).

B. ENVIRONMENTAL RESOURCES POLICY GOALS

The following policy goals were the result of work by several Sherwood Citizen Planning Advisory Committee (SCPAC) subcommittees. The goals were reviewed and updated in 1989-1990. The goals and policies were further reviewed and updated in 2006 to implement the Tualatin Basin Program, a three year project undertaken by all the jurisdictions on urban Washington County to develop a basin wide approach to natural resource protection. The goals define the direction that resource management should take in the Sherwood Urban Area. The Goals, Policies and Strategies that follow relate to the resources identified on the Natural Resources and Recreation Plan Map and the inventory listed in Table V-1 and the Regionally Significant Fish and Wildlife Habitat Inventory (Map V-2) for properties located inside the Metro Urban Growth Boundary on or before December 28, 2005.

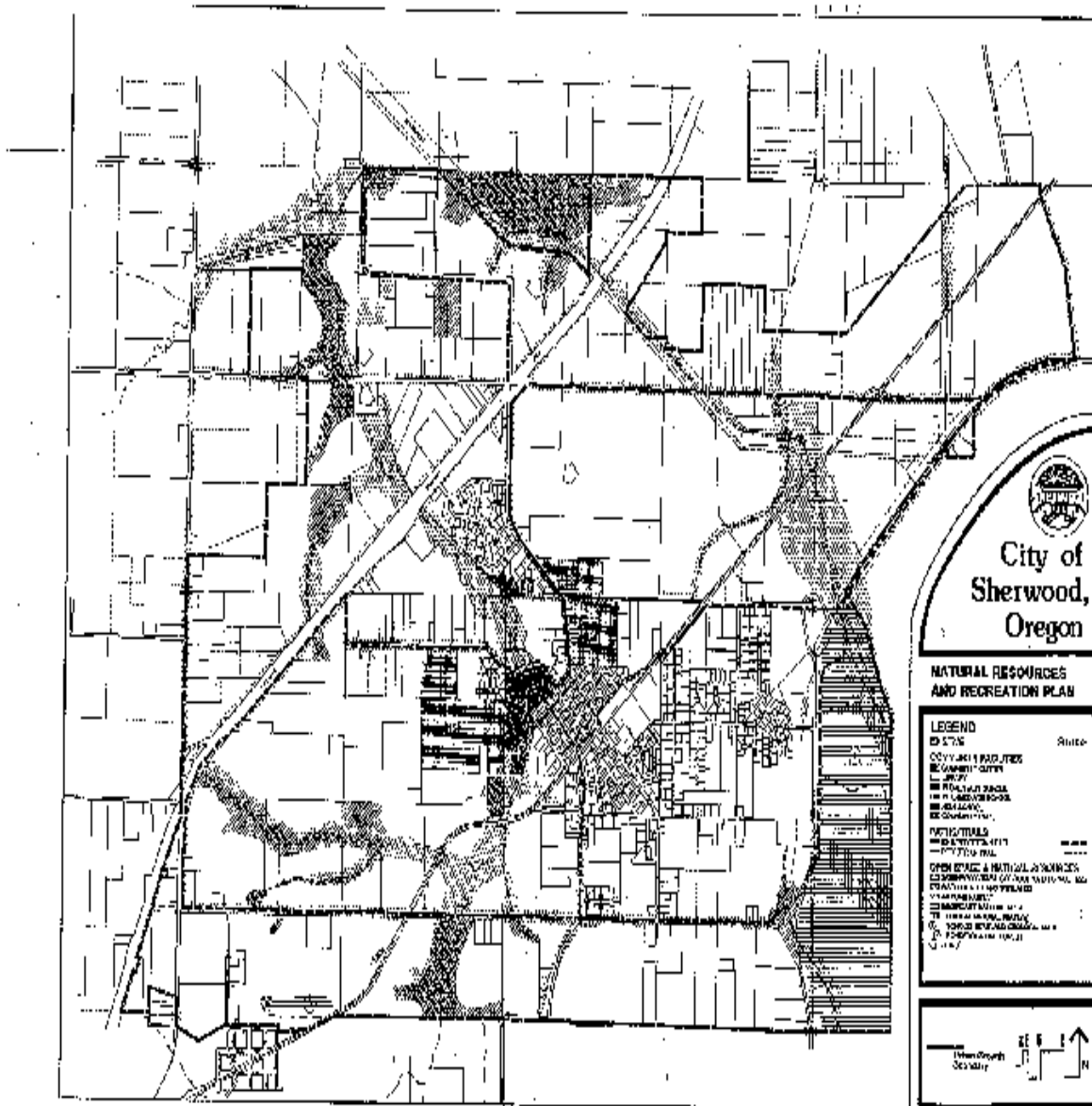
The following are the adopted planning goals for the Environmental Resources of Sherwood.

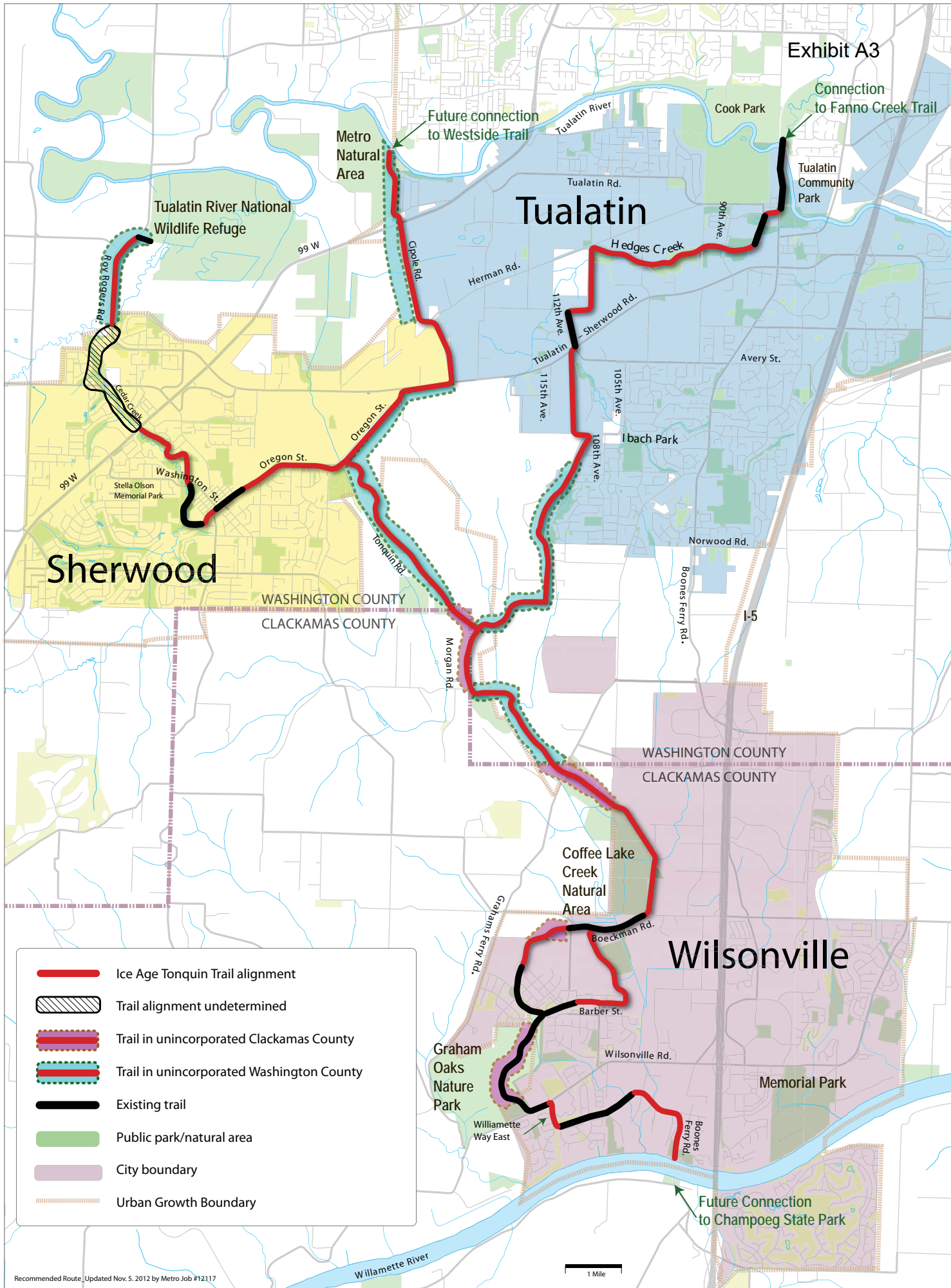
Planning Goals: Natural Resources and Hazards

1. Actually and potentially productive agricultural and forest land in the planning area should be preserved until the need for its conversion to urban uses can be demonstrated. The following factors should be considered in establishing the need for such conversion.
 - a. A documented need for additional land for the proposed urban use.
 - b. Generally, lands with poorer soils should be converted first.

- c. The proposed use is or can be made compatible with adjacent agricultural and forest lands and uses. Low density buffer zones should be used in transition areas.
 2. Incentives for the continuation of agricultural and forest uses on lands that are not needed for urban uses should be continued and/or developed.
 3. The urban uses of wooded areas should be recognized and encouraged. They include:
 - a. Watershed protection of wildlife and fisheries habitat and recreation.
 - b. The prevention of soil erosion.
 - c. Urban buffers, windbreaks, scenic corridors, and site landscaping.
 4. Limit land development in areas with known natural hazards, special topographic soil, or drainage characteristics according to the kind and degree of hazard or characteristic present.
 - a. Restrict the nature and intensity of development in:
 - 1) 100-year floodplains
 - 2) Areas with slopes which have slide or erosion potential.
 - 3) Areas with weak foundation soils.
 - 4) Wetlands
 - b. Natural hazards such as runoff from paving and soil slippage due to weak foundation soils that could result from new developments should be considered.
 5. Protect fish and wildlife habitats and significant Natural Areas where feasible.
 6. Protect mineral and aggregate sites where feasible and practical.

NATURAL RESOURCES MAP





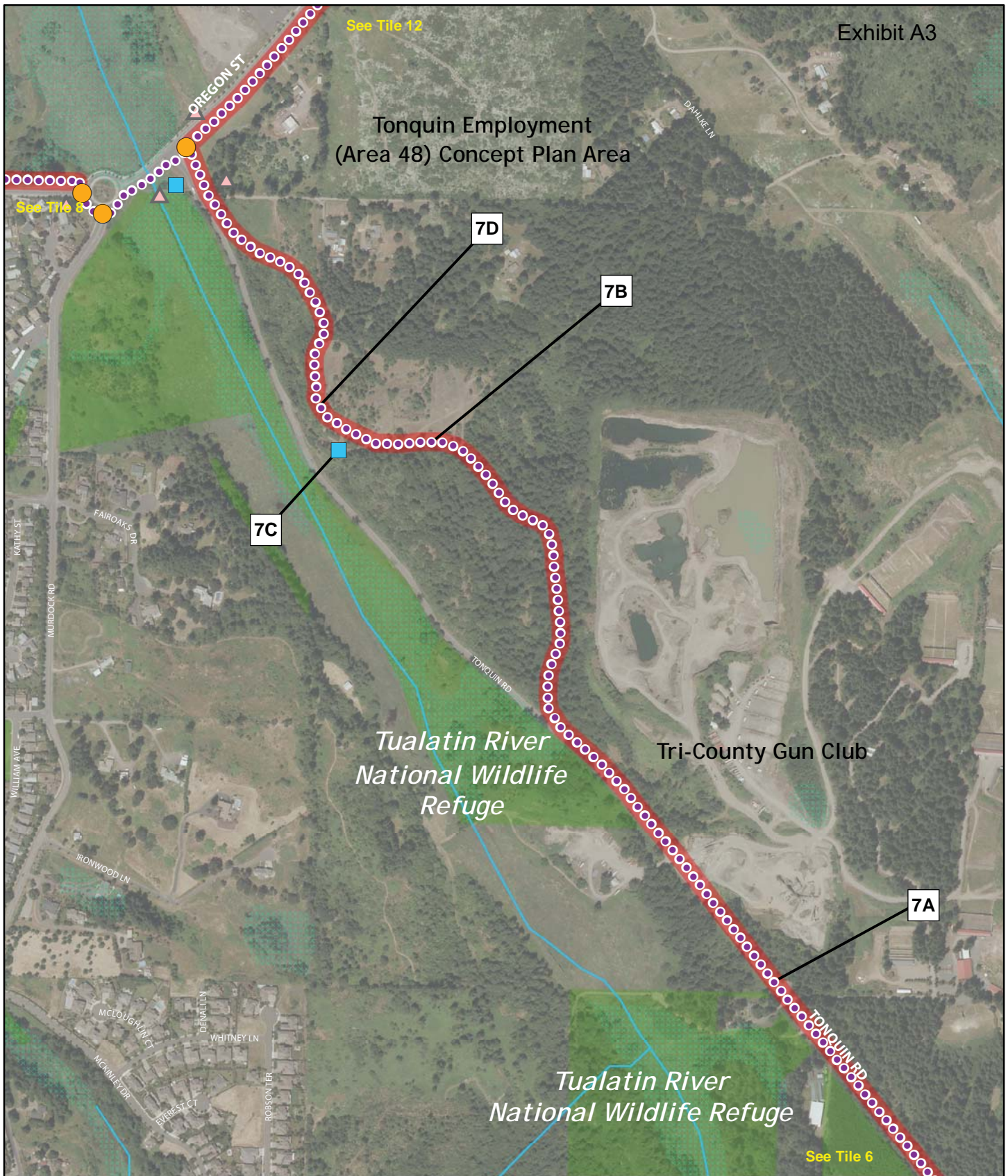
Recommended Route Updated Nov. 5, 2012 by Metro Job #12117

Map 5: Ice Age Tonquin Trail Route

Ice Age Tonquin Trail Master Plan

Source: Metro Data Resource Center

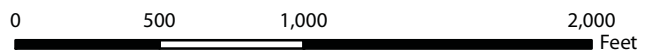




Map 13: Tile 7 - Tonquin Road/Morgan Road and Vicinity to Oregon Street

**Ice Age Tonquin Trail Master Plan
Preferred Alignment**

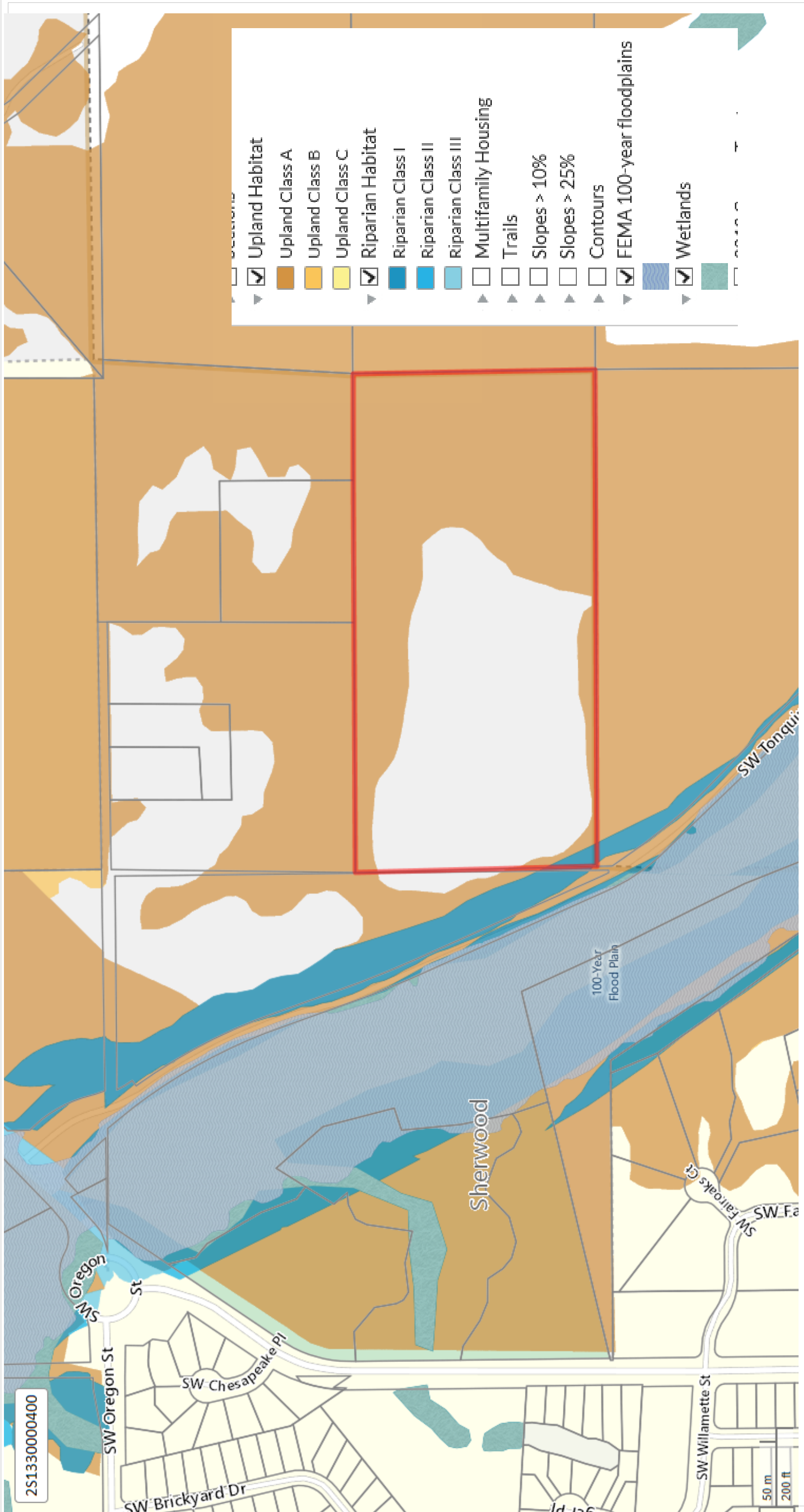
Source: Metro Data Resource Center



- | | | | |
|-------------------------------|--|---|--|
| Ice Age Tonquin Trail | Alignment Undetermined | Proposed Grade-Separated Crossing | Art, Educational or Interpretive Opportunity |
| Existing Trail | Potential Easement or Acquisition Needed | Proposed At-Grade Crossing (Signalized) | Proposed Trailhead |
| Proposed Bike Lanes/Sidewalks | Existing Neighborhood Connection | Proposed At-Grade Crossing (Unsignalized) | Existing Parking or Trailhead |
| Proposed Boardwalk | Potential Future Connection | Potential Wayfinding Sign Location | |
| Proposed Shared Roadway | Wetland | | |
| Proposed Shared Use Path | Park or Natural Area | | |
| | River/Stream/Drainage Ditch | | |

Table 8 - Tile 7: Tonquin Road/Morgan Road and Vicinity to Oregon Street

Reference # (see Tile 7 map)	Recommended Improvements and Opportunities
7A	Barrier separation needed between trail and Tonquin Road
7B	Trail alignment to follow bluff above Tonquin Road
7C	Potential Tualatin River National Wildlife Refuge art, educational or interpretive opportunity
7D	Trail alignment could follow existing unimproved roadway; final alignment to be determined in coordination with Sherwood's Tonquin Employment Area Concept Plan (which includes a future east-west road in this area)



This Web site is offered as a public service, integrating various government records into a region-wide mapping system. The property assessment records are a multi-county integration of Clackamas, Multnomah and Washington County records. MetroMap blends each county's records into a common database on a quarterly basis. Therefore, to view each county's official records, go to their respective web sites or offices. The other MetroMap data are derived from city, county, state, federal and Metro sources. The metadata (data about the data) are included on this site, including the sources to be consulted for verification of the information contained herein. It describes some cases where Metro blends city and county records by generalizing the disparities. Metro assumes no legal responsibility for the compilation of multi-source government information displayed by Metro Map.



P★R★I★D★E

DISPOSAL COMPANY

P.O. Box 820 Sherwood, OR 97140

Phone: (503) 625-6177 Fax: (503) 625-6179

Waste Disposal / Enclosure Requirements Before Occupancy

- The enclosure must be 10 feet deep by 20 feet wide (2 commercial containers). Measurements given are for the inside walls of the enclosure.
- There should be NO CENTER POST AT ACCESS POINT.
- Gates need to be hinged in *front* of walls not inside the walls. This will allow for the extra 120-150 degrees in opening angle needed.
- Full swing gates required.
- Space between containers in enclosure allows access to glass recycling totes.
- Gates must be able to be pinned in the open and closed positions (lock backs) – to keep the gates from potentially swinging into vehicles.
- There must be 75' of unobstructed access to the front of the enclosure (no parking island, parked vehicles, light pole, buildings, etc.).
- There must be 25' of overhead clearance.
- Enclosure location must allow the truck(s) to safely re-enter traffic.

Please Note: This information is to be used for guidelines during the construction of enclosures. These recommendations do not signify our approval of the construction; actual plans must be submitted for approval.



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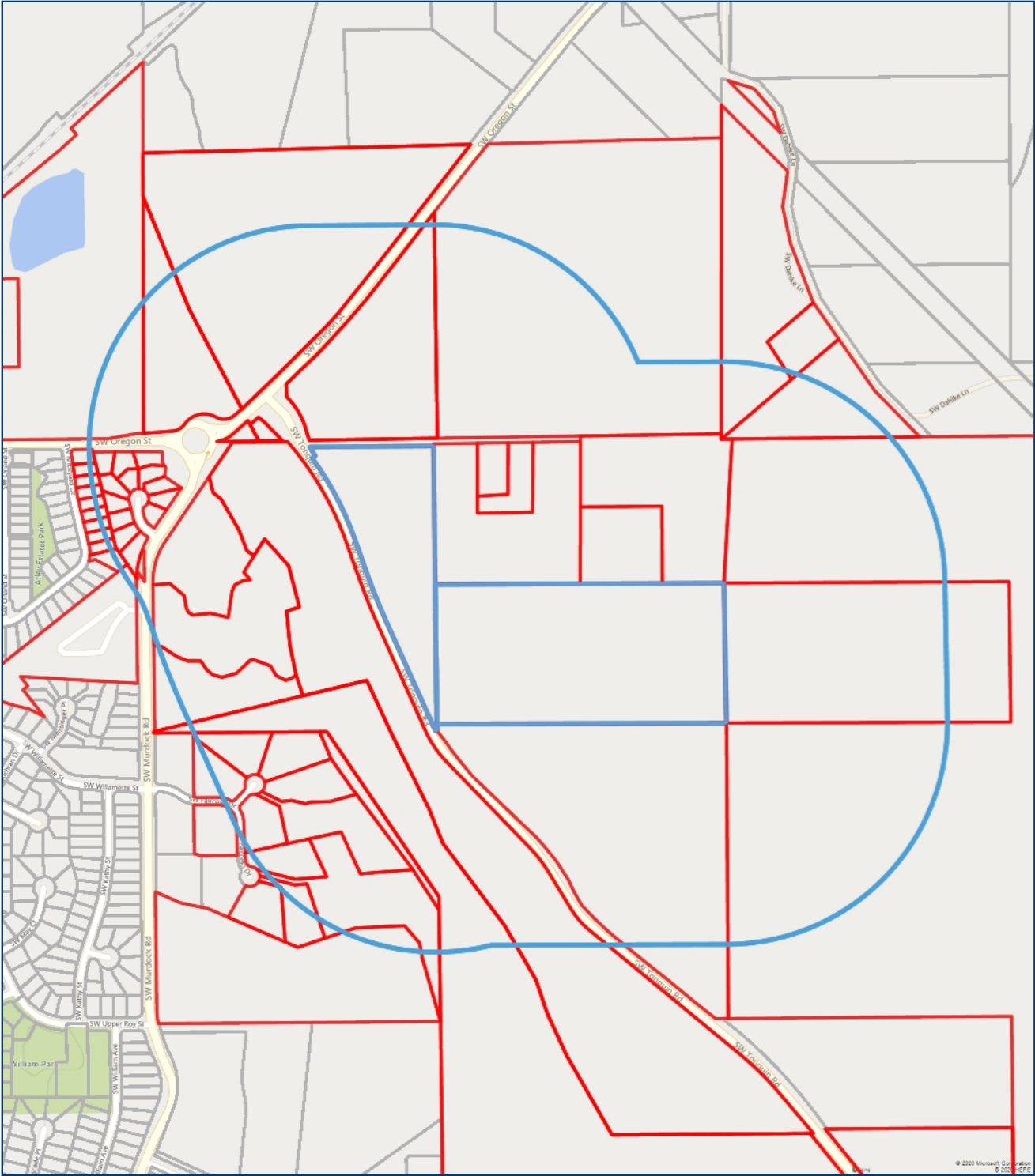
Date of Production: 06/04/2020

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1000 ft Buffer
2S1330000400 & 2S133BB0100
Sherwood, OR 97140
Report Generated: 6/4/2020



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Exhibit A4

Customer Service Department
Phone: 503.219.8746(TRIO)
Email: cs.oregon@firstam.com
Report Generated: 6/4/2020

Ownership

Legal Owner(s): Woodburn Industrial Capital Grou	Parcel #: 2S13300-00400
Site Address: No Site Address Sherwood, OR 97140	APN: R558006
Mailing Address: 395 Shenandoah Ln NE Woodburn, OR 97071	County: Washington

Property Characteristics

Bedrooms: 0	Year Built: 0	Lot SqFt: 871200
Total Bathrooms: 0	Building SqFt: 0	Lot Acres: 20.00
Full Bathrooms: 0	First Floor SqFt: 0	Roof Type:
Half Bathrooms: 0	Basement Sqft: 0	Roof Shape:
Units: 0	Basment Type:	Porch Type:
Stories:		Building Style:
Fire Place: N		Garage:
Air Conditioning:		Garage SqFt: 0
Heating Type:		Parking Spots: 0
Electric Type:		Pool:

Property Information

Land Use: COMMERCIAL	Zoning: FD-20
Improvement Type: Commercial	School District: Sherwood School
Legal Description: ACRES 20.00	Neighborhood: Sherwood - Tualatin
	Subdivision: Rural Industrial

Assessor & Tax

Market Land: \$280,000	Taxes: \$4,189.44
Market Total: \$280,820	% Improved: 2
Market Structure: \$820	Levy Code: 088.13
Assessed Total: \$272,280	Millage Rate: 15.4475

Sale History

Last Sale Date:	Doc #:	Last Sale Price: \$0
Prior Sale Date:	Prior Doc #:	Prior Sale Price: \$0

Mortgage

1st Mortgage Date:	Doc #:	
1st Mortgage Type:	1st Mortgage Lender:	1st Mortgage: \$0
2nd Mortgage Type:		2nd Mortgage: \$0

The present data and maps are intended for informational purposes only. Some information has been procured from third-party sources and has not been independently verified. Individual parts are owned by their respective copyright owners and not by First American. First American Title Company makes no express or implied warranty respecting the information presented and assumes no responsibility for errors or omissions.



Ownership

Legal Owner(s): Woodburn Industrial Capital Grou	Parcel #: 2S133BB-00100
Site Address: No Site Address Sherwood, OR 97140	APN: R558042
Mailing Address: Po Box 1060 Woodburn, OR 97071	County: Washington

Property Characteristics

Bedrooms: 0	Year Built: 0	Lot SqFt: 355885
Total Bathrooms: 0	Building SqFt: 0	Lot Acres: 8.17
Full Bathrooms: 0	First Floor SqFt: 0	Roof Type:
Half Bathrooms: 0	Basement Sqft: 0	Roof Shape:
Units: 0	Basment Type:	Porch Type:
Stories:		Building Style:
Fire Place: N		Garage:
Air Conditioning:		Garage SqFt: 0
Heating Type:		Parking Spots: 0
Electric Type:		Pool:

Property Information

Land Use: VACANT	Zoning: FD-20
Improvement Type: Vacant Land	School District: Sherwood School
Legal Description: ACRES 8.17	Neighborhood: Sherwood - Tualatin
	Subdivision:

Assessor & Tax

Market Land: \$742,960	Taxes: \$2,243.76
Market Total: \$742,960	% Improved: 0
Market Structure: \$0	Levy Code: 088.13
Assessed Total: \$144,960	Millage Rate: 15.4475

Sale History

Last Sale Date:	Doc #:	Last Sale Price: \$0
Prior Sale Date:	Prior Doc #:	Prior Sale Price: \$0

Mortgage

1st Mortgage Date:	Doc #:	
1st Mortgage Type:	1st Mortgage Lender:	1st Mortgage: \$0
2nd Mortgage Type:		2nd Mortgage: \$0

2S133000400 2S133BB00100 - Notification Mailer

Exhibit A4

TAXID	Owner Name	Mailing Address	Mail City	Mail St	Mail Zip	Site Address	Site City	Site St	Site Zip
2S128C0-00400	Washington County Facilites Mgmt	169 N 1st Ave # 42	Hillsboro	OR	97124	No Site Address	Sherwood	OR	97140
2S128C0-00400	Washington County Facilites Mgmt	169 N 1st Ave # 42	Hillsboro	OR	97124	No Site Address	Sherwood	OR	97140
2S128C0-00500	Bruce & Karen Polley	Po Box 1489	Sherwood	OR	97140	21720 SW Oregon St	Sherwood	OR	97140
2S128C0-00500	Bruce & Karen Polley	Po Box 1489	Sherwood	OR	97140	21720 SW Oregon St	Sherwood	OR	97140
2S128C0-00500	Bruce & Karen Polley	Po Box 1489	Sherwood	OR	97140	21720 SW Oregon St	Sherwood	OR	97140
2S128C0-00501	Key Equipment Finance Inc	66 S Pearl St FL 8	Albany	NY	12207	No Site Address	Sherwood	OR	97140
2S128C0-00501	Keybank National Assoc	Po Box 22055	Albany	NY	12201	No Site Address	Sherwood	OR	97140
2S128C0-00501	Allied Systems Company	21433 SW Oregon St	Sherwood	OR	97140	21555 SW Oregon St	Sherwood	OR	97140
2S128C0-00600	John Niemeyer	15 82nd Dr STE 210	Gladstone	OR	97027	21600 SW Oregon St	Sherwood	OR	97140
2S128D0-00600	Don & Corby Morey	21825 SW Dahlke Ln	Sherwood	OR	97140	21825 SW Dahlke Ln	Sherwood	OR	97140
2S128D0-00601	Uldo Lizarraga	21905 SW Dahlke Ln	Sherwood	OR	97140	21905 SW Dahlke Ln	Sherwood	OR	97140
2S128D0-00602	Munger Douglas S Rev Liv Trust	21775 SW Dahlke Ln	Sherwood	OR	97140	21775 SW Dahlke Ln	Sherwood	OR	97140
2S129D0-00600	Washington County Facilites Mgmt	169 N 1st Ave # 42	Hillsboro	OR	97124	14647 SW Oregon St	Sherwood	OR	97140
2S132AA-00190	Sherwood City Of	22560 SW Pine St	Sherwood	OR	97140	No Site Address	Sherwood	OR	97140
2S132AA-01101	Michael D & Lawrence D Kay Llc	22210 SW Murdock Rd	Sherwood	OR	97140	22210 SW Murdock Rd	Sherwood	OR	97140
2S132AA-06500	Keith Beaumont	14602 SW Brickyard Dr	Sherwood	OR	97140	14602 SW Brickyard Dr	Sherwood	OR	97140
2S132AA-06600	Jean Almond	14616 SW Brickyard Dr	Sherwood	OR	97140	14616 SW Brickyard Dr	Sherwood	OR	97140
2S132AA-06600	Jean Almond	14616 SW Brickyard Dr	Sherwood	OR	97140	14616 SW Brickyard Dr	Sherwood	OR	97140
2S132AA-06700	Bonnie Miller	14630 SW Brickyard Dr	Sherwood	OR	97140	14630 SW Brickyard Dr	Sherwood	OR	97140
2S132AA-06800	Cindy Nevill	14642 SW Brickyard Dr	Sherwood	OR	97140	14642 SW Brickyard Dr	Sherwood	OR	97140
2S132AA-06900	Orfilio & John Naranjo	14650 SW Brickyard Dr	Sherwood	OR	97140	14650 SW Brickyard Dr	Sherwood	OR	97140
2S132AA-07000	Audrey O Leary & Dawn Leary	14658 SW Brickyard Dr	Sherwood	OR	97140	14658 SW Brickyard Dr	Sherwood	OR	97140
2S132AA-07100	Meghan Jackson	14672 SW Brickyard Dr	Sherwood	OR	97140	14672 SW Brickyard Dr	Sherwood	OR	97140
2S132AA-07200	David Krempley	14680 SW Brickyard Dr	Sherwood	OR	97140	14680 SW Brickyard Dr	Sherwood	OR	97140
2S132AA-07300	Abdallah Salame	14694 SW Brickyard Dr	Sherwood	OR	97140	14694 SW Brickyard Dr	Sherwood	OR	97140
2S132AA-07400	Zeb & Alyssa Menle	14706 SW Brickyard Dr	Sherwood	OR	97140	14706 SW Brickyard Dr	Sherwood	OR	97140
2S132AA-11000	Sandra & Richard Miles	22115 SW Chesapeake Pl	Sherwood	OR	97140	22115 SW Chesapeake Pl	Sherwood	OR	97140
2S132AA-11100	Thomas & Suzanne Feller	16980 SW Red Rock Way	Beaverton	OR	97007	22105 SW Chesapeake Pl	Sherwood	OR	97140
2S132AA-11200	Rebecca Osmond & Jason Berg	22095 SW Chesapeake Pl	Sherwood	OR	97140	22095 SW Chesapeake Pl	Sherwood	OR	97140
2S132AA-11300	Samuel & Stesha Powers	22085 SW Chesapeake Pl	Sherwood	OR	97140	22085 SW Chesapeake Pl	Sherwood	OR	97140
2S132AA-11400	Rose & Shawn Mcgrady	22075 SW Chesapeake Pl # 22077	Sherwood	OR	97140	22075 SW Chesapeake Pl	Sherwood	OR	97140
2S132AA-11500	Robert & Amanda Taylor	14596 SW Oregon St	Sherwood	OR	97140	14596 SW Oregon St	Sherwood	OR	97140
2S132AA-11600	Empyrean Real Estate Llc	13751 SW Rock Creek Rd	Sheridan	OR	97378	22050 SW Chesapeake Pl	Sherwood	OR	97140
2S132AA-11700	James & Colleen Buckner	59 Margate St	Daly City	CA	94015	22065 SW Chesapeake Pl	Sherwood	OR	97140
2S132AA-11800	22060 Chesapeake Place Llc	Po Box 1626	Sherwood	OR	97140	22060 SW Chesapeake Pl	Sherwood	OR	97140
2S132AA-11900	Calla Lilly	22070 SW Chesapeake Pl	Sherwood	OR	97140	22070 SW Chesapeake Pl	Sherwood	OR	97140
2S132AA-12000	Lisa & James Burton	22080 SW Chesapeake Pl	Sherwood	OR	97140	22080 SW Chesapeake Pl	Sherwood	OR	97140
2S132AA-12100	Preston & Rochelle Griffin	22090 SW Chesapeake Pl	Sherwood	OR	97140	22090 SW Chesapeake Pl	Sherwood	OR	97140
2S132AA-12200	David Hiser	22100 SW Chesapeake Pl	Sherwood	OR	97140	22100 SW Chesapeake Pl	Sherwood	OR	97140
2S13300-00100	Tualatin Valley Sportsmens Club	7430 SW Varns St	Portland	OR	97223	13050 SW Tonquin Rd	Sherwood	OR	97140
2S13300-00200	Gertrude Barnard	14260 SW Tonquin Rd	Sherwood	OR	97140	No Site Address	Sherwood	OR	97140
2S13300-00201	Gertrude Barnard	14260 SW Tonquin Rd	Sherwood	OR	97140	14260 SW Tonquin Rd	Sherwood	OR	97140
2S13300-00300	Wayne & Karen Depriest	14250 SW Tonquin Rd	Sherwood	OR	97140	14250 SW Tonquin Rd	Sherwood	OR	97140
2S13300-00400	Woodburn Industrial Capital Grou	395 Shenandoah Ln NE	Woodburn	OR	97071	No Site Address	Sherwood	OR	97140
2S13300-00401	Martin & Cynthia Walker	14240 SW Tonquin Rd	Sherwood	OR	97140	14240 SW Tonquin Rd	Sherwood	OR	97140
2S13300-00402	Tualatin Valley Sportsmens Club	7430 SW Varns St	Portland	OR	97223	No Site Address	Sherwood	OR	97140
2S13300-00403	Wayne & Karen Depriest	14250 SW Tonquin Rd	Sherwood	OR	97140	No Site Address	Sherwood	OR	97140
2S13300-00600	Woodburn Industrial Capital Grou	Po Box 1060	Woodburn	OR	97071	No Site Address	Sherwood	OR	97140
2S13300-01100	Snyder Llc	10175 SW Marjorie Ln	Beaverton	OR	97008	13335 SW Tonquin Rd	Sherwood	OR	97140
2S13300-01100	Snyder Llc	10175 SW Marjorie Ln	Beaverton	OR	97008	13335 SW Tonquin Rd	Sherwood	OR	97140
2S13300-02500	United States Of America Dept Of	911 NE 11th Ave	Portland	OR	97232	No Site Address	Sherwood	OR	97140
2S13300-02500	United States Of America & Dept Of The Interior Fish & Wildlife Service	911 NE 11th Ave	Portland	OR	97232	No Site Address	Sherwood	OR	97140

2S1330000400 2S133BB00100 - Notification Mailer

Exhibit A4

TAXID	Owner Name	Mailing Address	Mail City	Mail St	Mail Zip	Site Address	Site City	Site St	Site Zip
2S133BB-00100	Woodburn Industrial Capital Grou	Po Box 1060	Woodburn	OR	97071	No Site Address	Sherwood	OR	97140
2S133BB-00200	United States Of America Dept Of	911 NE 11th Ave	Portland	OR	97232	No Site Address	Sherwood	OR	97140
2S133BB-00300	Sherwood City Of	22560 SW Pine St	Sherwood	OR	97140	No Site Address	Sherwood	OR	97140
2S133BB-00400	United States Of America Dept Of	911 NE 11th Ave	Portland	OR	97232	No Site Address	Sherwood	OR	97140
2S133BC-00200	Batz J Mark Family Trust	14435 SW Fair Oaks Dr	Sherwood	OR	97140	14435 SW Fair Oaks Dr	Sherwood	OR	97140
2S133BC-00300	Brooks & Annalisa Bayne	22515 SW Fair Oaks Ct	Sherwood	OR	97140	22515 SW Fair Oaks Ct	Sherwood	OR	97140
2S133BC-00400	Derek & Monica Conrow	22500 SW Fair Oaks Ct	Sherwood	OR	97140	22500 SW Fair Oaks Ct	Sherwood	OR	97140
2S133BC-00500	Lindsay & Brian Sparks	22520 SW Fair Oaks Ct	Sherwood	OR	97140	22520 SW Fair Oaks Ct	Sherwood	OR	97140
2S133BC-00600	Bolliger Michael E Revoc Lt	22550 SW Fair Oaks Ct	Sherwood	OR	97140	22550 SW Fair Oaks Ct	Sherwood	OR	97140
2S133BC-00700	James & Cynthia Folske	14391 SW Fair Oaks Dr	Sherwood	OR	97140	14391 SW Fair Oaks Dr	Sherwood	OR	97140
2S133BC-00800	Dressel Fam Rev Trust	8987 SW Greensward Ln	Portland	OR	97224	14345 SW Fair Oaks Dr	Sherwood	OR	97140
2S133BC-00900	Christopher & Kimra Corrado	14331 SW Fair Oaks Dr	Sherwood	OR	97140	14331 SW Fair Oaks Dr	Sherwood	OR	97140
2S133BC-01000	Christopher & Kimra Corrado	14331 SW Fair Oaks Dr	Sherwood	OR	97140	14325 SW Fair Oaks Dr	Sherwood	OR	97140
2S133BC-01100	David & Susan Brim	14300 SW Fair Oaks Dr	Sherwood	OR	97140	14300 SW Fair Oaks Dr	Sherwood	OR	97140
2S133BC-01300	Jeff & Lori Fletcher	14410 SW Fair Oaks Dr	Sherwood	OR	97140	14410 SW Fair Oaks Dr	Sherwood	OR	97140
2S133BC-01600	United States Of America Dept Of	911 NE 11th Ave	Portland	OR	97232	No Site Address	Sherwood	OR	97140
2S133BC-01700	Leroy Moser & Delores Fam T	16121 SW 129th Ter	Portland	OR	97224	22900 SW Murdock Rd	Sherwood	OR	97140

*** All information provided is deemed reliable, but is not guaranteed.

Exhibit A4

2S128C0-00400
 Washington County Facilites Mgmt
 169 N 1st Ave # 42
 Hillsboro, OR 97124

2S128C0-00400
 Washington County Facilites Mgmt
 169 N 1st Ave # 42
 Hillsboro, OR 97124

2S128C0-00500
 Bruce & Karen Polley
 Po Box 1489
 Sherwood, OR 97140

2S128C0-00500
 Bruce & Karen Polley
 Po Box 1489
 Sherwood, OR 97140

2S128C0-00500
 Bruce & Karen Polley
 Po Box 1489
 Sherwood, OR 97140

2S128C0-00501
 Key Equipment Finance Inc
 66 S Pearl St FL 8
 Albany, NY 12207

2S128C0-00501
 Keybank National Assoc
 Po Box 22055
 Albany, NY 12201

2S128C0-00501
 Allied Systems Company
 21433 SW Oregon St
 Sherwood, OR 97140

2S128C0-00600
 John Niemeyer
 15 82nd Dr STE 210
 Gladstone, OR 97027

2S128D0-00600
 Don & Corby Morey
 21825 SW Dahlke Ln
 Sherwood, OR 97140

2S128D0-00601
 Uldo Lizarraga
 21905 SW Dahlke Ln
 Sherwood, OR 97140

2S128D0-00602
 Munger Douglas S Rev Liv Trust
 21775 SW Dahlke Ln
 Sherwood, OR 97140

2S129D0-00600
 Washington County Facilites Mgmt
 169 N 1st Ave # 42
 Hillsboro, OR 97124

2S132AA-00190
 Sherwood City Of
 22560 SW Pine St
 Sherwood, OR 97140

2S132AA-01101
 Michael D & Lawrence D Kay Llc
 22210 SW Murdock Rd
 Sherwood, OR 97140

2S132AA-06500
 Keith Beaumont
 14602 SW Brickyard Dr
 Sherwood, OR 97140

2S132AA-06600
 Jean Almond
 14616 SW Brickyard Dr
 Sherwood, OR 97140

2S132AA-06600
 Jean Almond
 14616 SW Brickyard Dr
 Sherwood, OR 97140

2S132AA-06700
 Bonnie Miller
 14630 SW Brickyard Dr
 Sherwood, OR 97140

2S132AA-06800
 Cindy Nevill
 14642 SW Brickyard Dr
 Sherwood, OR 97140

2S132AA-06900
 Orfilio & John Naranjo
 14650 SW Brickyard Dr
 Sherwood, OR 97140

2S132AA-07000
 Audrey O Leary & Dawn Leary
 14658 SW Brickyard Dr
 Sherwood, OR 97140

2S132AA-07100
 Meghan Jackson
 14672 SW Brickyard Dr
 Sherwood, OR 97140

2S132AA-07200
 David Krempley
 14680 SW Brickyard Dr
 Sherwood, OR 97140

2S132AA-07300
 Abdallah Salame
 14694 SW Brickyard Dr
 Sherwood, OR 97140

2S132AA-07400
 Zeb & Alyssa Menle
 14706 SW Brickyard Dr
 Sherwood, OR 97140

2S132AA-11000
 Sandra & Richard Miles
 22115 SW Chesapeake Pl
 Sherwood, OR 97140

2S132AA-11100
 Thomas & Suzanne Feller
 16980 SW Red Rock Way
 Beaverton, OR 97007

2S132AA-11200
 Rebecca Osmond & Jason Berg
 22095 SW Chesapeake Pl
 Sherwood, OR 97140

2S132AA-11300
 Samuel & Stesha Powers
 22085 SW Chesapeake Pl
 Sherwood, OR 97140

Exhibit A4

2S132AA-11400
Rose & Shawn Mcgrady
22075 SW Chesapeake Pl # 22077
Sherwood, OR 97140

2S132AA-11500
Robert & Amanda Taylor
14596 SW Oregon St
Sherwood, OR 97140

2S132AA-11600
Empyrean Real Estate Llc
13751 SW Rock Creek Rd
Sheridan, OR 97378

2S132AA-11700
James & Colleen Buckner
59 Margate St
Daly City, CA 94015

2S132AA-11800
22060 Chesapeake Place Llc
Po Box 1626
Sherwood, OR 97140

2S132AA-11900
Calla Lilly
22070 SW Chesapeake Pl
Sherwood, OR 97140

2S132AA-12000
Lisa & James Burton
22080 SW Chesapeake Pl
Sherwood, OR 97140

2S132AA-12100
Preston & Rochelle Griffin
22090 SW Chesapeake Pl
Sherwood, OR 97140

2S132AA-12200
David Hiser
22100 SW Chesapeake Pl
Sherwood, OR 97140

2S13300-00100
Tualatin Valley Sportsmens Club
7430 SW Varns St
Portland, OR 97223

2S13300-00200
Gertrude Barnard
14260 SW Tonquin Rd
Sherwood, OR 97140

2S13300-00201
Gertrude Barnard
14260 SW Tonquin Rd
Sherwood, OR 97140

2S13300-00300
Wayne & Karen Depriest
14250 SW Tonquin Rd
Sherwood, OR 97140

2S13300-00400
Woodburn Industrial Capital Grou
395 Shenandoah Ln NE
Woodburn, OR 97071

2S13300-00401
Martin & Cynthia Walker
14240 SW Tonquin Rd
Sherwood, OR 97140

2S13300-00402
Tualatin Valley Sportsmens Club
7430 SW Varns St
Portland, OR 97223

2S13300-00403
Wayne & Karen Depriest
14250 SW Tonquin Rd
Sherwood, OR 97140

2S13300-00600
Woodburn Industrial Capital Grou
Po Box 1060
Woodburn, OR 97071

2S13300-01100
Snyder Llc
10175 SW Marjorie Ln
Beaverton, OR 97008

2S13300-01100
Snyder Llc
10175 SW Marjorie Ln
Beaverton, OR 97008

2S13300-02500
United States Of America Dept Of
911 NE 11th Ave
Portland, OR 97232

2S13300-02500
United States Of America & Dept Of The
911 NE 11th Ave
Portland, OR 97232

2S133BB-00100
Woodburn Industrial Capital Grou
Po Box 1060
Woodburn, OR 97071

2S133BB-00200
United States Of America Dept Of
911 NE 11th Ave
Portland, OR 97232

2S133BB-00300
Sherwood City Of
22560 SW Pine St
Sherwood, OR 97140

2S133BB-00400
United States Of America Dept Of
911 NE 11th Ave
Portland, OR 97232

2S133BC-00200
Batz J Mark Family Trust
14435 SW Fairoaks Dr
Sherwood, OR 97140

2S133BC-00300
Brooks & Annalisa Bayne
22515 SW Fairoaks Ct
Sherwood, OR 97140

2S133BC-00400
Derek & Monica Conrow
22500 SW Fairoaks Ct
Sherwood, OR 97140

2S133BC-00500
Lindsay & Brian Sparks
22520 SW Fairoaks Ct
Sherwood, OR 97140

Exhibit A4

2S133BC-00600
Bolliger Michael E Revoc Lt
22550 SW Fair Oaks Ct
Sherwood, OR 97140

2S133BC-00700
James & Cynthia Folske
14391 SW Fair Oaks Dr
Sherwood, OR 97140

2S133BC-00800
Dressel Fam Rev Trust
8987 SW Greensward Ln
Portland, OR 97224

2S133BC-00900
Christopher & Kimra Corrado
14331 SW Fair Oaks Dr
Sherwood, OR 97140

2S133BC-01000
Christopher & Kimra Corrado
14331 SW Fair Oaks Dr
Sherwood, OR 97140

2S133BC-01100
David & Susan Brim
14300 SW Fair Oaks Dr
Sherwood, OR 97140

2S133BC-01300
Jeff & Lori Fletcher
14410 SW Fair Oaks Dr
Sherwood, OR 97140

2S133BC-01600
United States Of America Dept Of
911 NE 11th Ave
Portland, OR 97232

2S133BC-01700
Leroy Moser & Delores Fam T
16121 SW 129th Ter
Portland, OR 97224

TONQUIN ROAD GRADING PERMIT - SITE PLAN REVIEW

SHERWOOD, OREGON
 PREPARED FOR:
 WOODBURN INDUSTRIAL GROUP, LLC
 LAND USE ENTITLEMENTS

DATUM

HORIZONTAL DATUM:
 NAD 83/2011 EPOCH 2010.0000 OREGON NORTH
 ZONE 3601 WITH UNITS IN US SURVEY FT

VERTICAL DATUM:
 NORTH AMERICAN VERTICAL DATUM OF 88
 NAVD88 (GEOID2012B)

SITE INFORMATION

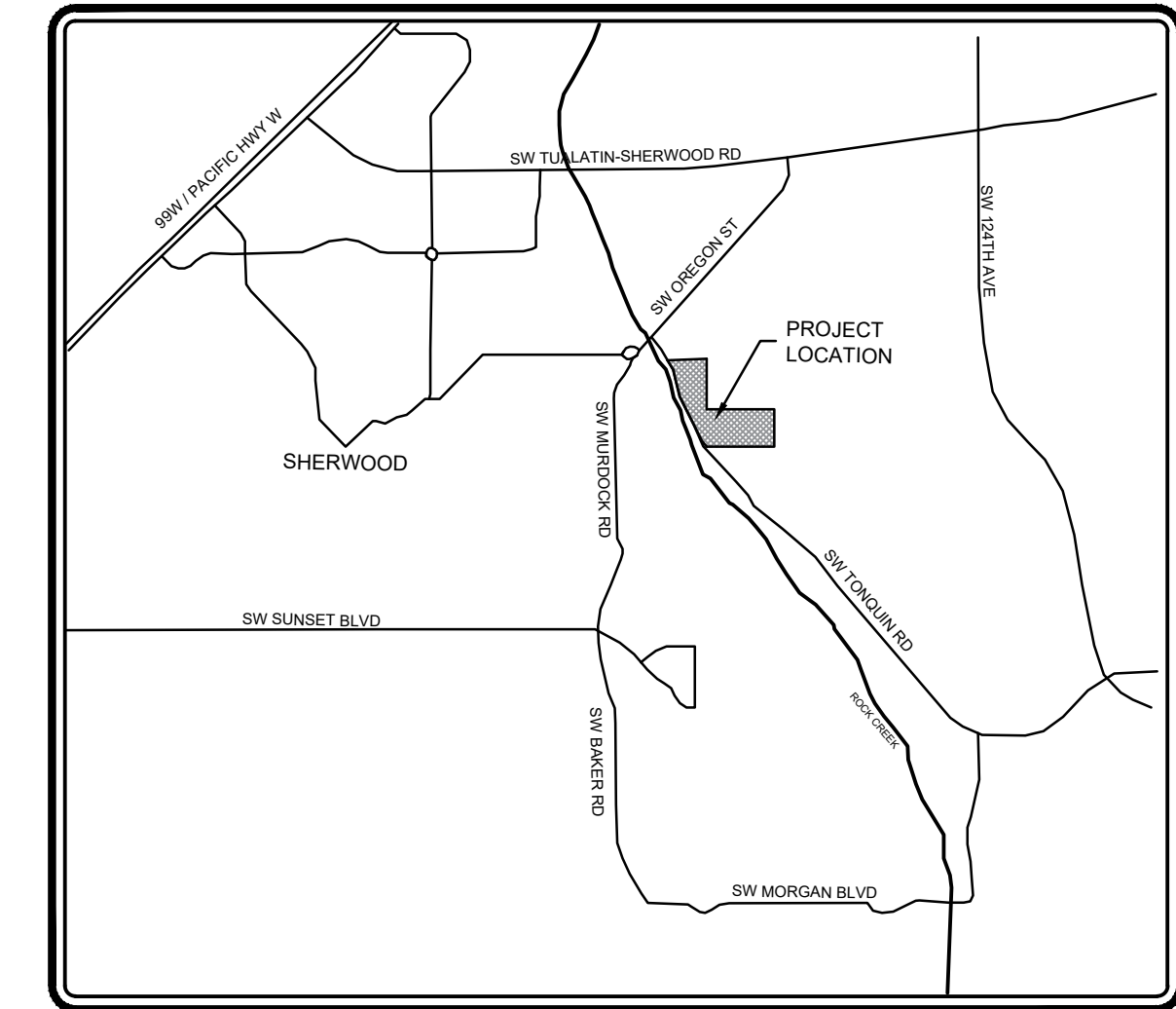
BORDERED BY TONQUIN ROAD TO THE SOUTHWEST, 124TH AVE TO THE EAST, AND TUALATIN-SHERWOOD ROAD TO THE NORTH.

SHERWOOD, OREGON

MAP - NW 1/4 2S1W33
 TAX LOTS - 100, 400



SITE MAP
 SCALE: 1" = 200'



VICINITY MAP
 SCALE: NTS

- INDEX OF SHEETS**
- C0.0 - COVER SHEET
 - C1.0 - EXISTING CONDITIONS
 - C2.0 - SITE PLAN
 - C3.0 - GRADING & EROSION CONTROL PLAN
 - C3.1 - GRADING AND EROSION CONTROL PROFILE

PROJECT TEAM

APPLICANT

WOODBURN INDUSTRIAL GROUP, LLC
 ATTN: TIM KERR
 395 SHENANDOAH LN NE
 WOODBURN, OR 97071
 PHONE: (971) 235-5003

CIVIL ENGINEER

DOWL
 ATTN: MIKE TOWLE, PE
 720 SW WASHINGTON ST, SUITE 750
 PORTLAND, OREGON 97205
 PHONE: (971) 280-8645

PLANNING

DOWL
 ATTN: READ STAPLETON, AICP
 720 SW WASHINGTON ST, SUITE 750
 PORTLAND, OREGON 97205
 PHONE: (971) 280-8641

SURVEYOR

LONGHORN GEOMATICS
 ATTN: SAMANTHA TANNER
 BOX 172, 104 - 1240 KENSINGTON ROAD NW
 CALGARY, ALBERTA T2N3P7
 PHONE: (403) 861-9264

OREGON UTILITY
 NOTIFICATION CENTER
 1-800-332-2344



ATTENTION: OREGON LAW REQUIRES YOU TO FOLLOW RULES ADOPTED BY THE OREGON UTILITY NOTIFICATION CENTER. THOSE RULES ARE SET FORTH IN OAR 952-001-0010 THROUGH OAR 952-001-0090. YOU MAY OBTAIN COPIES OF THE RULES BY CALLING THE CENTER. (NOTE THE TELEPHONE NUMBER FOR THE OREGON UTILITY NOTIFICATION CENTER IS (503) 232-1987.)

REV	DATE	DESCRIPTION



DOWL
 WWW.DOWL.COM
 720 SW WASHINGTON Street, #750
 Portland, Oregon 97205
 971-280-8641

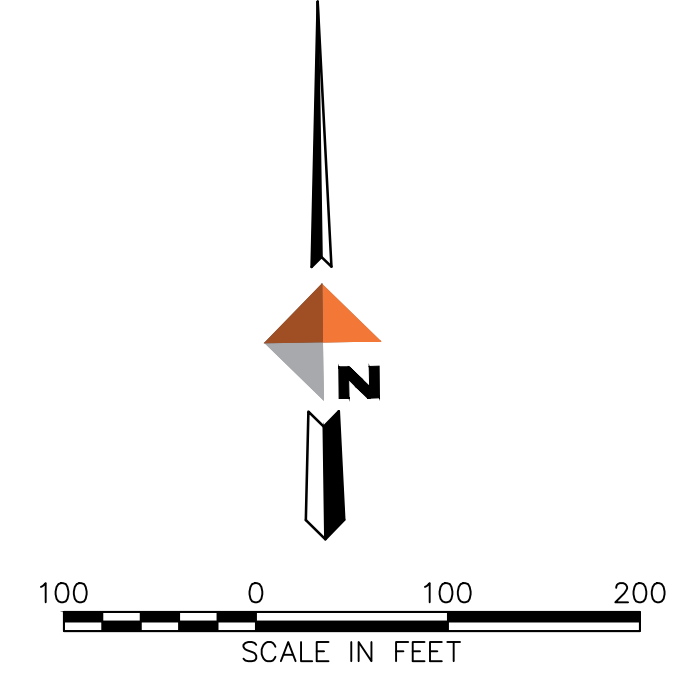
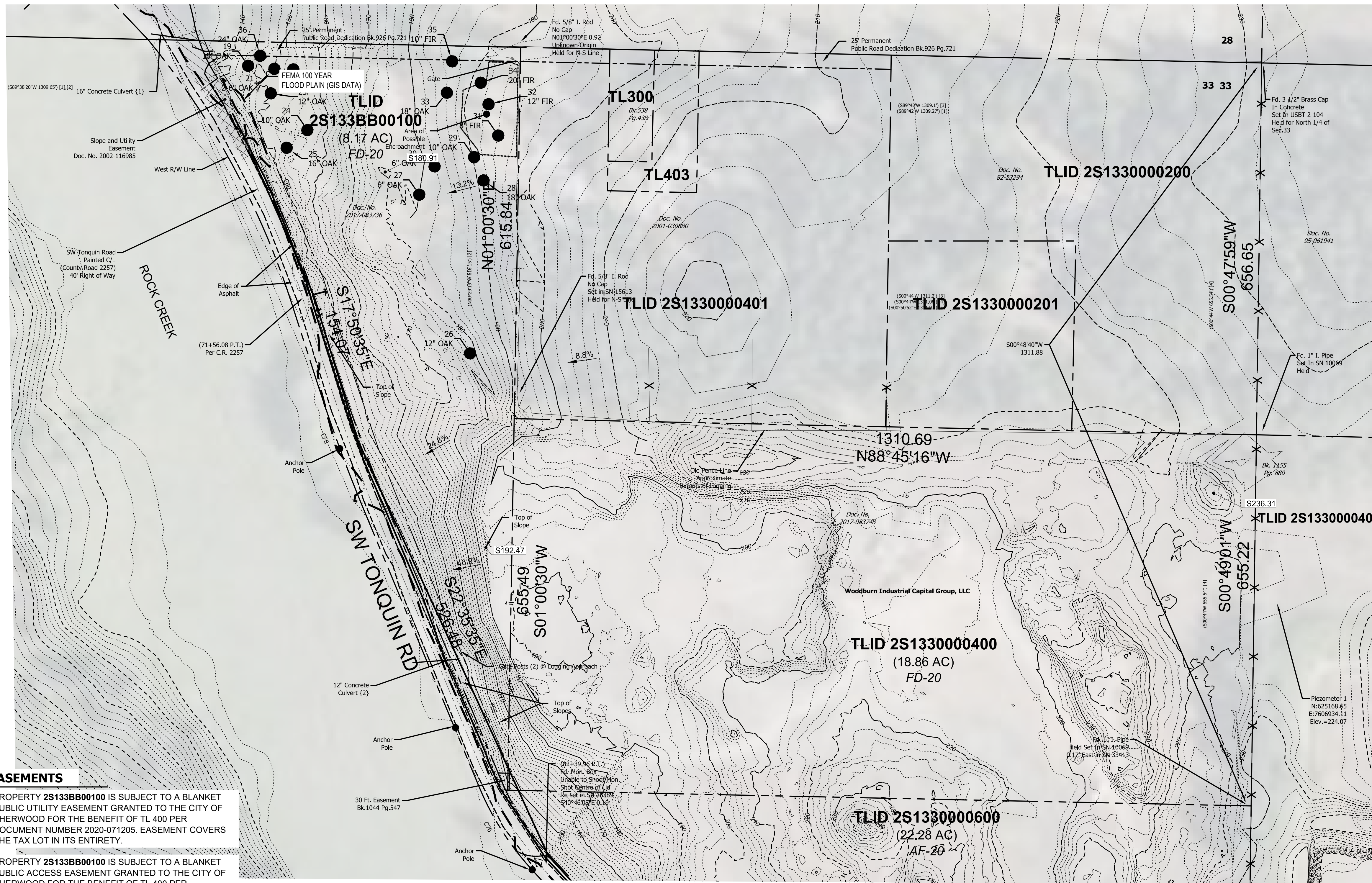
TONQUIN ROAD GRADING PERMIT
 LAND USE ENTITLEMENT PLANS
COVER SHEET
 NW 1/4 SECTION 33 T2S R1W W.M.
 WASHINGTON COUNTY, OREGON

PROJECT 14483.01
 DATE 06/15/2021

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 SHEET

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LEGEND

- Found Monument as Noted
- ⊕ Piezometer
- PP Power Pole
- ↑ Guy Wire
- × Spot Elevation
- Fd. Found
- I. Iron
- Mk'd. Marked
- W/YPC With Yellow Plastic Cap
- Mon. Monument
- Bk. Book
- Pg. Page
- C/L Center Line
- P.T. Point of Tangency
- P.I. Point of Tangent Intersection
- P.C. Point of Curvature
- {1} Culvert ID as noted
- OP— Over Head Powerline
- x— Wire Fence Line
- Disposition Boundary
- - -200- - - Existing Major Contour (10')
- - -194- - - Existing Minor Contour (2')

REFERENCES

- [1] Survey No.12936
- [2] Survey No.15613
- [3] Survey No.5897
- [4] Survey No.10069
- [5] Survey No.33413
- [6] Document No.2017-100719
Washington County Deed Records
- [7] Survey No.28398
- [8] Bk.1155 Pg.877,
Washington County Deed Records

EASEMENTS

PROPERTY 2S133BB00100 IS SUBJECT TO A BLANKET PUBLIC UTILITY EASEMENT GRANTED TO THE CITY OF SHERWOOD FOR THE BENEFIT OF TL 400 PER DOCUMENT NUMBER 2020-071205. EASEMENT COVERS THE TAX LOT IN ITS ENTIRETY.

PROPERTY 2S133BB00100 IS SUBJECT TO A BLANKET PUBLIC ACCESS EASEMENT GRANTED TO THE CITY OF SHERWOOD FOR THE BENEFIT OF TL 400 PER DOCUMENT NUMBER 2020-071204. EASEMENT COVERS THE TAX LOT IN ITS ENTIRETY.

CULVERTS

ALL INLETS ON EAST SIDE OF TONQUIN RD. SEE TABLE FOR CULVERT AND SURROUNDING AREA ELEVATION TABLE

RIGHT OF WAY DETERMINATION

THE RIGHT OF WAY OF SE TONQUIN ROAD WAS DETERMINED BY BEST FIT OF THE RECORD CENTERLINE PER COUNTY ROAD NO 2257, SN 28389, AND SN 25488 WITH THE CENTERLINE ROAD MONUMENTS FOUND AND TIED. FALLINGS ARE SHOWN TO THE RECORD LOCATION PER COUNTY ROAD NO 2257. THE RECORD DATA PER DEDICATION DOCUMENT NO. 2002-116985 WAS HELD FROM THE STARTING STATION AT 71+56.08 P.T. EAST AND WEST RIGHT OF WAY LINES ARE 20 FOOT OFFSETS FROM THE CENTERLINE AS DETERMINED EXCEPT PER SAID 2002 ADDITIONAL DEDICATION DOCUMENT.

CURVE TABLE					
#	CURVE LENGTH	CURVE RADIUS	CURVE DELTA	CHORD BEARING	CHORD LENGTH
C70	259.18'	1452.39'	10°13'28"	S43°47'51"E	258.83'
C72	112.61'	338.10'	19°04'59"	S39°22'05"E	112.09'
C74	145.16'	656.62'	12°40'00"	S36°09'35"E	144.87'
C76	158.89'	457.46'	19°54'01"	S32°32'35"E	158.09'
C78	235.83'	2844.79'	04°44'59"	S20°13'06"E	235.77'
C80	416.36'	1452.39'	16°25'31"	S26°03'19"E	414.94'
C81	75.12'	264.90'	16°14'56"	S26°08'34"E	74.87'

CULVERT ELEVATION TABLE						
{#}	INLET	EAST DITCH	EAST EDGE OF ASPHALT	C/L OF ROAD	WEST EDGE OF ASPHALT	OUTLET
1	133.88'	None	None	138.71'	138.06'	132.76'
2	135.98'	None*	None*	None*	None*	135.85'
3	133.28'	135.77'	137.72'	136.59'	136.94'	Not Found
4	133.06'	135.76'	137.73'	136.58'	136.96'	Not Found
5	135.39'	137.23'	139.20'	139.86'	139.61'	Not Found
6	136.09'	None*	None*	None*	None*	135.82'
7	136.77'	137.06'	139.53'	139.43'	139.05'	135.62'

* Culvert 2 and 6 run North/South along Tonquin Road under driveway approaches.

BENCHMARKS

OREGON DEPARTMENT OF TRANSPORTATION
ORGN GPS STATION JIME

HORIZONTAL DATUM

NAD 83/2011 EPOCH 2010.0000 OREGON NORTH
ZONE 3601 WITH UNITS IN US SURVEY FEET

SURVEYED FOR

KERR CONTRACTORS INC.
TUALATIN VALLEY SPROTSMAN CLUB

VERTICAL DATUM

NORTH AMERICAN VERTICAL DATUM OF 88
NAVD88 (GEOID2012B)

REV	DATE	DESCRIPTION

PRELIMINARY
NOT FOR
CONSTRUCTION

DOWL
WWW.DOWL.COM
720 SW Washington Street, #750
Portland, Oregon 97205
971-280-8641

TONQUIN ROAD GRADING PERMIT
LAND USE ENTITLEMENT PLANS
EXISTING CONDITIONS

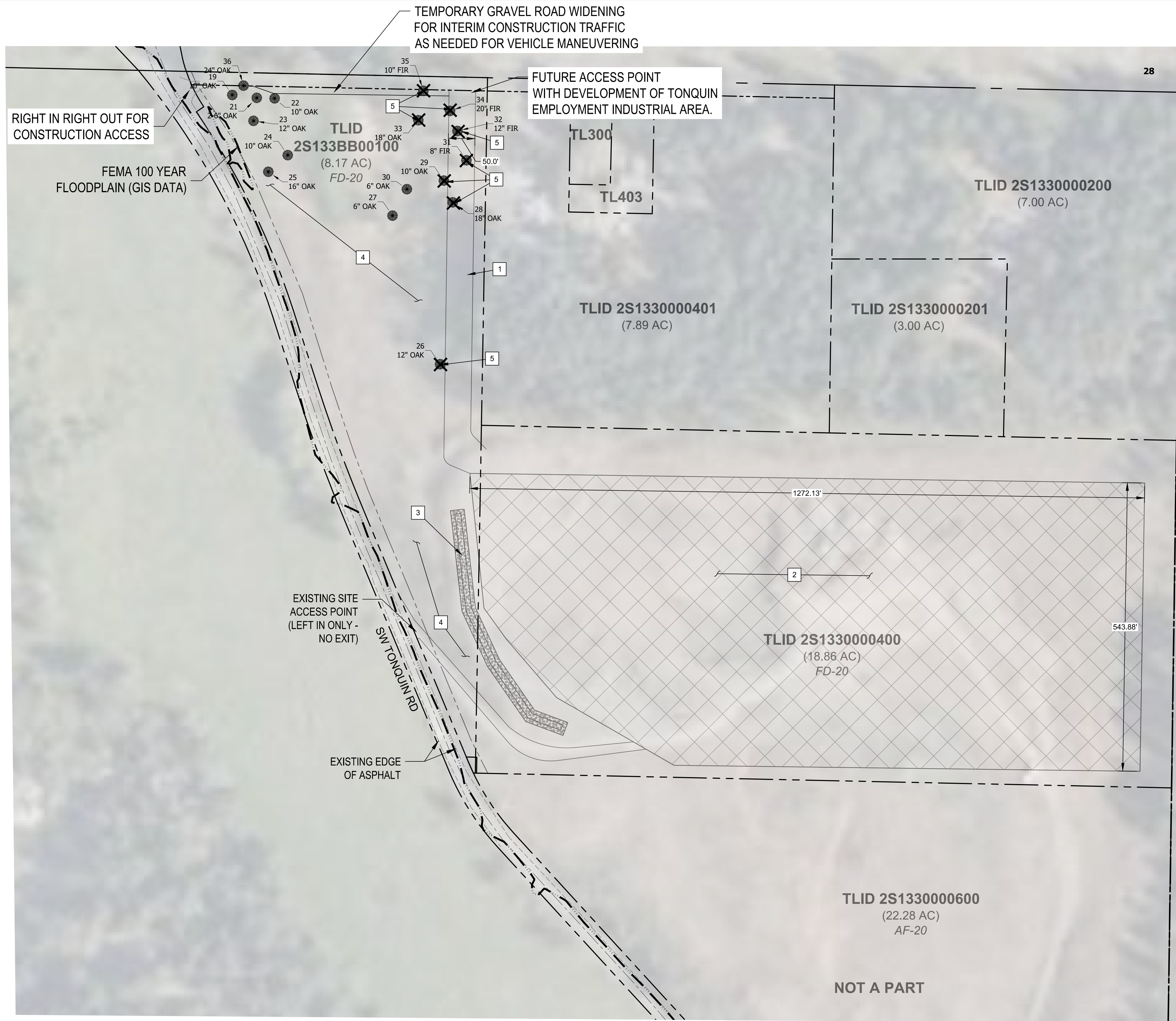
PROJECT	14483.01
DATE	06/15/2021

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SHEET

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LEGEND

	EXISTING PROPERTY LINE
	EXISTING CENTER LINE
	FUTURE DEVELOPMENT AREA
	EXISTING TREE TO BE REMOVED

- SITE CONSTRUCTION NOTES**
- 1 PROPOSED TEMPORARY HAUL ROAD. HAUL ROAD TO BE REMOVED AT THE END OF GRADING. ONSITE HAUL ROAD LOCATION TO BE DETERMINED BY CONTRACTOR AS NECESSARY TO GRADE ON THE SITE.
 - 2 FUTURE DEVELOPMENT AREA. SITE DEVELOPMENT AREAS TO BE CONSTRUCTED AND PERMITTED UNDER A SEPARATE FUTURE APPLICATION.
 - 3 PROPOSED TEMPORARY EROSION CONTROL SETTLING POND.
 - 4 EXISTING SLOPE AND VEGETATION TO REMAIN IN PLACE FOR PROTECTION OF SLOPE AND EROSION PREVENTION
 - 5 REMOVE EXISTING TREE

REV	DATE	DESCRIPTION

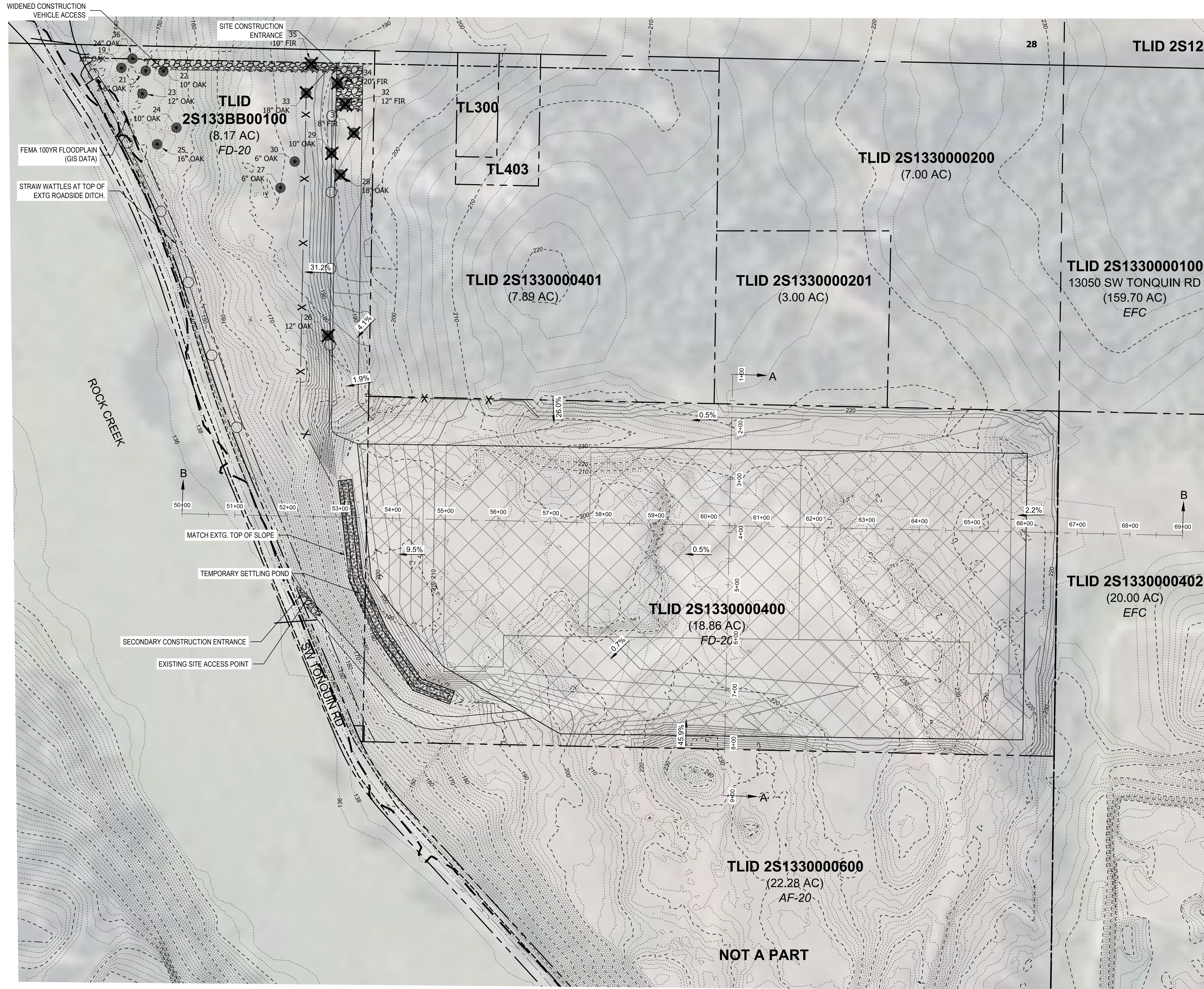


DOWL
 WWW.DOWL.COM
 720 SW Washington Street, #750
 Portland, Oregon 97205
 971-280-8641

TONQUIN ROAD GRADING PERMIT
 LAND USE ENTITLEMENT PLANS
SITE PLAN
 NW 1/4 SECTION 33 T2S R1W W.M.
 WASHINGTON COUNTY, OREGON

PROJECT	14483.01
DATE	06/15/2021

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 SHEET
C2.0



LEGEND

	EXISTING PROPERTY LINE
	EXISTING CENTER LINE
	PROPOSED BUILDING
	PROPOSED 10' CONTOUR
	PROPOSED 2' CONTOUR
	PROPOSED CONSTRUCTION ENTRANCE
	PROPOSED SEDIMENT FENCE
	PROPOSED STRAW WATTLES

TOPS OF CUT SLOPES AND BOTTOMS OF FILLS ARE TO BE ROUNDED OFF TO A MINIMUM RADIUS OF FIVE (5) FEET TO BLEND WITH THE NATURAL TERRAIN.

EARTHWORK QUANTITIES

OVERALL SITE

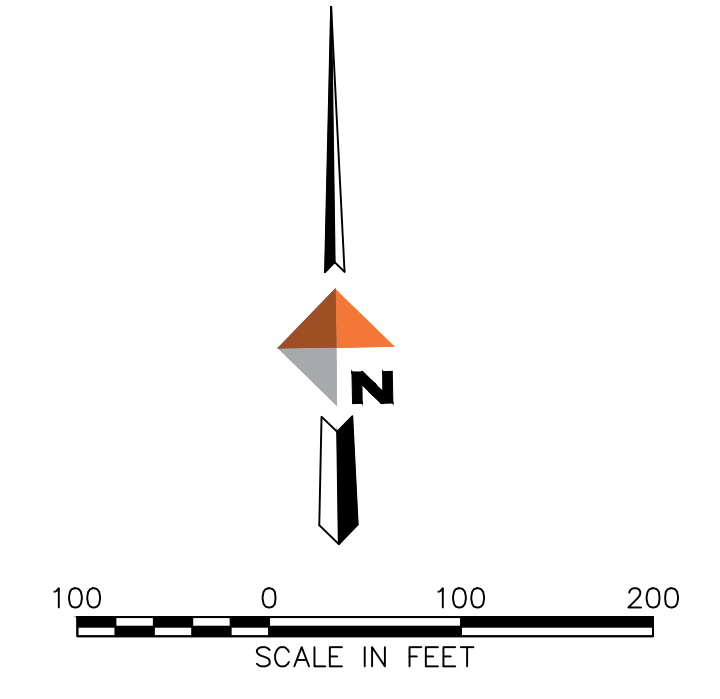
PROPOSED CUT:	138,600 CY
PROPOSED FILL:	139,500 CY
PROPOSED NET IMPORT:	900 CY

- ASSUMPTIONS:**
- STRIPPING DEPTH EQUAL TO APPROXIMATELY 3-6"

SITE INFORMATION

TOTAL SITE AREA = 28.22 AC
 TOTAL DISTURBED AREA = 21.50 AC

GROUNDWATER ELEVATION IS APPROXIMATELY 130'. MEASUREMENT TAKEN IN JUNE 2001 AT WELL LOG SITE WASH 1836.



REV	DATE	DESCRIPTION



DOWL

www.dowl.com
 720 SW Washington Street, #750
 Portland, Oregon 97205
 971-280-8641

TONQUIN ROAD GRADING PERMIT
 LAND USE ENTITLEMENT PLANS
GRADING & EROSION CONTROL PLAN

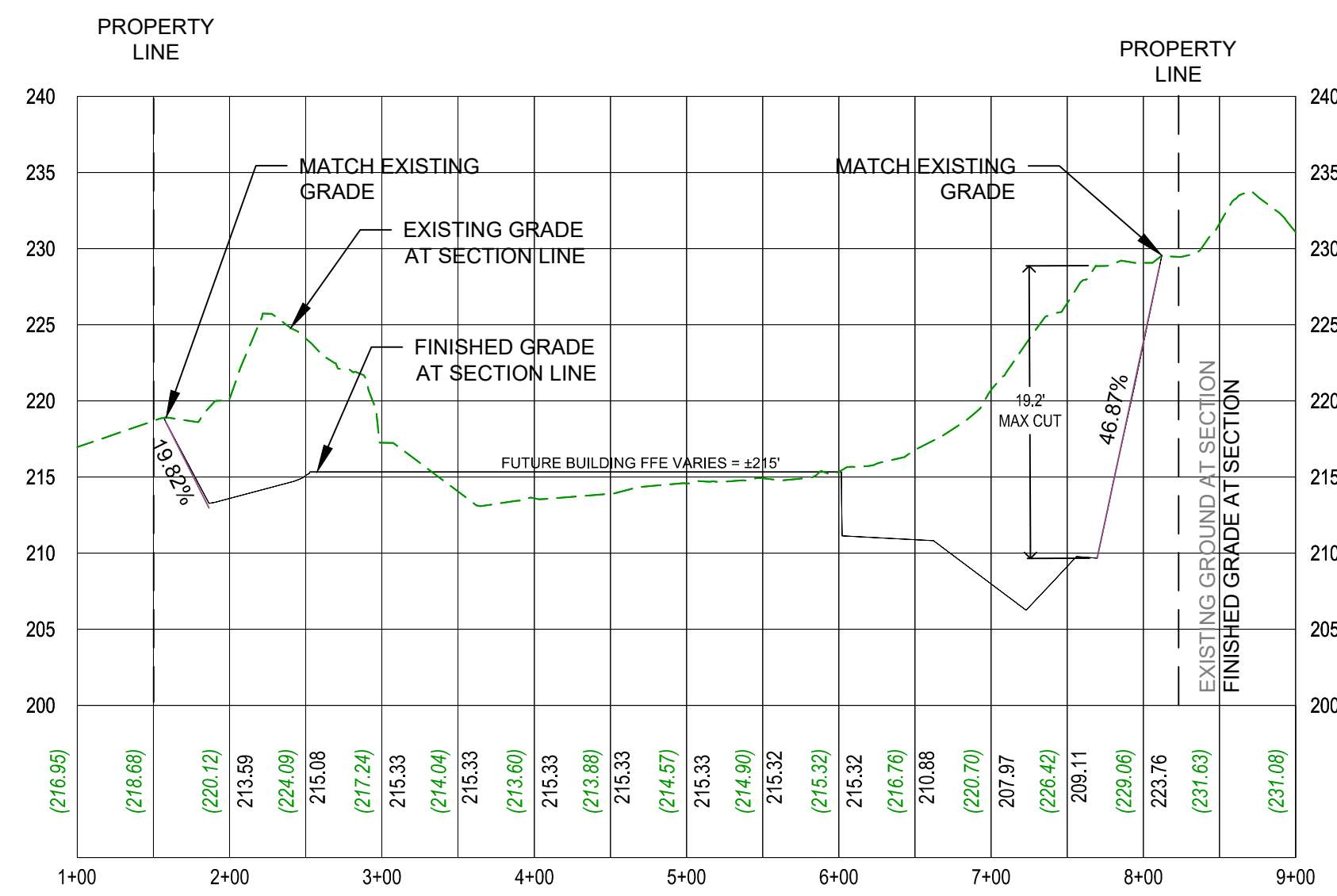
NW 1/4 SECTION 33 T2S R1W W.M.
 WASHINGTON COUNTY, OREGON

PROJECT	14483.01
DATE	06/15/2021

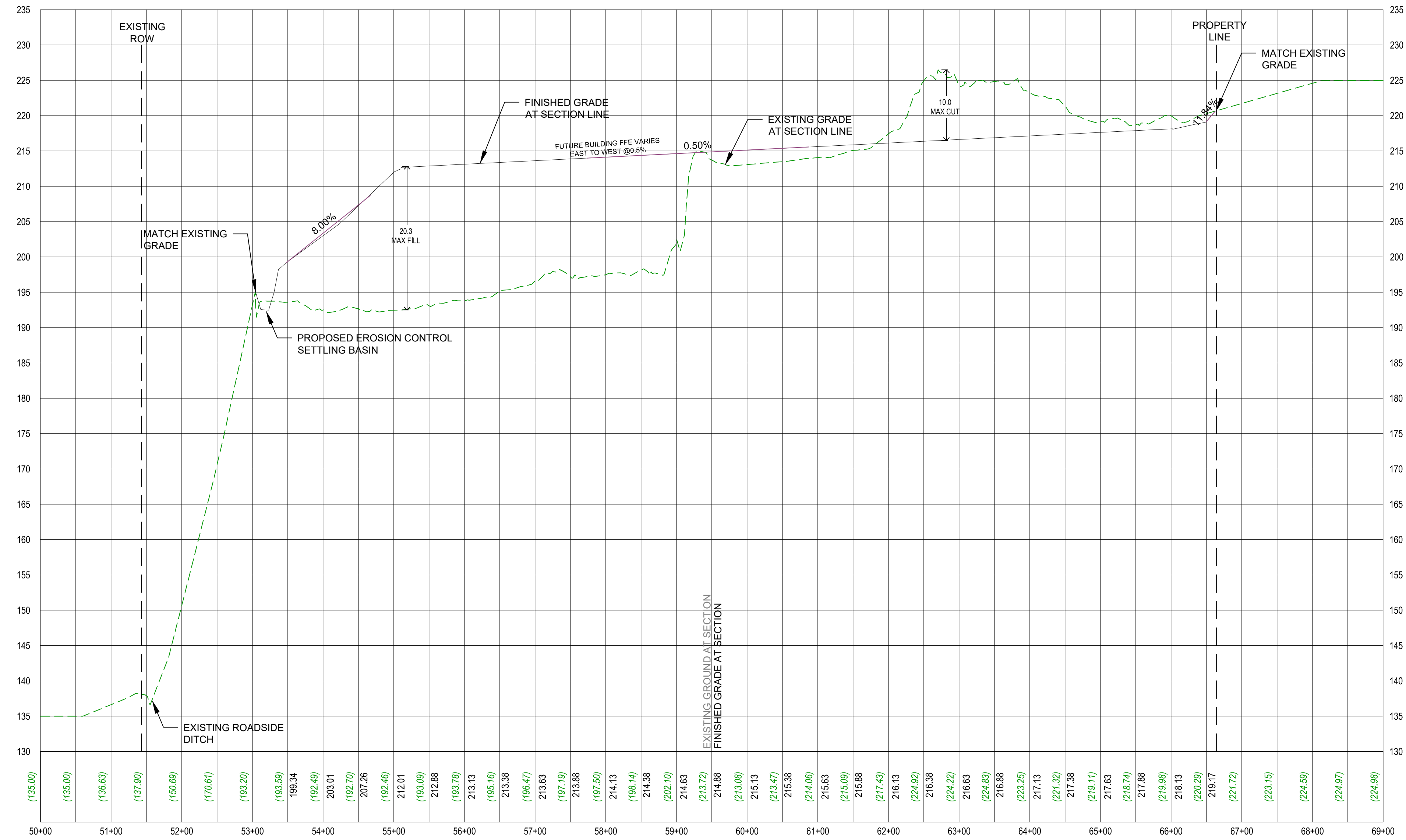
© DOWL 2019
 SHEET
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G:\22\14483-01\65CAD\Civil_CD\SC-CS-GR-14483.dwg PLOT DATE 2021-08-25 21:49 SAVED DATE 2021-08-25 01:11 USER: mtowie



CROSS SECTION A-A
SCALE: HORZ: 1" = 100'
VERT: 1" = 10'



CROSS SECTION B-B
SCALE: HORZ: 1" = 100'
VERT: 1" = 10'

REV	DATE	DESCRIPTION



DOWL www.dowl.com
720 SW Washington Street, #750
Portland, Oregon 97205
971-280-8641

TONQUIN ROAD GRADING PERMIT
LAND USE ENTITLEMENT PLANS
GRADING AND EROSION CONTROL PROFILE
NW 1/4 SECTION 33 T2S R1W W.M.
WASHINGTON COUNTY, OREGON

PROJECT 14483.01
DATE 06/15/2021

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C3.1

June 30, 2021

WOODBURN INDUSTRIAL CAPITAL GROUP
395 SHENANDOAH LN
WOODBURN OR 97071

Re: CWS file 20-001292 Amended SPL (Tax map 2S13300 Tax lot 00400, Tax map 2S133BB Tax lot 00100); SW Tonquin Road

Clean Water Services has reviewed your proposal for the above referenced activity on your site. Staff has conducted a pre-screen review and requested completion of a Sensitive Areas Certification Form. Following review of submitted materials it appears that Sensitive Areas do not exist on-site or within 200' from your project. In light of this result, this document will serve as your Service Provider letter as required by Resolution and Order 19-5, Section 3.02.1, as amended by Resolution and Order 19-22. All required permits and approvals must be obtained and completed under applicable local, state, and federal law.

This concurrence letter does NOT eliminate the need to protect Sensitive Areas if they are subsequently identified on your site.

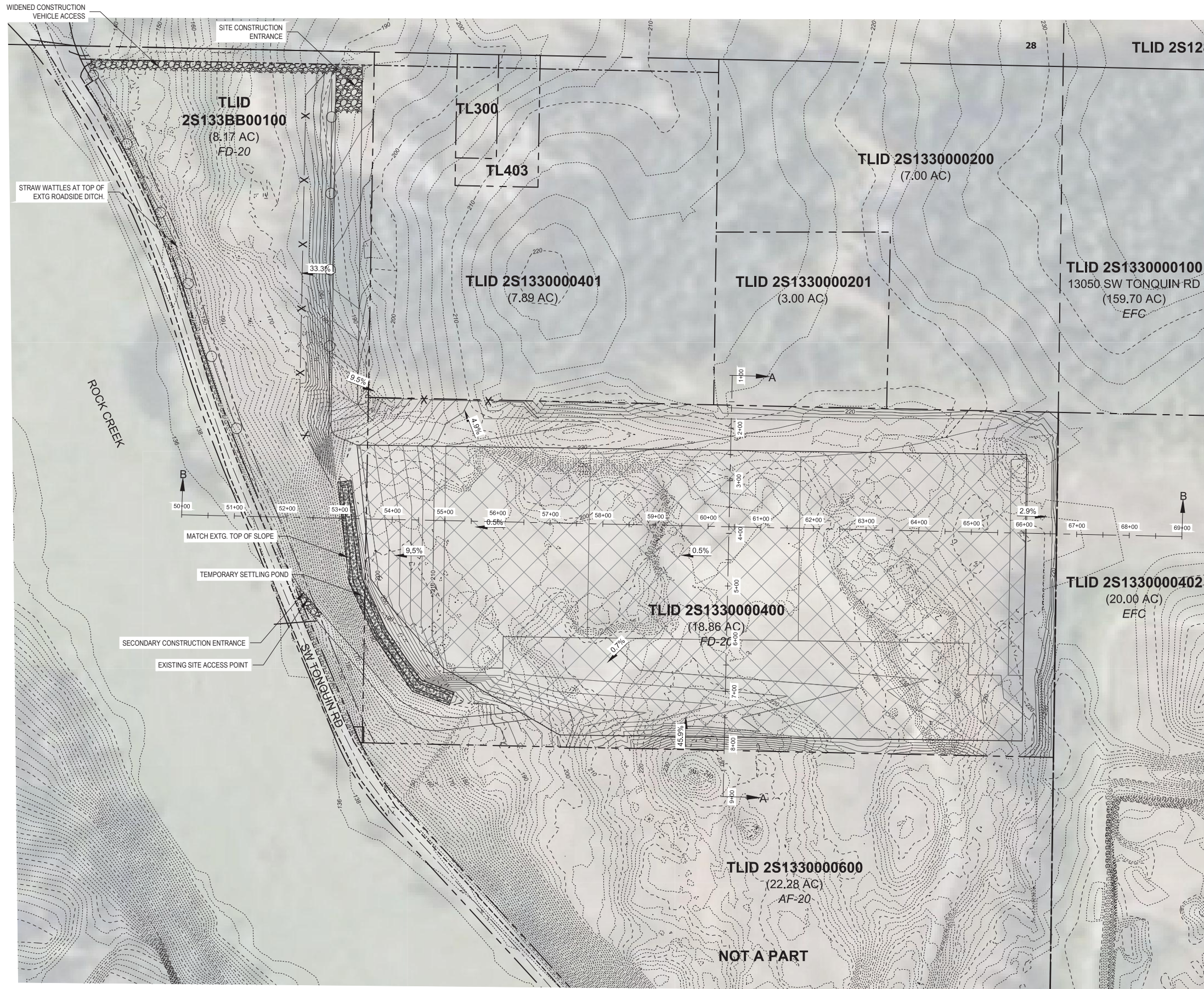
If you have any questions, please feel free to call me at (503) 681-3667.

Sincerely,

Stacy Benjamin

Stacy Benjamin
Environmental Plan Review

Attachment (1)



LEGEND

	EXISTING PROPERTY LINE
	EXISTING CENTER LINE
	PROPOSED BUILDING
	PROPOSED 10' CONTOUR
	PROPOSED 2' CONTOUR
	PROPOSED CONSTRUCTION ENTRANCE
	PROPOSED SEDIMENT FENCE
	PROPOSED STRAW WATTLES

TOPS OF CUT SLOPES AND BOTTOMS OF FILLS ARE TO BE ROUNDED OFF TO A MINIMUM RADIUS OF FIVE (5) FEET TO BLEND WITH THE NATURAL TERRAIN.

EARTHWORK QUANTITIES

OVERALL SITE
 PROPOSED CUT: 138,600 CY
 PROPOSED FILL: 139,500 CY
 PROPOSED NET IMPORT: 900 CY

ASSUMPTIONS:
 • STRIPPING DEPTH EQUAL TO APPROXIMATELY 3-6"

SITE INFORMATION

TOTAL SITE AREA = 28.22 AC
 TOTAL DISTURBED AREA = 21.50 AC

GROUNDWATER ELEVATION IS APPROXIMATELY 130'. MEASUREMENT TAKEN IN JUNE 2001 AT WELL LOG SITE WASH 1836.

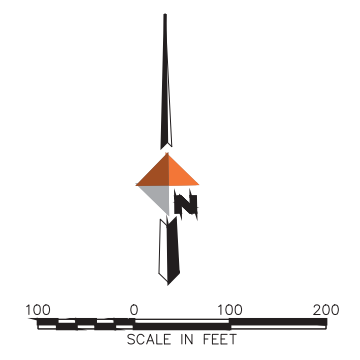
Amended SPL

CWS FILE NO. 20-001292

Approved
 Clean Water Services
 FOR ENVIRONMENTAL REVIEW

By SNB Date 6/30/2021

SPL ATTACHMENT 1 OF 1



REV	DATE	DESCRIPTION

DOWL

REGISTERED PROFESSIONAL ENGINEER
 LICENSE NO. 100000000
 MICHAEL D. TOWLE
 EXPIRATION DATE 06/30/22

720 SW Washington Street, #750
 Portland, Oregon 97205
 971-280-8641

TONQUIN ROAD GRADING PERMIT
 LAND USE ENTITLEMENT PLANS

GRADING & EROSION CONTROL PLAN

PROJECT 14483.01
 DATE 06/15/2021

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Clean Water Services File Number

20-001292

Sensitive Areas Certification Form

1. Property Information (example 1S234AB01400)

Tax lot ID(s): 2S133BB00100 and 2S1330000400

 Site Address: 14200 SW Tonquin Rd
 City, State, Zip: Sherwood, OR, 97140
 Nearest Cross Street: SW Oregon Street

2. Owner Information

Name: Tim Kerr
 Company: Woodburn Industrial Capital Group
 Address: PO Box 1060
 City, State, Zip: Woodburn, OR, 97071
 Phone/Fax: 971-235-5003
 E-Mail: tkerr@kerrcontractors.com

3. Development Activity (check all that apply)

- Addition to Single Family Residence (rooms, deck, garage)
- Lot Line Adjustment Minor Land Partition
- Residential Condominium Commercial Condominium
- Residential Subdivision Commercial Subdivision
- Single Lot Commercial Multi Lot Commercial
- Other _____

4. Applicant Information

Name: Tim Kerr
 Company: Kerr Contractors
 Address: 395 Shenandoah Ln. NE
 City, State, Zip: Woodburn, OR 97071
 Phone/Fax: 971-235-5003
 E-Mail: tkerr@kerrcontractors.com

5. Check any of the following that apply to this project.

- Adds less than 500 square feet of impervious surface.
- Does not encroach closer to the Sensitive Area than existing development on the property.
- Is not located on a slope greater than 25%.

6. Applicant Information

Name: K. Sanderford
 Company: Environmental Science & Assessment, LLC
 Address: 4831 NE Fremont Street, Suite 2B
 City, State, Zip: Portland, OR 97213
 Phone/Fax: 503-478-0424
 E-Mail: kims@esapdx.com

7. Will the project involve any off-site work? Yes No Unknown (check appropriate box)

If yes, location and description of off-site work _____

8. Additional comments or information that may be needed to understand your project _____

Sensitive Areas Certification Form *(continued)***9. An on-site, water quality sensitive area reconnaissance was completed on:**

Date	By	Title	Company
5/26/20	K. Sanderford, E. Dalton	Wetland Scientist, Wetland Technician	Environmental Science & Assessment

10. Existence of Water Quality Sensitive Areas *(check all appropriate boxes)*

As defined in the Districts Design and Construction Standards:

- A. Water-quality-sensitive areas do do not exist on the tax lot.
- B. Water-quality-sensitive areas do do not exist within 200' on adjacent properties, or unable to evaluate adjacent property.
- C. Vegetated corridors do (_____ SF) do not exist on the tax lot.
- D. Vegetated corridors do do not exist within 200' on adjacent properties, or unable to evaluate adjacent property.
- E. Impacts to sensitive areas and/or vegetated corridors will occur On-site Off-site None proposed at this time.
- F. If impacts, mitigation is On-site Off-site Other _____

11. Simplified Site Assessment containing the following information: *(check only items submitted).*

Please refer to Design and Construction Standards 17-05 section 3.02.2 for application requirements.

- Complete Certification Form (2 pages)
- Written description of the site and proposed activity.
- Site plan of the entire property.
- Photographs of the site labeled and keyed to the site plan.

12. Standard Site Assessment containing the following information: *(check only items submitted).*

Please refer to Design and Construction Standards 17-05 section 3.02.2 for application requirements.

- Complete Certification Form (2 pages)
- Written description per Design and Construction Standards 17-05 section 3.13.3 b. 1
- Wetland Data sheets
- Vegetated Corridor Data sheets
- Existing Site Condition Figures
- Proposed Development Figures

By signing this form the Owner, or Owner's authorized agent or representative, acknowledges and agrees that employees of Clean Water Services have authority to enter the project site at all reasonable times for the purpose of inspecting project site conditions and gathering information related to the project site.

I certify that I am familiar with the information contained in this document, and to the best of my knowledge and belief, this information is true, complete, and accurate.

Applicant:

K. Sanderford

Print/Type Name

Signature

Wetland Scientist

Print/Type Title

5/29/2020

Date

Environmental Science & Assessment, LLC

MEMORANDUM

DATE: May 29, 2020
TO: Clean Water Services – Environmental Review
Cc: Tim Kerr – Kerr Contractors
FROM: Environmental Science & Assessment, LLC
RE: Simplified Site Assessment – Kerr – Tonquin Road (TL 2S133BB00100 & 2S1330000400)

Environmental Science & Assessment, LLC (ES&A) conducted a site evaluation for a Clean Water Services (CWS) site certification on a 28.17-acre site southeast of the intersection of SW Oregon Street and SW Tonquin Road in Washington County, Oregon (Figure 1). The project area includes two tax lots located west of SW Tonquin Road (Tax Lot 2S133BB00100 & 2S1330000400).

This memorandum and attachments are submitted for use in documenting the presence or absence of Sensitive Areas (SAs) and their associated Vegetated Corridors (VCs) on or surrounding the project site to obtain a service provider letter (SPL) for the proposed development.

Field data was collected, and the entire site was investigated for wetland conditions; no wetland conditions were present within the site. During a previous site investigation for a Significant Natural Resource report submitted to Washington County, however, a wetland area was identified off-site on the lot to the south, approximately 1,000 feet south of the site boundary.

The immediate site development will involve mass grading with the long term site proposed for commercial development including several gravel yards and 4 future buildings with a gravel access road from Tonquin Road onto the western-most lot (TL 2S133BB00100). The gravel road would then extend to the eastern lot (TL 2S1330000400) (Figure 4).

This memorandum includes the following attachments:

Attachment A: Figures
Attachment B: Site photographs
Attachment C: Wetland Determination Data Forms

METHODOLOGY

The primary guidance document for this report is the *Design and Construction Standards for Sanitary Sewer and Surface Water Management* (Resolution and Order 19-22; Clean Water Services, 2019), which provides the methodology for assessing the presence and extent of Sensitive Areas at the development site and within 200 feet of the site, and the required VCs adjacent to them.

Two levels of investigation were used to evaluate the presence of Sensitive Areas. The first level included a review of existing available background data and maps. The second level consisted of an onsite evaluation.

Reviewed background data included the following information:

- Aerial Photography and Topography (Metro Data Resource Center's MetroMap, 2020);
- City of Sherwood Local Wetland Inventory (1992);
- Web Soil Survey of Washington County, Oregon (Natural Resource Conservation Service [NRCS], 2019).
- U.S. Fish and Wildlife Service (USFWS) National Wetland Inventory (NWI) Map Washington County, OR area (Wetlands Mapper, 2019)

ES&A conducted the site evaluation on May 26, 2020. The investigation focused on the subject tax lots and relevant field data was collected to determine the presence or absence of SAs. The surrounding areas, including the tax lot to the south where wetland was previously mapped as well as Rock Creek to the west, were investigated for possible connectivity to any onsite resources. One Data plot (DP-1) was taken at the topographic low point onsite to verify the absence of wetlands. The wetland determination data was collected using the methodology provided in the *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Western Mountains, Valleys, and Coast Region (Version 2.0)* (USACE, 2010).

The Sensitive Area boundaries and the data plot locations were surveyed using a Trimble Geo XH hand held GPS unit; the accuracy is estimated to be \pm two feet. A base map showing topography, roads, structures, and tax lot boundaries was provided by DOWL.

SITE DESCRIPTION

The project site is bordered on the west by SW Tonquin Road, southeast of the intersection with SW Oregon Street (Figure 1). An extensive emergent and forest wetland complex along Rock Creek is located west of SW Tonquin (Figure 2). No structures are present within the project area currently, but extensive excavation and material storage and logging has taken place (Photos 1-6), which

has altered the historic vegetative cover, as shown in Figure 2 aerial imagery. On TL 100, the topography slopes down from the east to the west up to steeply sloped area along the edge of the SW Tonquin Road right-of-way. TL 400 generally slopes west with the highest topography on the east end and a broad flatter area in the middle of the lot (Figure 3).

Much of the site is bare ground and gravel where vegetation has been removed and dirt roads constructed. The vegetated areas are primarily weedy grasses including Soft Brome (*Bromus hordeaceus*), Tall Fescue (*Schedonorus arundinacea*), and Velvet Grass (*Holcus lanatus*) with little to no canopy cover, and other common weedy species such as Oxeye Daisy (*Leucanthemum vulgare*) and Common Mullein (*Verbascum thapsus*) throughout (Photo 7). The western site boundary along SW Tonquin Road, above the steep drop to the road, has native shrubs and several large trees including Tall Oregon Grape (*Mahonia aquifolium*), Serviceberry (*Amelanchier alnifolia*), Big Leaf Maple (*Acer macrophyllum*), and Oregon White Oak (*Quercus garryana*) (Photo 8, DP-1). The base of the steep slope is dominated by Reed Canary Grass and Himalayan Blackberry along the road within the road Right of Way (Photo 9).

Soil survey mapping indicates 3 soil types mapped onsite. Starting in the northern end of TL 100, the soil is mapped as the non-hydric Briedwell stony silt loam, 0 to 7 percent slopes (Map Unit 5B, Rating 0). Moving south along the northern portion of TL 400, the soil type is mapped as the non-hydric Laurelwood silt loam, 3 to 7 percent slopes (Map Unit 28B, Rating 0). The remainder of the site is mapped as the non-hydric Xerochrepts-Rock outcrop complex (Map Unit 47D, Rating 0). The nearest wetland soils are located west of the site along Rock Creek, where the soil is mapped as the hydric Cove silty clay loam (NRCS, Web Soil Survey, 2018). This area follows the lower topography along the stream corridor, west of Tonquin Road, and does not extend onto the site.

The NWI and MetroMap do not map any wetland resources onsite. The site is not located within an LWI study area.

OFFSITE SENSITIVE AREA AND VC

Rock Creek, a perennial tributary to the Tualatin River, flows west of the site along SW Tonquin Road surrounded by emergent and forested wetland areas. The Rock Creek channel is approximately 100-300 feet west of the western boundary of the study area and is separated by the physical barrier of SW Tonquin Road. There would be no impacts to these Sensitive Areas and their associated Vegetated Corridors (VC) because SW Tonquin Road is a paved two-lane road with consistent traffic flow.

There is a previously mapped 14,214 SF wetland in the adjacent southern tax lot, approximately 1000-feet south of the southern study area boundary mapped in December 2018 as part of a Significant Natural Resource review ES&A

conducted for the same client. There will be no impacts to this Sensitive Area or its associated VC.

Based on Clean Water Services requirements, Section 3.03.1, Table 3-1 of R&O 19-22, the VC boundary for Rock Creek and the wetlands surrounding it, as well as the small wetland area to the south, extends 50 feet from the Sensitive Area boundaries since no adjacent slopes exceed 25 percent. Slopes for the corridors were determined using MetroMap and field observations. The VC associated with Rock Creek and all nearby wetlands do not encroach into the study area (Figure 3).

SITE PLAN

The proposed commercial development includes several gravel yards and 4 future buildings and a gravel access road from Tonquin Road onto the western-most lot (TL 2S133BB00100) from SW Tonquin Road. The gravel road would then extend to the eastern lot (TL 2S1330000400). Stormwater treatment is provided by rain garden swales along the western end of site (Figure 4).

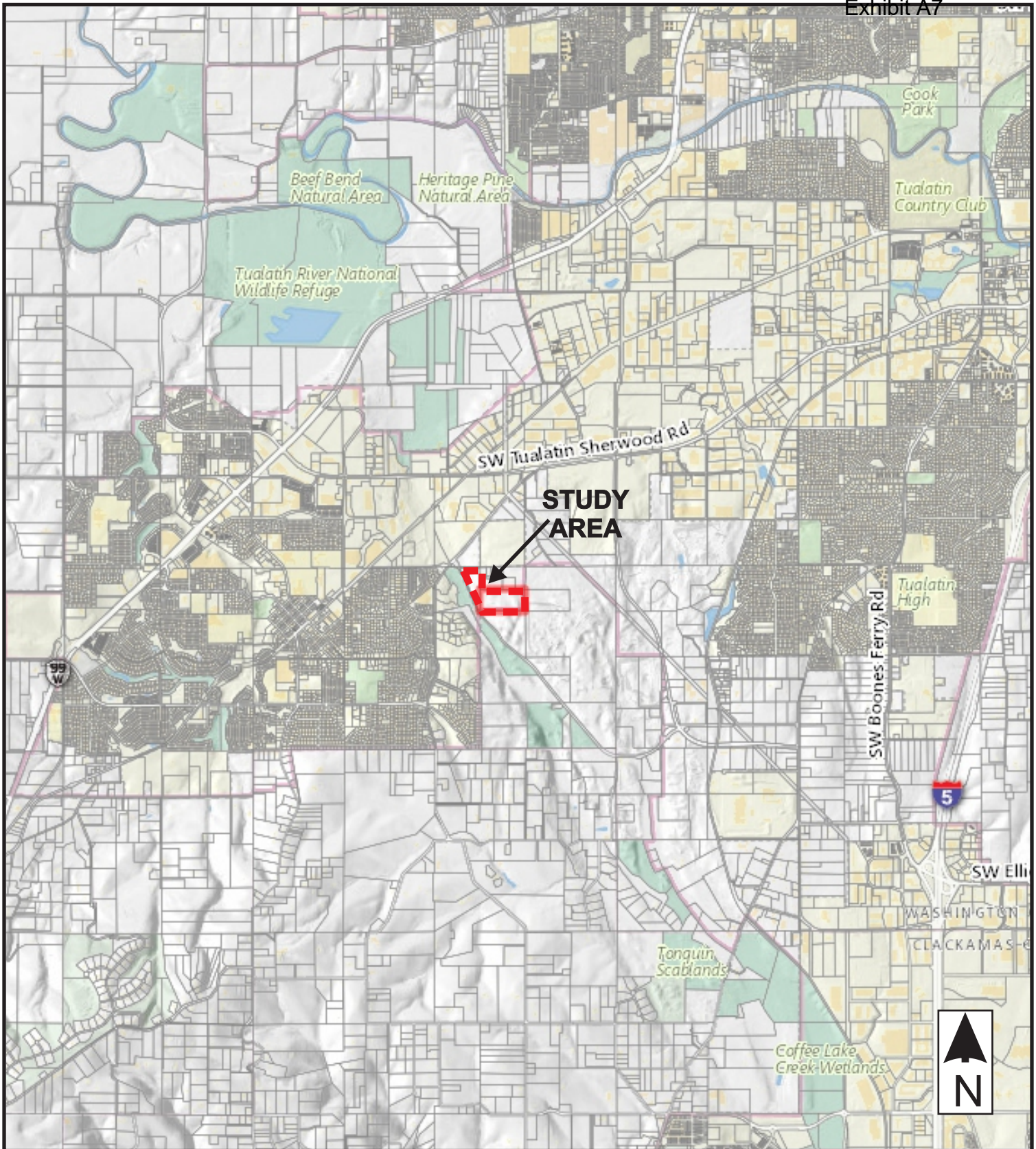
CONCLUSION

No Sensitive Areas were identified on site, and the 50-foot buffers associated with Rock Creek and surrounding wetlands do not extend into the study area. The proposed development at tax lots 2S133BB00100 and 2S1330000400 shown in Figure 4 of this report will not impact any Sensitive Areas or associated Vegetated Corridors.

REFERENCES

- Clean Water Services, 2020. Design and Construction Standards for Sanitary Sewer and Surface Water Management. R&O 19-5 as revised by R&O 19-22.
- MetroMap, 2020. Metro Data Resource Center's MetroMap. Available online at: <https://gis.oregonmetro.gov/metromap/>.
- Natural Resources Conservation Service, United States Department of Agriculture. Web Soil Survey. Available online at: <http://websoilsurvey.nrcs.usda.gov/>. Accessed May 2020.
- U.S. Army Corps of Engineers (USACE). 2010. *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Western Mountains, Valleys, and Coast Region (Version 2.0)*, ed. J.S. Wakeley, R. W. Lichvar, and C.V. Noble. ERDC/EL TR-10-3. Vicksburg, MS: U.S. Army Engineer Research and Development Center.

ATTACHMENT A: FIGURES



Source: Metro Data Resource Center. <http://gis.oregonmetro.gov/metromap/>

Environmental
Science &
Assessment, LLC



Vicinity Map
Kerr - Tonquin Road
Washington County, Oregon

Figure 1

Approx. Scale:
1" = 500'



STUDY
AREA

Rock Creek
Wetland-
Stream
Complex



Source: Google Earth

Imagery Date: 5/8/2019

Environmental
Science &
Assessment, LLC



Aerial Image
Kerr - Tonquin Road
Washington County, Oregon

Approx. Scale:
1" = 750'

Figure 2

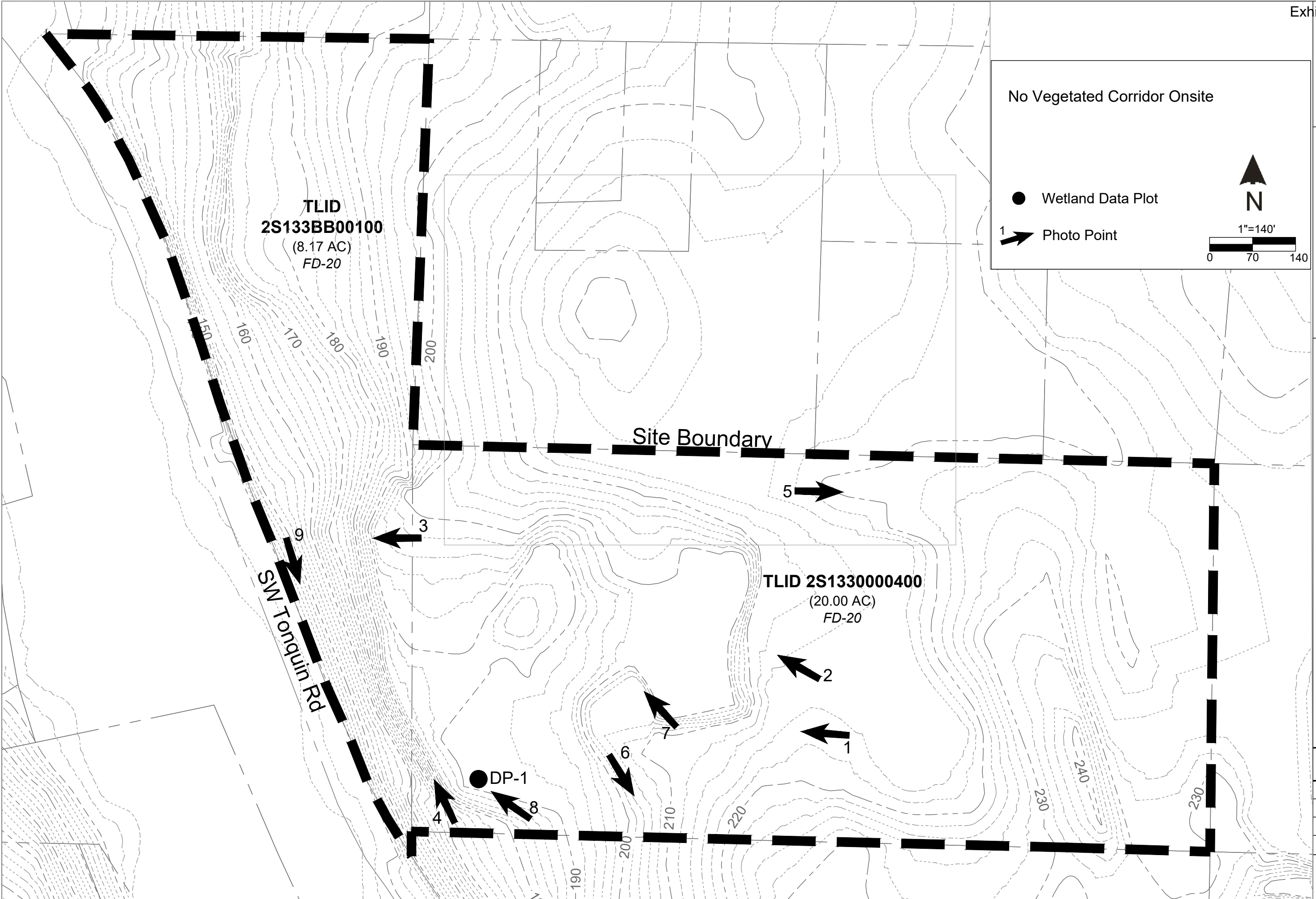


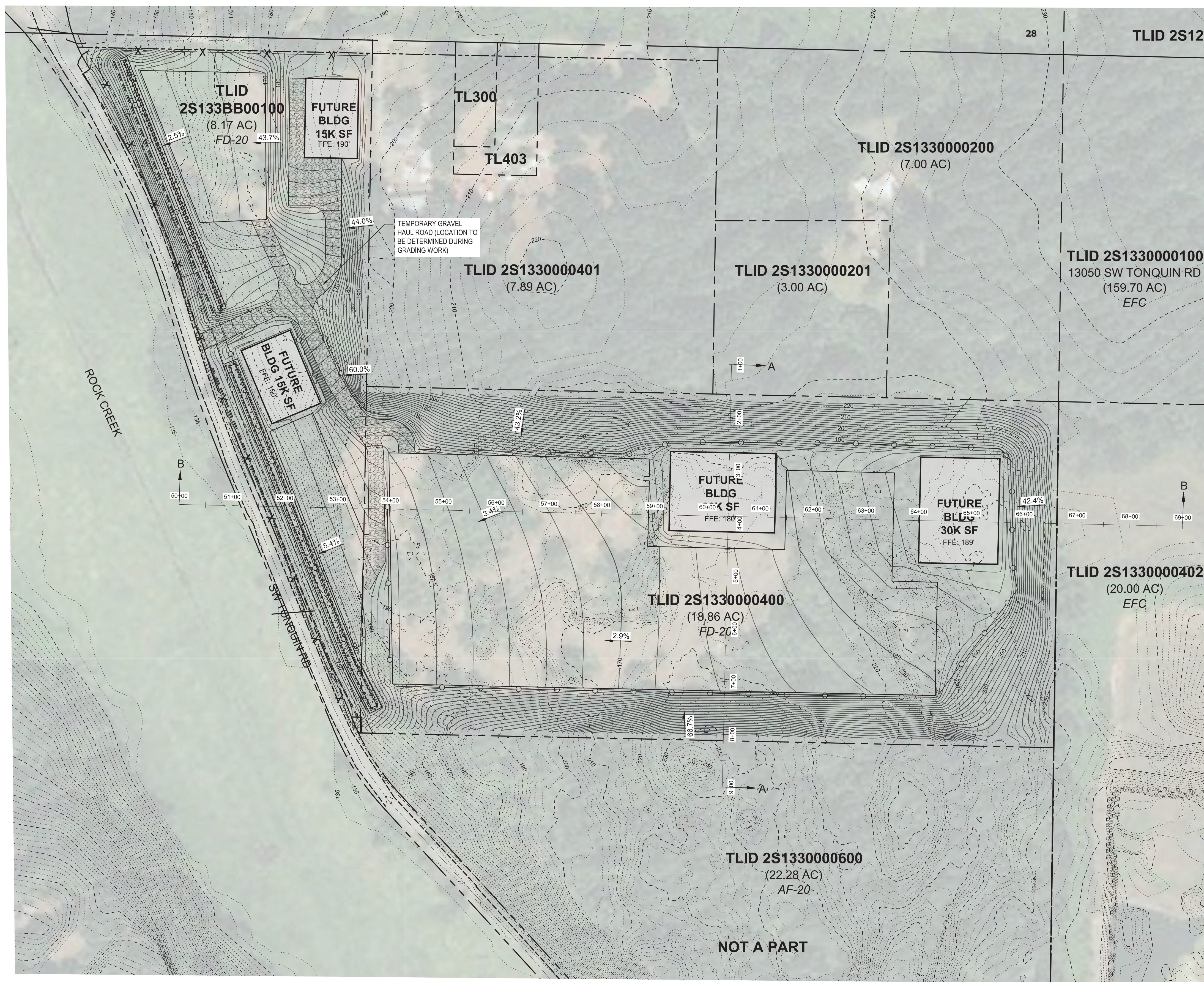
Environmental
Science &
Assessment, LLC

Existing Conditions Map
Tonquin Road
Washington County, Oregon

Base Map Source:	DOWL
Mod. By:	KR
Date:	5/2020
Job:	18047
Rev:	00/00

Fig. 3





LEGEND

	EXISTING PROPERTY LINE
	EXISTING CENTER LINE
	PROPOSED BUILDING
	PROPOSED 10' CONTOUR
	PROPOSED 2' CONTOUR
	PROPOSED GRAVEL ACCESS ROAD
	PROPOSED SEDIMENT FENCE
	PROPOSED STRAW WATTLES

TOPS OF CUT SLOPES AND BOTTOMS OF FILLS ARE TO BE ROUNDED OFF TO A MINIMUM RADIUS OF FIVE (5) FEET TO BLEND WITH THE NATURAL TERRAIN.

EARTHWORK QUANTITIES

OVERALL SITE	
PROPOSED CUT:	1,080,000 CY
PROPOSED FILL:	14,000 CY
PROPOSED NET EXPORT:	1,066,000 CY
WITHIN SNRA	
PROPOSED CUT:	53,900 CY
PROPOSED FILL:	13,200 CY
PROPOSED NET EXPORT:	40,700 CY

- ASSUMPTIONS:
- STRIPPING DEPTH EQUAL TO APPROXIMATELY 12"
 - SUBGRADE IS ROUGHLY 12" BELOW FINISHED GRADE

NOTE: ALL BUILDING SHOWN ARE CONCEPTUAL IN NATURE. NOT BUILDINGS ARE PLANNED WITH THIS APPLICATION

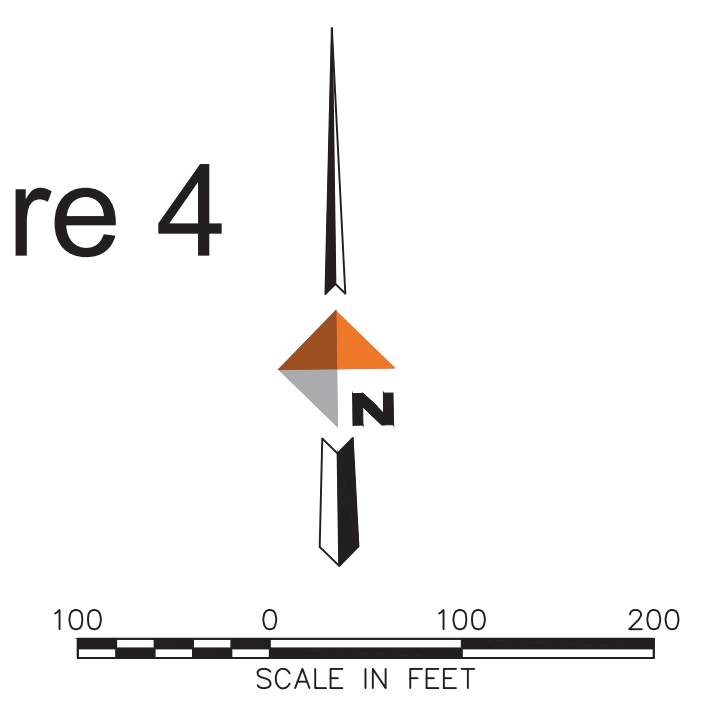
SITE INFORMATION

TOTAL SITE AREA = 28.22 AC
TOTAL DISTURBED AREA = 28.15 AC

GROUNDWATER ELEVATION IS APPROXIMATELY 130'. MEASUREMENT TAKEN IN JUNE 2001 AT WELL LOG SITE WASH 1836.

SEE DRAINAGE REPORT TECHNICAL APPENDIX FOR SOILS INFORMATION FROM USGS SOIL SURVEY.

Figure 4



REV	DATE	DESCRIPTION



DOWL

www.dowl.com
720 SW Washington Street, #750
Portland, Oregon 97205
971-280-8641

TONQUIN ROAD GRADING PERMIT
LAND USE DEVELOPMENT PLANS
GRADING & EROSION CONTROL PLAN

PROJECT 14483.01
DATE 07/09/2019

© DOWL 2019
SHEET
C3.0

ATTACHMENT B: SITE PHOTOGRAPHS



Photo 1: TL 100 view west along rock pit.
Imagery date: December 2018



Photo 2: TL 100 view northwest of
excavated pit.
Imagery date: December 2018



Photo 3: View west of north end off site
and off-site wetland along SW Tonquin
Road.
Imagery date: December 2018

Exhibit A7



Photo 4: View northwest along steep slope within County mapped riparian habitat.
Imagery date: December 2018



Photo 5: View east of north end of site.
Imagery date: December 2018



Photo 6: View south of south end - note recent logging and site grubbing.
Imagery date: December 2018



Photo 7: View northwest showing typical vegetation onsite
Imagery date: May 2020



Photo 8: View from DP-1 at low point onsite, showing shrub edge along road
Imagery date: May 2020



Photo 9: View south along western site edge
Imagery date: May 2020

ATTACHMENT C: WETLAND DETERMINATION DATA FORM

WETLAND DETERMINATION DATA FORM – Western Mountains, Valleys, and Coast Region

Project/Site: Kerr - Tonquin City/County: Washington Sampling Date: 5/26/2020
 Applicant/Owner: Tim Kerr - Kerr Contractors State: OR Sampling Point: DP-1
 Investigator(s): K. Sanderford, E. Dalton Section, Township, Range: T2S R1W S33
 Landform (hillslope, terrace, etc.): hillslope Local relief (concave, convex, none): none Slope (%): 10%
 Subregion (LRR): A-Northwest Forests and Coasts Lat: 45.35672° Long: 122.82056° Datum: NAD 1983
 Soil Map Unit Name: Xerochrepts-Rock outcrop complex, map unit 47D, rating 0 NWI classification: n/a

Are climatic / hydrologic conditions on the site typical for this time of year? Yes No (If no, explain in Remarks.)
 Are Vegetation , Soil , or Hydrology significantly disturbed? Are "Normal Circumstances" present? Yes No
 Are Vegetation , Soil , or Hydrology naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Is the Sampled Area within a Wetland?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Hydric Soil Present?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>			
Wetland Hydrology Present?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>			
Remarks:					

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: <u>30' diameter</u>)	Absolute % Cover	Dominant Species?	Indicator Status	Dominance Test worksheet:	
1. _____	_____	_____	_____	Number of Dominant Species That Are OBL, FACW, or FAC: <u>1</u> (A)	
2. _____	_____	_____	_____	Total Number of Dominant Species Across All Strata: <u>4</u> (B)	
3. _____	_____	_____	_____	Percent of Dominant Species That Are OBL, FACW, or FAC: <u>25</u> (A/B)	
4. _____	_____	_____	_____	Prevalence Index worksheet: Total % Cover of: _____ Multiply by: _____ OBL species _____ x 1 = _____ FACW species _____ x 2 = _____ FAC species _____ x 3 = _____ FACU species _____ x 4 = _____ UPL species _____ x 5 = _____ Column Totals: _____ (A) _____ (B) Prevalence Index = B/A = _____	
= Total Cover					
Sapling/Shrub Stratum (Plot size: <u>30' diameter</u>)					
1. <u>Mahonia aquifolium</u>	<u>40</u>	<u>Y</u>	<u>FACU</u>		
2. <u>Toxicodendron diversilobum</u>	<u>15</u>		<u>FAC</u>		
3. <u>Rosa pisocarpa</u>	<u>10</u>		<u>FAC</u>		
4. <u>Corylus cornuta</u>	<u>10</u>		<u>FACU</u>		
5. <u>Oemleria cerasiformis</u>	<u>10</u>		<u>FACU</u>	Hydrophytic Vegetation Indicators: <input type="checkbox"/> 1 - Rapid Test for Hydrophytic Vegetation <input type="checkbox"/> 2 - Dominance Test is >50% <input type="checkbox"/> 3 - Prevalence Index is ≤3.0 ¹ <input type="checkbox"/> 4 - Morphological Adaptations ¹ (Provide supporting data in Remarks or on a separate sheet) <input type="checkbox"/> 5 - Wetland Non-Vascular Plants ¹ <input type="checkbox"/> Problematic Hydrophytic Vegetation ¹ (Explain) ¹ Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.	
= Total Cover					
Herb Stratum (Plot size: <u>5' diameter</u>)					
1. <u>Holcus lanatus</u>	<u>30</u>	<u>Y</u>	<u>FAC</u>		
2. <u>Bromus hordeaceus</u>	<u>30</u>	<u>Y</u>	<u>FACU</u>		
3. <u>Vicia sativa</u>	<u>30</u>	<u>Y</u>	<u>UPL</u>		
4. _____	_____	_____	_____		
5. _____	_____	_____	_____		
6. _____	_____	_____	_____		
7. _____	_____	_____	_____		
8. _____	_____	_____	_____		
9. _____	_____	_____	_____		
10. _____	_____	_____	_____		
11. _____	_____	_____	_____		
= Total Cover					
Woody Vine Stratum (Plot size: _____)				Hydrophytic Vegetation Present? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
1. _____	_____	_____	_____		
2. _____	_____	_____	_____		
= Total Cover					
% Bare Ground in Herb Stratum _____					
Remarks:					

SOIL

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type ¹	Loc ²		
0-12"	7.5 YR 2.5/3	100						1-4" diameter rocks make up 25% of top 12"

¹Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. ²Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- Histosol (A1)
- Histic Epipedon (A2)
- Black Histic (A3)
- Hydrogen Sulfide (A4)
- Depleted Below Dark Surface (A11)
- Thick Dark Surface (A12)
- Sandy Mucky Mineral (S1)
- Sandy Gleyed Matrix (S4)
- Sandy Redox (S5)
- Stripped Matrix (S6)
- Loamy Mucky Mineral (F1) (**except MLRA 1**)
- Loamy Gleyed Matrix (F2)
- Depleted Matrix (F3)
- Redox Dark Surface (F6)
- Depleted Dark Surface (F7)
- Redox Depressions (F8)

Indicators for Problematic Hydric Soils³:

- 2 cm Muck (A10)
- Red Parent Material (TF2)
- Very Shallow Dark Surface (TF12)
- Other (Explain in Remarks)

³Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if present):

Type: rocks
Depth (inches): 12"

Hydric Soil Present? Yes No

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one required; check all that apply)

- Surface Water (A1)
- High Water Table (A2)
- Saturation (A3)
- Water Marks (B1)
- Sediment Deposits (B2)
- Drift Deposits (B3)
- Algal Mat or Crust (B4)
- Iron Deposits (B5)
- Surface Soil Cracks (B6)
- Inundation Visible on Aerial Imagery (B7)
- Sparsely Vegetated Concave Surface (B8)
- Water-Stained Leaves (B9) (**except MLRA 1, 2, 4A, and 4B**)
- Salt Crust (B11)
- Aquatic Invertebrates (B13)
- Hydrogen Sulfide Odor (C1)
- Oxidized Rhizospheres along Living Roots (C3)
- Presence of Reduced Iron (C4)
- Recent Iron Reduction in Tilled Soils (C6)
- Stunted or Stressed Plants (D1) (**LRR A**)
- Other (Explain in Remarks)

Secondary Indicators (2 or more required)

- Water-Stained Leaves (B9) (**MLRA 1, 2, 4A, and 4B**)
- Drainage Patterns (B10)
- Dry-Season Water Table (C2)
- Saturation Visible on Aerial Imagery (C9)
- Geomorphic Position (D2)
- Shallow Aquitard (D3)
- FAC-Neutral Test (D5)
- Raised Ant Mounds (D6) (**LRR A**)
- Frost-Heave Hummocks (D7)

Field Observations:

Surface Water Present? Yes No Depth (inches): _____
 Water Table Present? Yes No Depth (inches): _____
 Saturation Present? Yes No Depth (inches): _____
 (includes capillary fringe)

Wetland Hydrology Present? Yes No

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:



MEMORANDUM

TO: City of Sherwood
 FROM: Mike Gillette, PE
 DATE: June 18, 2021
 SUBJECT: Stormwater Analysis – Tonquin Road Yard

Overview:

The proposed project will clear and mass grade a property east of Tonquin Road into a future development area, to be constructed and permitted under a separate application. The property was annexed from Washington County last fall and is now within the City of Sherwood. The property is on the east side of Tonquin Road, just south of SW Oregon St, and north of the Tri County Gun Club.

The proposed project does not add any new impervious area to the site; therefore, stormwater treatment and detention facilities are not required. The proposed work involves mass grading the property to develop future areas for site development. Temporary gravel roads will be built for construction traffic, but these will be removed upon project completion.

During construction, the proposed mass grading activities have potential to add sediment to runoff leaving the site. Under existing conditions, runoff from the site sheet flows to a roadside ditch along the east side of Tonquin Road. This ditch flows north and eventually discharges to the wetlands through a series of culverts adjacent to Rock Creek west of Tonquin Road.

Settling Basin:

To mitigate the increased sediment load due to construction activities, a settling basin will be constructed along the west end of the development area (See Attachment 1 – Site Plan). This basin will capture construction runoff and allow sediment to settle out before the runoff discharges west down the slope to the existing conveyance ditch. The site discharge location and pathway will not change between existing and proposed conditions. Details of the settling basin are shown below:

Facility	Length (ft)	Bottom Width (ft)	Side Slopes (ft)	Overall Depth (ft)
Settling Basin	477	11	7.5 ft @ 3:1	2.5

Conclusion:

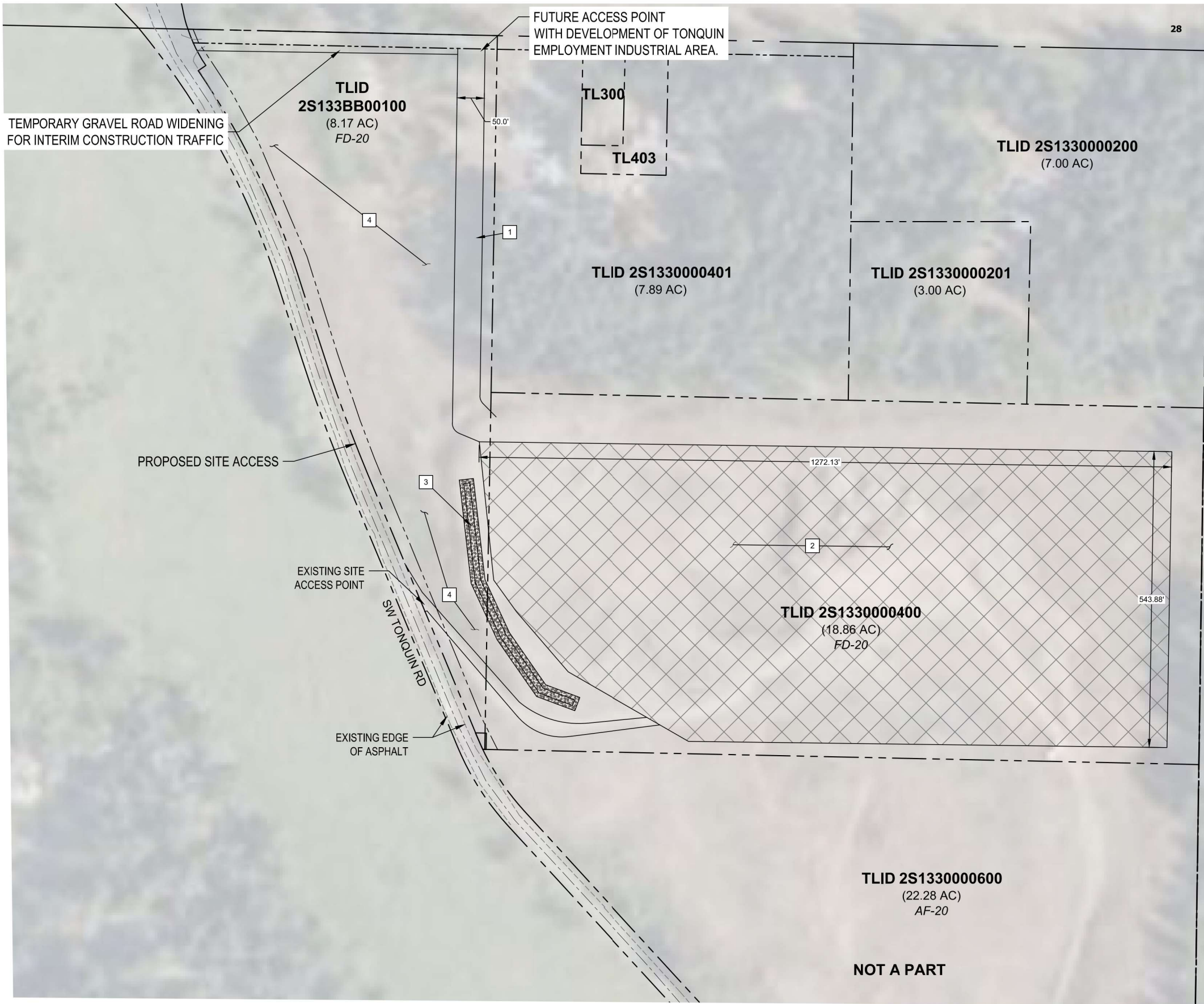
Since no impervious area is being added to the site, Clean Water Services standards for water quality, flow control, and hydromodification are not required to be met. The final condition of the site will be native subgrade material that will be graded to allow for future development of the site. Settling basins will be constructed to provide erosion and sediment control during construction activities. Runoff will discharge the site in the same manner as it does under existing conditions.

Attachments:

- Site Plan



EXPIRES: 08/30/2021



LEGEND

	EXISTING PROPERTY LINE
	EXISTING CENTER LINE
	FUTURE DEVELOPMENT AREA

- SITE CONSTRUCTION NOTES**
- 1 PROPOSED TEMPORARY GRAVEL HAUL ROAD. HAUL ROAD TO BE REMOVED AT THE END OF GRADING. ONSITE HAUL ROAD LOCATION TO BE DETERMINED BY CONTRACTOR AS NECESSARY TO GRADE ON THE SITE.
 - 2 FUTURE DEVELOPMENT AREA. SITE DEVELOPMENT AREAS TO BE CONSTRUCTED AND PERMITTED UNDER A SEPARATE FUTURE APPLICATION.
 - 3 PROPOSED TEMPORARY EROSION CONTROL SETTLING POND.
 - 4 EXISTING SLOPE AND VEGETATION TO REMAIN IN PLACE FOR PROTECTION OF SLOPE AND EROSION PREVENTION

REV	DATE	DESCRIPTION



DOWL

WWW.DOWL.COM

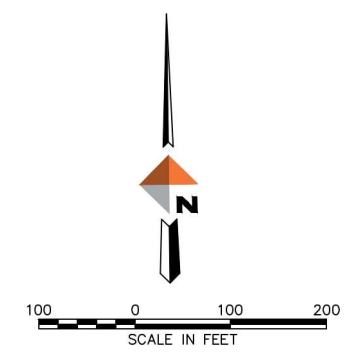
720 SW Washington Street, #750
Portland, Oregon 97205
971-280-8641

TONQUIN ROAD GRADING PERMIT
LAND USE ENTITLEMENT PLANS
SITE PLAN

NW 1/4 SECTION 33 T2S R1W W.M.
WASHINGTON COUNTY, OREGON

PROJECT	14483.01
DATE	06/15/2021

© DOWL 2019
SHEET
C2.0



\\BIL-FS\BIL-proj\22\14483-01\65CAD\Civil\CD\SC-CS-SI-14483.dwg PLOT DATE 2021-06-18 15:21 SAVED DATE 2021-06-15 22:42 USER: mgillette

TO: Naomi Vogel, Associate Planner
Washington County

FROM: Mike Towle, PE

DATE: August 26, 2021

SUBJECT: Kerr/Tonquin Site Grading (LU2021-014)
Access and Traffic Control Impact Plan

The purpose of this memorandum is to describe the anticipated trips, proposed access points, and necessary traffic control measures for the proposed site grading work for an approximately 29-acre site located on the east side of SW Tonquin Road (a Washington County arterial) within the City of Sherwood (City).

Background

Woodburn Industrial Capital Group LLC (applicant) has submitted an application to the City for Site Plan Review approval for grading only (LU 2021-014). The site's preliminary grading plan, shown on Sheets C3.0 and C3.1 of Exhibit F within the application, contemplates a balanced site. While a previous application (LU 2020-014) proposed a mass grading operation that would have lowered the elevation of the site substantially, necessitating a greater amount of entering and exiting trips from resulting truck traffic, the proposed grading shown on Sheets C3.0 and C3.1 is more limited. As a result, a substantial export operation is no longer needed and grading operations will be largely confined to the site boundaries shown on the attached vicinity map, resulting in far fewer entering and exiting trips from the site during on-site grading work.

Anticipated Trips and Duration of Work

The duration and anticipated trip counts resulting from mobilization and on-site grading work are described below.

Mobilization

Mobilization will take approximately one to two weeks, requiring 12 to 15 entering trips and 12 to 15 exiting trips to move all necessary equipment and supplies onto the site in order to facilitate subsequent on-site grading work. This traffic will consist of larger equipment utilized for grading and earth moving. Once on-site, this equipment will largely remain on-site until the grading operation is completed before moving off-site.

On-site Grading Work

Following mobilization, on-site grading work will begin and will take approximately four to six months to complete. Daily traffic to and from the site will be largely limited to on-site workers entering in the morning and leaving in the early evening each day. Occasional deliveries of additional construction materials may be needed as work progresses. A total of 20 entering trips and 20 exiting trips are anticipated each day over this four to six month period mostly consisting of passenger vehicles.

Access and Traffic Control

Access to the site during mobilization and on-site grading work will occur via two separate access points as shown on the attached vicinity map. During mobilization, access will primarily occur via an existing driveway onto the site from SW Tonquin Road. This access will be limited to left-turn movements onto the site heading south on SW Tonquin Road; egress will occur via the existing private roadway, limited to right-turn only movements onto SW Tonquin Road. Traffic control measures, such as temporary flaggers, will be utilized as necessary to ensure a smooth flow of

traffic on and off the site during mobilization. As shown on the preliminary sight distance certification, included as Exhibit K within the application, minimum sight distance requirements are met for this access.

During on-site grading work, access will primarily occur via the existing private roadway, limited to right-in/right-out movements only from SW Tonquin Road. Vehicles may also utilize the existing access onto the site via SW Tonquin Road for ingress, limited to left-turn movements onto the site heading south on SW Tonquin Road. As shown on the preliminary sight distance certification, included as Exhibit K within the application, minimum sight distance requirements are met for this access.

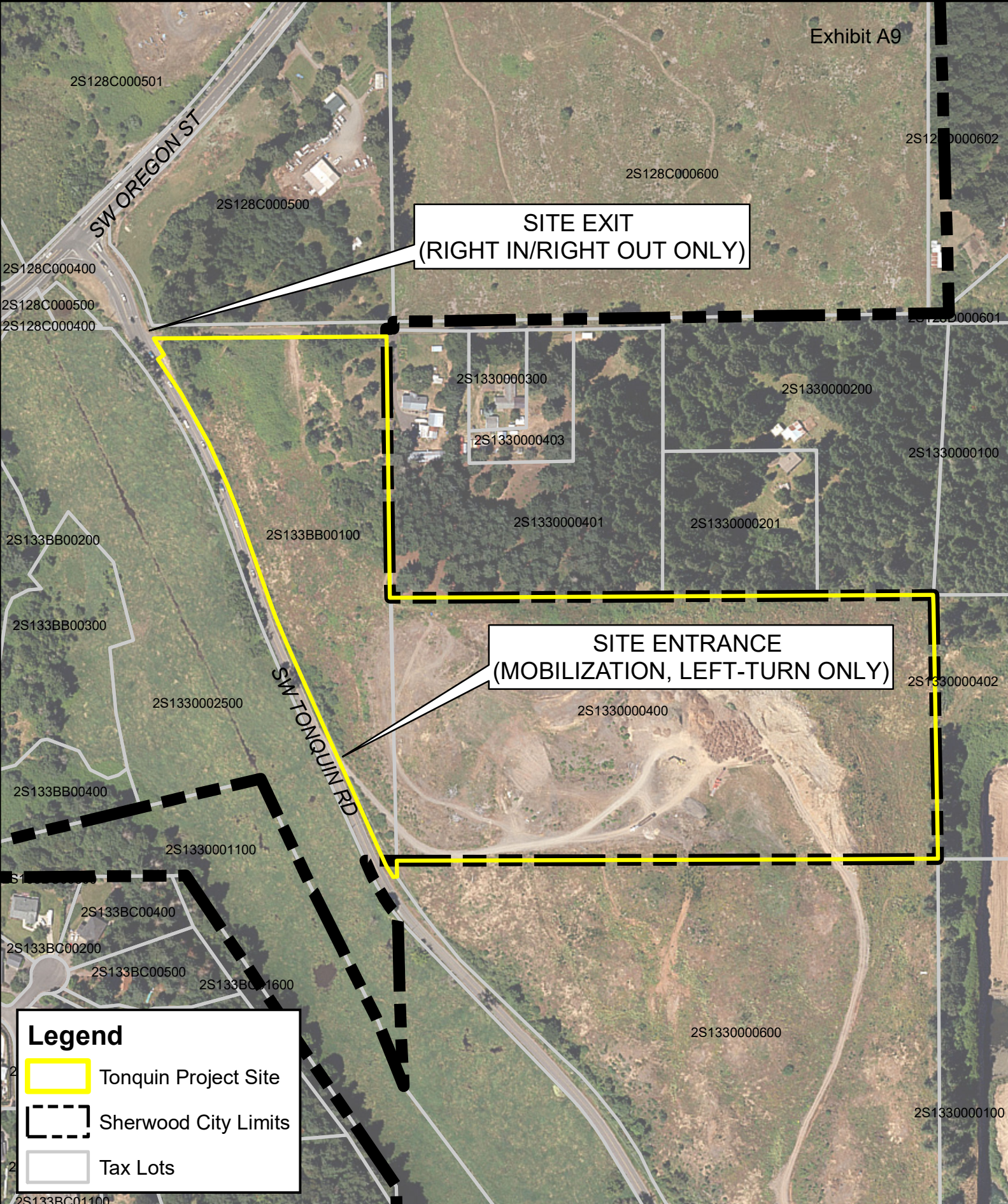
On-site construction crews will be made aware of movement restrictions at each site access point, and temporary signage will be used as necessary to ensure unpermitted movements are not made.

Conclusion

As identified in this memorandum, the proposed on-site grading work will result in substantially less entering and exiting trips than the previous proposal. Proposed site access points will allow for safe ingress and egress from the site during mobilization and on-site grading work. Necessary traffic control measures, such as flaggers during mobilization and temporary signage identifying allowed movements from each access point, will be utilized as necessary.

Attachments:

1. Site Vicinity Map



**SITE EXIT
(RIGHT IN/RIGHT OUT ONLY)**

**SITE ENTRANCE
(MOBILIZATION, LEFT-TURN ONLY)**

Legend

- Tonquin Project Site
- Sherwood City Limits
- Tax Lots

Source: Metro RLIS, City of Sherwood, August 2021



Tonquin Site

Vicinity Map

Sherwood, OR

Tonquin Site Grading

Sherwood, Oregon

A Land Use Application For:
Site Plan Review

Submitted: June 21, 2021
Updated: August 26, 2021

Applicant:
Woodburn Industrial Capital Group LLC
395 Shenandoah Lane NE
Woodburn, Oregon 97071
Contact: Tim Kerr
Phone: 971.235.5003

Prepared by:
DOWL
720 SW Washington Street; Suite 750
Portland, Oregon 97205
Contact: Matthew Robinson
Phone: 971.229.8318



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Exhibits

- A. Application Form
- B. Title Report and Ownership Information
- C. Pre-Application Conference Notes (PAC 2020-03)
- D. Notice of Decision for LU 2020-012
- E. Mailing Labels
- F. Plan Set (updated 8/26/2021)
- G. CWS SPL
- H. Natural Resource Assessment
- I. Stormwater Drainage Report
- J. Traffic Impact Plan (updated 8/26/2021)
- K. Preliminary Sight Distance Certification (updated 8/26/2021)

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1.0 Introduction

General Information

Applicant and Owner:	Woodburn Industrial Capital Group LLC 395 Shenandoah Lane NE Woodburn, OR 97071 Contact: Tim Kerr Phone: 971.235.5003 Email: tkerr@kerrcontractors.com
Prepared by:	DOWL 720 SW Washington Street; Suite 750 Portland, OR 97205 Contact: Matthew Robinson, Land Use Planner Phone: 971.229.8318 Email: mrobinson@dowl.com
Site Location:	Site Address Not Assigned, Sherwood, OR 97140
Tax Lot ID Number:	2S133BB00100 (±8.17 acres) 2S1330000400 (±20.00 acres)
Zoning:	Employment Industrial (EI)
Comprehensive Plan:	Industrial (IND)
Site Area:	±28.17 acres

2.0 Project Summary

Description of Proposal

Woodburn Industrial Capital Group, LLC (applicant) is requesting Site Plan Review approval for proposed site grading activities. The project site is approximately 28.17 acres and consists of two tax lots, 2S133BB00100 and 2S1330000400. The site is generally located on the eastern side of SW Tonquin Road, just south of its intersection with SW Oregon Street. The purpose of the proposed site grading is to prepare the site for future industrial uses consistent with those allowed in the Employment Industrial (EI) zone. Following on-site grading work, the site's final condition will be native subgrade material.

As identified on Sheet C3.0 of the plan set (Exhibit F), proposed grading work will result in a balanced site, with only minimal import material needed. It is anticipated that site grading will take approximately four to six months. During on-site work, access to the site will occur through two separate entrances, including the existing entrance along SW Tonquin Road, as well as from the existing private roadway along the site's northern boundary. A preliminary sight distance certification for both access points is included as Exhibit K.

Because this application is only for site grading, and no floor area or parking areas are proposed, this request is for a grading-only Site Plan Review and will be processed as a Type II Fast-Track application pursuant to Sherwood Municipal Code (SMC) 16.72.010.A.2.c. In further support of this request, a signed application form is included as Exhibit A.

Existing Site Conditions

The site is currently zoned EI and is located within the Tonquin Employment Area (TEA). The TEA Concept Plan was adopted by the City of Sherwood in 2010 with the intent of realizing future industrial employment development throughout the area. Access to the site is provided from SW Tonquin Road (arterial), as well as from a private road north of the site. A vicinity and zoning map is included as Figure 1 within this narrative, and surrounding uses are identified in Table 1 below. As identified in the Clean Water Services (CWS) Service Provider Letter (SPL) (Exhibit G) and the natural resource assessment (Exhibit H) no sensitive areas exist on-site, including natural drainageways, wetlands, forest habitat, or other environmentally sensitive vegetation/lands. The site's only existing trees, adjacent to SW Tonquin Road along the site's western boundary, are not impacted by proposed site grading as identified on Sheets C3.0-C3.1 of the plan set (Exhibit F) and are not proposed for removal with this application.

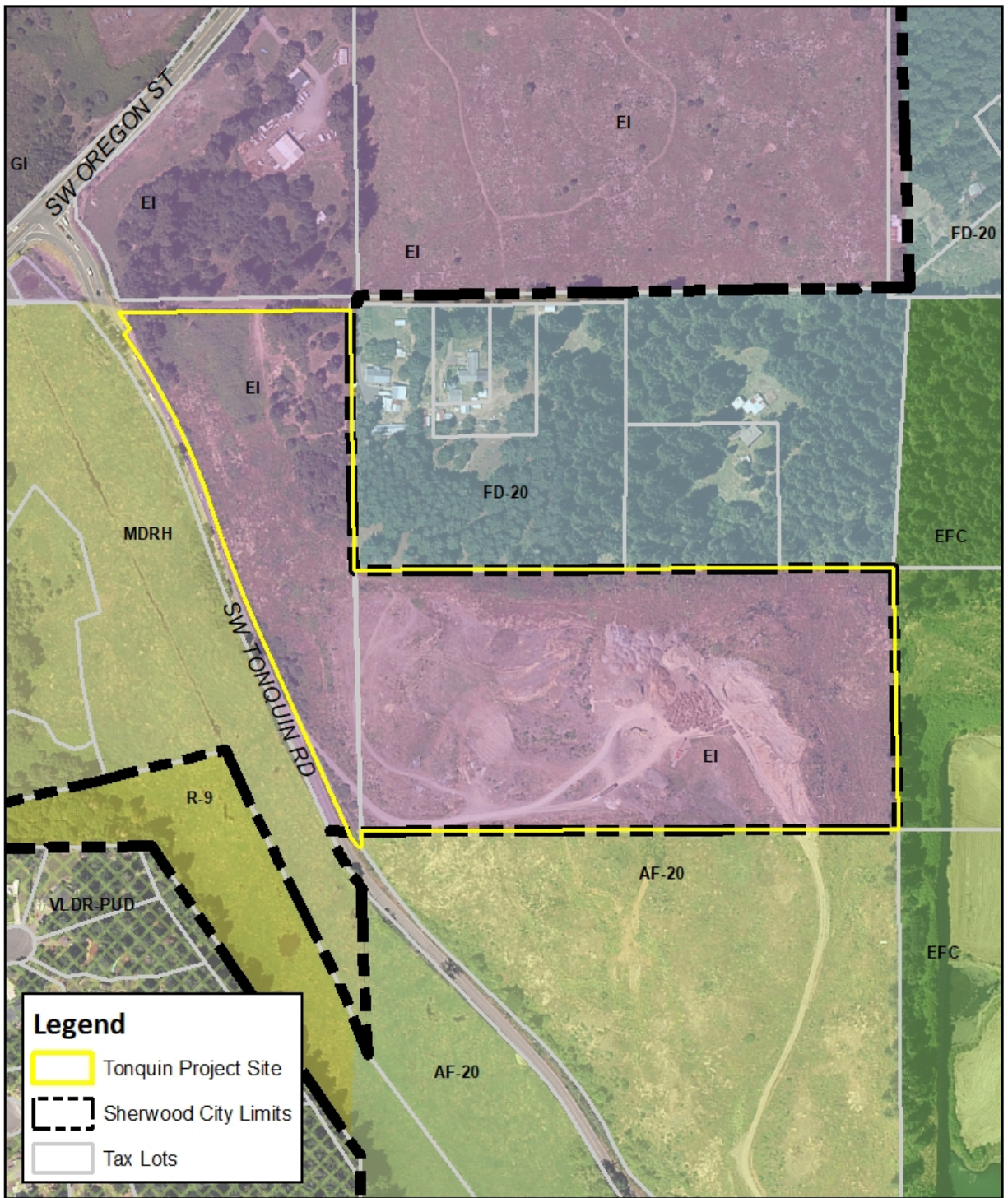
Table 1: Surrounding Uses

	Zoning	Use
North	EI, FD-20 (County)	Undeveloped, rural residential uses
South	AF-20 (County)	Undeveloped
East	FD-20/EFC (County)	Undeveloped, rural residential uses
West	MDRH	Undeveloped, open space

Previous Site Approvals

The site was annexed into the City of Sherwood with approval of the applicant's annexation request (LU 2020-0012 AN). A copy of the notice of decision, which includes a copy of the applicable ordinance (2020-007), is included with this submittal as Exhibit D.

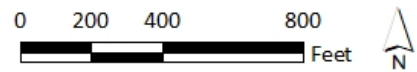
Figure 1: Vicinity and Zoning Map



Source: Metro RLIS, City of Sherwood, June 2021

Tonquin Site Grading

Vicinity and Zoning Map



Sherwood, OR

3.0 Sherwood Municipal Code

The applicable City of Sherwood Municipal Code (SMC) provisions are set forth below with findings demonstrating the project’s consistency with these provisions.

Chapter 16.31 – Industrial Land Use Districts

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.

Response: Only site grading is proposed at this time; no specific uses are proposed with this application. The proposed site grading work will prepare the site for future industrial uses consistent with those allowed in the EI zone.

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).

Response: As shown in the table below, the site complies with the applicable development standards for the EI zone.

B. Development Standards

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

Development Standards by Zone	EI	Response:
Lot area – industrial uses:	3 acres ⁹	The site is approximately 28.17 acres as identified on Sheet C1.0 of the plan set (Exhibit F). This standard is met.

Lot width at front property line:	100 feet	The lot width at the front property line is approximately 1,140 feet as identified on Sheet C1.0 of the plan set (Exhibit F). This standard is met. Buildings or development beyond site grading is not proposed with this application. These standards are not applicable.
Lot width at building line:	100 feet	
Front yard setback¹¹	20 feet	
Side yard setback¹⁰	None	
Rear yard setback¹¹	None	
Corner lot street side¹¹	20 feet	
Height¹¹	50 feet	

⁹Lots 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.

¹⁰When 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.

¹¹Structures located within one hundred (100) feet of a residential zone shall be limited to the height requirements of that residential zone.

Response: As identified in the above table, the site currently meets applicable minimum development standards for lot area and lot width at the front property line for the EI zone. As no buildings or development beyond site grading proposed with this application, all other development standards are not applicable.

Chapter 16.72 – Procedures for Processing Development Permits

16.62.010 – 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:

2. Type II

- c. "Fast-track" Site Plan review, defined as those site plan applications which propose less than 15,000 square feet of floor area, parking or seating capacity of public, institutional, commercial or industrial use permitted by the underlying zone, or up to a total of 20% increase in floor area, parking or seating capacity for a land use or structure subject to a Conditional Use Permit, except as follows: auditoriums, theaters, stadiums, and those applications subject to Section 16.72.010.A.4.

Response: No floor area or parking areas are proposed with this application, and no buildings currently exist within the site. Only site grading is proposed at this time; no specific uses

are proposed with this application. Therefore, the Type II Fast Track Site Plan Review applies to the proposed site grading with this application.

Chapter 16.90 – Site Planning

16.90.020 – Site Plan Review

D. Required Findings

No site plan approval will 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.**

Response: Only site grading is proposed with this application. No other site development elements, such as buildings, utility service, driveways, parking, on-site storage, or signs are proposed. Future development proposed for the site will be reviewed through a subsequent Site Plan Review application. This application is specific to proposed site grading. Applicable standards of the SMC are addressed for compliance within this narrative.

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.**

Response: Only site grading is proposed with this application. No other site development is proposed, and no utility services are required at this time. Grading is proposed to prepare the site for future industrial uses consistent with those allowed in the EI zone. As identified on Sheets C3.0-C3.1 of the plan set (Exhibit F), proposed grading will not conflict with or inhibit the future provision of utility services to the site when future development is proposed.

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.**

Response: Only site grading is proposed with this application. No other site development is proposed that would require on-going maintenance agreements.

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.**

Response: As identified in the CWS SPL (Exhibit G) and the natural resource assessment (Exhibit H), no sensitive areas exist on-site, including natural drainageways, wetlands, forest habitat, or other environmentally sensitive vegetation/lands. While the Rock Creek Wetland-Stream Complex exists to the west of the site, this area is isolated from the site by SW

Tonquin Road, and the associated 50-foot buffers do not extend into the site. An approximately 14,214 square-foot wetland also exists approximately 1,000-feet south of the site but impacts to this sensitive area and its associated vegetated corridor will not occur as a result of proposed site grading. As a result, there will be no impacts to these sensitive areas and their associated vegetated corridors. Further, the site's few trees along its western boundary adjacent to SW Tonquin Road are not impacted by proposed site grading as identified on Sheets C3.0-C3.1 of the plan set (Exhibit F) and are not proposed for removal with this application. As shown on Sheets C2.0 and C3.0 of the plan set, various erosion control techniques are also proposed to prevent any off-site impacts, including sediment fencing at the edge of the work area, straw wattles at the top of the existing roadside ditch along SW Tonquin Road, rocked and stabilized construction entrances, and a temporary settling pond to prevent sediment-laden runoff from leaving the site. As vegetation along the slope adjacent to SW Tonquin Road is not proposed for removal, erosion of this slope is not anticipated. Therefore, and as concluded by the CWS SPL, no sensitive areas exist on-site, and as described further in the natural resource assessment, proposed site grading work will not impact any off-site sensitive areas or associated vegetated corridors.

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.**

Response: Only site grading is proposed with this application. No other site development is proposed that would result in the long-term generation of new trips to and from the site. Therefore, a traffic impact analysis is not required, and this requirement does not apply. Traffic impacts will be evaluated with future development proposals.

As identified in the Traffic Impact Plan (Exhibit J), proposed grading activities, including mobilization and rough grading, are not anticipated to result in excessive truck traffic trips to and from the site; as identified on Sheets C3.0-C3.1 of the plan set (Exhibit F), proposed grading will result in a balanced site, eliminating the need for material to be exported off-site, and requiring only minimal amounts of import. The on-site contractor will utilize traffic control methods as needed as described further in the Traffic Impact Plan. A preliminary sight distance certification for both access points is included as Exhibit K.

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: [...]**

Response: Only site grading is proposed with this application. A specific use or site development beyond grading is not proposed at this time. Therefore, the urban design standards identified are not applicable.

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: [...]**

Response: Only site grading is proposed with this application. Buildings, parking, or larding areas are not proposed at this time. Therefore, the industrial design standards identified are not applicable.

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. [...]**

Response: Only site grading is proposed with this application. Driveways and internal streets are not proposed at this time. Therefore, this standard does not apply.

Chapter 16.118 – Public and Private Utilities

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, and applicable utility company and City standards.**

Response: Only site grading is proposed with this application. Utilities are not proposed at this time. Therefore, this standard does not apply.

- 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.**

Response: Proposed on site grading will not require frontage improvements, public rights-of-way dedications, or the dedication of a PUE.

- 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).**

Response: Only site grading is proposed with this application. Public and franchise utilities are not proposed at this time. Therefore, this standard does not apply.

- D. **Franchise utility conduits shall be installed per the utility design and specification standards of the utility agency.**

Response: Only site grading is proposed with this application. Franchise utilities are not proposed at this time. Therefore, this standard does not apply.

- E. Public Telecommunication conduits and appurtenances shall be installed per the City of Sherwood telecommunication design standards.**

Response: Only site grading is proposed with this application. Public telecommunication conduits and appurtenances are not proposed at this time. Therefore, this standard does not apply.

- 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.**

Response: Proposed on site grading will not require street or utility improvements. Therefore, this standard does not apply.

Chapter 16.142 – Parks, Trees and Open Spaces

16.142.050 – Park Reservation

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

Response: The Natural Resources and Recreation Plan Map in Chapter 5 of the Community Development Plan does not identify any areas affected by the proposed site grading. As identified in the CWS SPL (Exhibit G) and the natural resource assessment (Exhibit H), no sensitive areas exist on-site.

15.142.070 – Trees on Property Subject to Certain Land Use Applications

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.

Response: As identified on Sheet C1.0 of the plan set (Exhibit F), the site is largely vacant and contains few trees or woodland areas. The site's only existing trees, adjacent to SW Tonquin Road along the site's western boundary, are not impacted by proposed site grading as identified on Sheets C3.0-C3.1 and are not proposed for removal with this application.

Chapter 16.144 – Wetland, Habitat and Natural Areas

16.155.020 – Standards

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

Response: As described in the natural resource assessment (Exhibit H), the entire site was investigated for wetland conditions, which were not found to be present within the site. While the Rock Creek Wetland-Stream Complex exists to the west of the site, this area is isolated from the site by SW Tonquin Road, and the associated 50-foot buffers do not extend into the site. An approximately 14,214 square-foot wetland also exists approximately 1,000-feet south of the site but impacts to this sensitive area and its associated vegetated corridor will not occur as a result of proposed site grading.

- B. The applicant shall provide appropriate plans and text that identify and describe the significance and functional value of natural features on the site (if identified in the Community Development Plan, Part 2) and protect those features from impacts of the development or mitigate adverse effects that will occur. A facility complies with this standard if: [...]**

Response: As identified in the CWS SPL (Exhibit G) and the natural resource assessment (Exhibit H), no sensitive areas exist on-site, including natural drainageways, wetlands, forest habitat, or other environmentally sensitive vegetation/lands. While the Rock Creek Wetland-Stream Complex exists to the west of the site, this area is isolated from the site by SW Tonquin Road, and the associated 50-foot buffers do not extend into the site. An approximately 14,214 square-foot wetland also exists approximately 1,000-feet south of the site but impacts to this sensitive area and its associated vegetated corridor will not occur as a result of proposed site grading. As a result, there will be no impacts to these sensitive areas and their associated vegetated corridors. Further, the site's few trees along its western boundary adjacent to SW Tonquin Road are not impacted by proposed site grading as identified on Sheets C3.0-C3.1 of the plan set (Exhibit F) and are not proposed for removal with this application. As shown on Sheets C2.0 and C3.0 of the plan set, various erosion control techniques are also proposed to prevent any off-site impacts, including sediment fencing at the edge of the work area, straw wattles at the top of the existing roadside ditch along SW Tonquin Road, rocked and stabilized construction entrances, and a temporary settling pond to prevent sediment-laden runoff from leaving the site. As vegetation along the slope adjacent to SW Tonquin Road is not proposed for removal, erosion of this slope is not anticipated. Therefore, and as concluded by the CWS SPL, no sensitive areas exist on-site, and as described further in the natural resource assessment, proposed site grading work will not impact any off-site sensitive areas or associate vegetated corridors.

- 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: [...]

Response: While the Metro Regionally Significant Fish and Wildlife Habitat map shows the possible presence of critical habitat within the site, the CWS SPL (Exhibit G) and the natural resource assessment (Exhibit H) both conclude that no sensitive areas exist on site that

would provide for this habitat. While the Rock Creek Wetland-Stream Complex exists to the west of the site, this area is isolated from the site by SW Tonquin Road, and the associated 50-foot buffers do not extend into the site. An approximately 14,214 square-foot wetland also exists approximately 1,000-feet south of the site but impacts to this sensitive area and its associated vegetated corridor will not occur as a result of proposed site grading. As a result, there would be no impacts to these sensitive areas and their associated vegetated corridors. Further, the site's few trees, along its western boundary adjacent to SW Tonquin Road are not impacted by proposed site grading as identified on Sheets C3.0-C3.1 of the plan set (Exhibit F) and are not proposed for removal with this application. As shown on Sheets C2.0 and C3.0 of the plan set, various erosion control techniques are also proposed to prevent any off-site impacts, including sediment fencing at the edge of the work area, straw wattles at the top of the existing roadside ditch along SW Tonquin Road, rocked and stabilized construction entrances, and a temporary settling pond to prevent sediment-laden runoff from leaving the site. As vegetation along the slope adjacent to SW Tonquin Road is not proposed for removal, erosion of this slope is not anticipated. Therefore, and as concluded by the CWS SPL, no sensitive areas exist on-site, and as described further in the natural resource assessment, proposed site grading work will not impact any sensitive areas or associated vegetated corridors, including any off-site regionally significant fish and wildlife habitat.

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 professional acoustical engineer that the proposed uses will not cause noise in excess of State standards.

Response: Commercial, industrial, or institutional uses are not proposed at this time. Therefore, there will be no uses that could be a source of operational noise on the site.

Chapter 16.148 – Vibrations

16.148.010 – Exceptions

This Chapter does not apply to vibration caused by construction activities including vehicles accessing construction sites, or to vibrations caused by automobiles, trucks, trains, aircraft, and other similar vehicles when said vehicles are properly maintained and operated and are using properly designated rights-of-way, travelways, flight paths or other routes. Nothing in this Chapter shall preclude the City from abating any vibration problem as per applicable City nuisance and public safety ordinances.

Response: Only site grading is proposed at this time; no specific uses are proposed with this application that could be a source of operational vibrations on the site. As identified by this exception, vibrations that may result from proposed site grading are exempt from the standards of this chapter as grading is a construction activity necessary to prepare the site for future development.

Chapter 16.150 – Air Quality

16.150.010 – Generally

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.

Response: Commercial, industrial, or institutional uses are not proposed at this time that could be a source of dust. Proposed site grading activities will be conducted in a manner that will minimize the potential of soil erosion, including wind erosion, and will be consistent with City construction approvals and the National Pollutant Discharge Elimination System (NPDES) construction stormwater permit obtained for the project.

- 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.

Response: Incinerators are not proposed. This standard does not apply.

- 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.

Response: Only site grading is proposed at this time; no specific uses are proposed with this application. Therefore, an air contaminant discharge permit is not required. This standard does not apply.

Chapter 16.152 – Odors

16.152.020 – Standards

The applicant shall submit a narrative explanation of the source, type and frequency of the odorous emissions produced by the proposed commercial, industrial, or institutional use. In evaluating the potential for adverse impacts from odors, the City shall consider the density and characteristics of surrounding populations and uses, the duration of any odorous emissions, and other relevant factors.

Response: Odors are not anticipated with the proposed site grading, and no uses are proposed with this application. This standard does not apply.

Chapter 15.154 – Heat and Glare

16.154.010 – Generally

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.

Response: Only site grading is proposed at this time; no specific uses are proposed with this application that could be a source of excessive heat or glare, and no exterior lighting is proposed. This standard does not apply.

4.0 Conclusion

As evidenced through this narrative and associated documents, the applicant's request for Site Plan Review for proposed site grading is consistent with the applicable local policies and regulations governing the allowance of this request. Therefore, the applicant respectfully requests City of Sherwood approval of this application.

Tonquin Site Grading

Sherwood, Oregon

A Land Use Application For:
Site Plan Review

Submitted: June 21, 2021
Updated: August 26, 2021

Applicant:
Woodburn Industrial Capital Group LLC
395 Shenandoah Lane NE
Woodburn, Oregon 97071
Contact: Tim Kerr
Phone: 971.235.5003

Prepared by:
DOWL
720 SW Washington Street; Suite 750
Portland, Oregon 97205
Contact: Matthew Robinson
Phone: 971.229.8318



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Exhibits

- A. Application Form
- B. Title Report and Ownership Information
- C. Pre-Application Conference Notes (PAC 2020-03)
- D. Notice of Decision for LU 2020-012
- E. Mailing Labels
- F. Plan Set (updated 8/26/2021)
- G. CWS SPL
- H. Natural Resource Assessment
- I. Stormwater Drainage Report
- J. Traffic Impact Plan (updated 8/26/2021)
- K. Preliminary Sight Distance Certification (updated 8/26/2021)

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1.0 Introduction

General Information

Applicant and Owner:	Woodburn Industrial Capital Group LLC 395 Shenandoah Lane NE Woodburn, OR 97071 Contact: Tim Kerr Phone: 971.235.5003 Email: tkerr@kerrcontractors.com
Prepared by:	DOWL 720 SW Washington Street; Suite 750 Portland, OR 97205 Contact: Matthew Robinson, Land Use Planner Phone: 971.229.8318 Email: mrobinson@dowl.com
Site Location:	Site Address Not Assigned, Sherwood, OR 97140
Tax Lot ID Number:	2S133BB00100 (±8.17 acres) 2S1330000400 (±20.00 acres)
Zoning:	Employment Industrial (EI)
Comprehensive Plan:	Industrial (IND)
Site Area:	±28.17 acres

2.0 Project Summary

Description of Proposal

Woodburn Industrial Capital Group, LLC (applicant) is requesting Site Plan Review approval for proposed site grading activities. The project site is approximately 28.17 acres and consists of two tax lots, 2S133BB00100 and 2S1330000400. The site is generally located on the eastern side of SW Tonquin Road, just south of its intersection with SW Oregon Street. The purpose of the proposed site grading is to prepare the site for future industrial uses consistent with those allowed in the Employment Industrial (EI) zone. Following on-site grading work, the site's final condition will be native subgrade material.

As identified on Sheet C3.0 of the plan set (Exhibit F), proposed grading work will result in a balanced site, with only minimal import material needed. It is anticipated that site grading will take approximately four to six months. During on-site work, access to the site will occur through two separate entrances, including the existing entrance along SW Tonquin Road, as well as from the existing private roadway along the site's northern boundary. A preliminary sight distance certification for both access points is included as Exhibit K.

Because this application is only for site grading, and no floor area or parking areas are proposed, this request is for a grading-only Site Plan Review and will be processed as a Type II Fast-Track application pursuant to Sherwood Municipal Code (SMC) 16.72.010.A.2.c. In further support of this request, a signed application form is included as Exhibit A.

Existing Site Conditions

The site is currently zoned EI and is located within the Tonquin Employment Area (TEA). The TEA Concept Plan was adopted by the City of Sherwood in 2010 with the intent of realizing future industrial employment development throughout the area. Access to the site is provided from SW Tonquin Road (arterial), as well as from a private road north of the site. A vicinity and zoning map is included as Figure 1 within this narrative, and surrounding uses are identified in Table 1 below. As identified in the Clean Water Services (CWS) Service Provider Letter (SPL) (Exhibit G) and the natural resource assessment (Exhibit H) no sensitive areas exist on-site, including natural drainageways, wetlands, forest habitat, or other environmentally sensitive vegetation/lands. The site's only existing trees, adjacent to SW Tonquin Road along the site's western boundary, are not impacted by proposed site grading as identified on Sheets C3.0-C3.1 of the plan set (Exhibit F) and are not proposed for removal with this application.

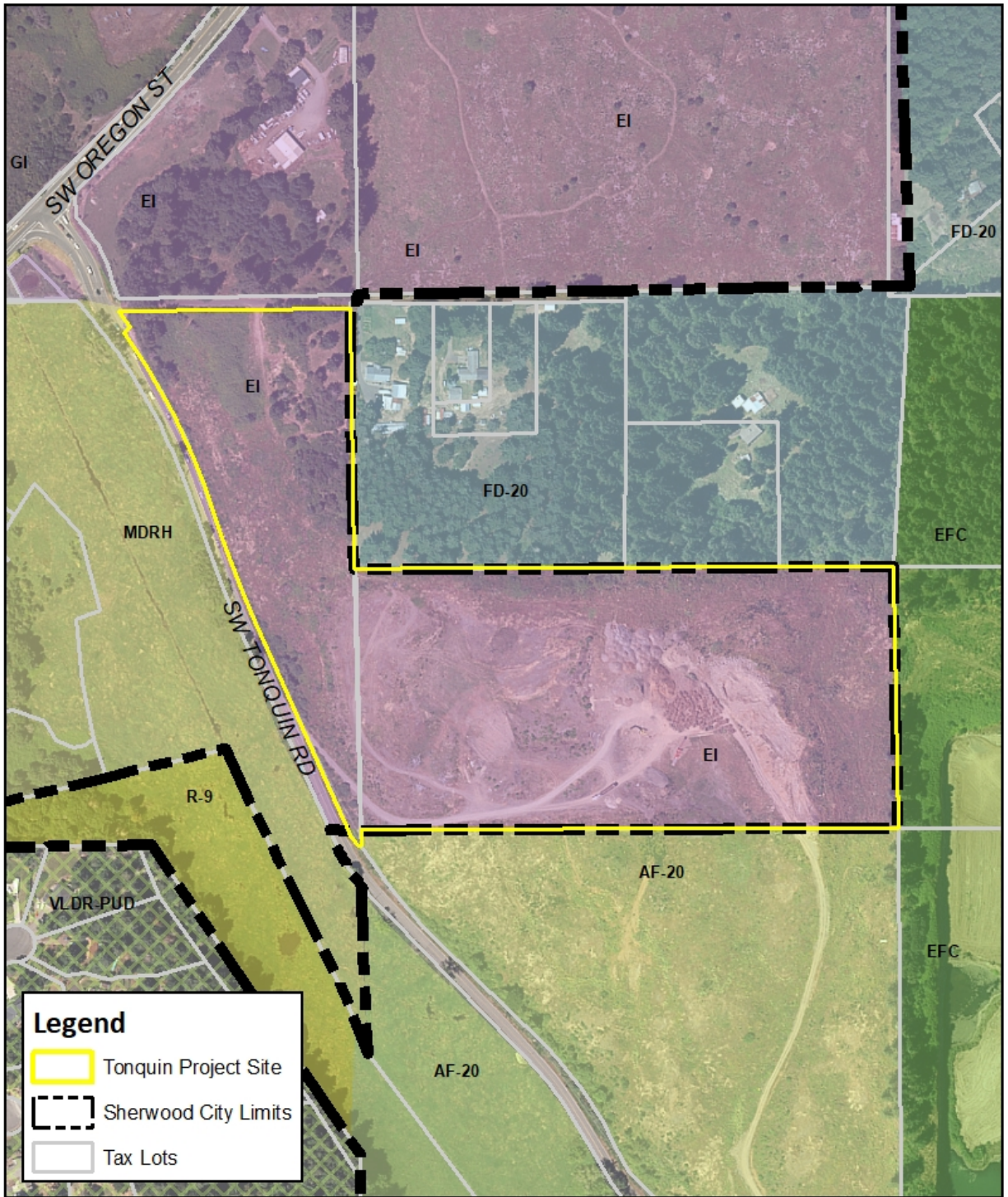
Table 1: Surrounding Uses

	Zoning	Use
North	EI, FD-20 (County)	Undeveloped, rural residential uses
South	AF-20 (County)	Undeveloped
East	FD-20/EFC (County)	Undeveloped, rural residential uses
West	MDRH	Undeveloped, open space

Previous Site Approvals

The site was annexed into the City of Sherwood with approval of the applicant's annexation request (LU 2020-0012 AN). A copy of the notice of decision, which includes a copy of the applicable ordinance (2020-007), is included with this submittal as Exhibit D.

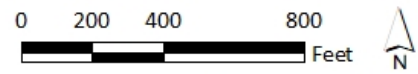
Figure 1: Vicinity and Zoning Map



Source: Metro RLIS, City of Sherwood, June 2021

Tonquin Site Grading

Vicinity and Zoning Map



Sherwood, OR

3.0 Sherwood Municipal Code

The applicable City of Sherwood Municipal Code (SMC) provisions are set forth below with findings demonstrating the project’s consistency with these provisions.

Chapter 16.31 – Industrial Land Use Districts

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.

Response: Only site grading is proposed at this time; no specific uses are proposed with this application. The proposed site grading work will prepare the site for future industrial uses consistent with those allowed in the EI zone.

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).

Response: As shown in the table below, the site complies with the applicable development standards for the EI zone.

B. Development Standards

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

Development Standards by Zone	EI	Response:
Lot area – industrial uses:	3 acres ⁹	The site is approximately 28.17 acres as identified on Sheet C1.0 of the plan set (Exhibit F). This standard is met.

Lot width at front property line:	100 feet	The lot width at the front property line is approximately 1,140 feet as identified on Sheet C1.0 of the plan set (Exhibit F). This standard is met. Buildings or development beyond site grading is not proposed with this application. These standards are not applicable.
Lot width at building line:	100 feet	
Front yard setback¹¹	20 feet	
Side yard setback¹⁰	None	
Rear yard setback¹¹	None	
Corner lot street side¹¹	20 feet	
Height¹¹	50 feet	

⁹Lots 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.

¹⁰When 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.

¹¹Structures located within one hundred (100) feet of a residential zone shall be limited to the height requirements of that residential zone.

Response: As identified in the above table, the site currently meets applicable minimum development standards for lot area and lot width at the front property line for the EI zone. As no buildings or development beyond site grading proposed with this application, all other development standards are not applicable.

Chapter 16.72 – Procedures for Processing Development Permits

16.62.010 – 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:

2. Type II

- c. "Fast-track" Site Plan review, defined as those site plan applications which propose less than 15,000 square feet of floor area, parking or seating capacity of public, institutional, commercial or industrial use permitted by the underlying zone, or up to a total of 20% increase in floor area, parking or seating capacity for a land use or structure subject to a Conditional Use Permit, except as follows: auditoriums, theaters, stadiums, and those applications subject to Section 16.72.010.A.4.

Response: No floor area or parking areas are proposed with this application, and no buildings currently exist within the site. Only site grading is proposed at this time; no specific uses

are proposed with this application. Therefore, the Type II Fast Track Site Plan Review applies to the proposed site grading with this application.

Chapter 16.90 – Site Planning

16.90.020 – Site Plan Review

D. Required Findings

No site plan approval will 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.**

Response: Only site grading is proposed with this application. No other site development elements, such as buildings, utility service, driveways, parking, on-site storage, or signs are proposed. Future development proposed for the site will be reviewed through a subsequent Site Plan Review application. This application is specific to proposed site grading. Applicable standards of the SMC are addressed for compliance within this narrative.

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.**

Response: Only site grading is proposed with this application. No other site development is proposed, and no utility services are required at this time. Grading is proposed to prepare the site for future industrial uses consistent with those allowed in the EI zone. As identified on Sheets C3.0-C3.1 of the plan set (Exhibit F), proposed grading will not conflict with or inhibit the future provision of utility services to the site when future development is proposed.

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.**

Response: Only site grading is proposed with this application. No other site development is proposed that would require on-going maintenance agreements.

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.**

Response: As identified in the CWS SPL (Exhibit G) and the natural resource assessment (Exhibit H), no sensitive areas exist on-site, including natural drainageways, wetlands, forest habitat, or other environmentally sensitive vegetation/lands. While the Rock Creek Wetland-Stream Complex exists to the west of the site, this area is isolated from the site by SW

Tonquin Road, and the associated 50-foot buffers do not extend into the site. An approximately 14,214 square-foot wetland also exists approximately 1,000-feet south of the site but impacts to this sensitive area and its associated vegetated corridor will not occur as a result of proposed site grading. As a result, there will be no impacts to these sensitive areas and their associated vegetated corridors. Further, the site's few trees along its western boundary adjacent to SW Tonquin Road are not impacted by proposed site grading as identified on Sheets C3.0-C3.1 of the plan set (Exhibit F) and are not proposed for removal with this application. As shown on Sheets C2.0 and C3.0 of the plan set, various erosion control techniques are also proposed to prevent any off-site impacts, including sediment fencing at the edge of the work area, straw wattles at the top of the existing roadside ditch along SW Tonquin Road, rocked and stabilized construction entrances, and a temporary settling pond to prevent sediment-laden runoff from leaving the site. As vegetation along the slope adjacent to SW Tonquin Road is not proposed for removal, erosion of this slope is not anticipated. Therefore, and as concluded by the CWS SPL, no sensitive areas exist on-site, and as described further in the natural resource assessment, proposed site grading work will not impact any off-site sensitive areas or associated vegetated corridors.

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.**

Response: Only site grading is proposed with this application. No other site development is proposed that would result in the long-term generation of new trips to and from the site. Therefore, a traffic impact analysis is not required, and this requirement does not apply. Traffic impacts will be evaluated with future development proposals.

As identified in the Traffic Impact Plan (Exhibit J), proposed grading activities, including mobilization and rough grading, are not anticipated to result in excessive truck traffic trips to and from the site; as identified on Sheets C3.0-C3.1 of the plan set (Exhibit F), proposed grading will result in a balanced site, eliminating the need for material to be exported off-site, and requiring only minimal amounts of import. The on-site contractor will utilize traffic control methods as needed as described further in the Traffic Impact Plan. A preliminary sight distance certification for both access points is included as Exhibit K.

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: [...]**

Response: Only site grading is proposed with this application. A specific use or site development beyond grading is not proposed at this time. Therefore, the urban design standards identified are not applicable.

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: [...]**

Response: Only site grading is proposed with this application. Buildings, parking, or larding areas are not proposed at this time. Therefore, the industrial design standards identified are not applicable.

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. [...]**

Response: Only site grading is proposed with this application. Driveways and internal streets are not proposed at this time. Therefore, this standard does not apply.

Chapter 16.118 – Public and Private Utilities

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, and applicable utility company and City standards.**

Response: Only site grading is proposed with this application. Utilities are not proposed at this time. Therefore, this standard does not apply.

- 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.**

Response: Proposed on site grading will not require frontage improvements, public rights-of-way dedications, or the dedication of a PUE.

- 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).**

Response: Only site grading is proposed with this application. Public and franchise utilities are not proposed at this time. Therefore, this standard does not apply.

- D. **Franchise utility conduits shall be installed per the utility design and specification standards of the utility agency.**

Response: Only site grading is proposed with this application. Franchise utilities are not proposed at this time. Therefore, this standard does not apply.

- E. Public Telecommunication conduits and appurtenances shall be installed per the City of Sherwood telecommunication design standards.**

Response: Only site grading is proposed with this application. Public telecommunication conduits and appurtenances are not proposed at this time. Therefore, this standard does not apply.

- 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.**

Response: Proposed on site grading will not require street or utility improvements. Therefore, this standard does not apply.

Chapter 16.142 – Parks, Trees and Open Spaces

16.142.050 – Park Reservation

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

Response: The Natural Resources and Recreation Plan Map in Chapter 5 of the Community Development Plan does not identify any areas affected by the proposed site grading. As identified in the CWS SPL (Exhibit G) and the natural resource assessment (Exhibit H), no sensitive areas exist on-site.

15.142.070 – Trees on Property Subject to Certain Land Use Applications

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.

Response: As identified on Sheet C1.0 of the plan set (Exhibit F), the site is largely vacant and contains few trees or woodland areas. The site's only existing trees, adjacent to SW Tonquin Road along the site's western boundary, are not impacted by proposed site grading as identified on Sheets C3.0-C3.1 and are not proposed for removal with this application.

Chapter 16.144 – Wetland, Habitat and Natural Areas

16.155.020 – Standards

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

Response: As described in the natural resource assessment (Exhibit H), the entire site was investigated for wetland conditions, which were not found to be present within the site. While the Rock Creek Wetland-Stream Complex exists to the west of the site, this area is isolated from the site by SW Tonquin Road, and the associated 50-foot buffers do not extend into the site. An approximately 14,214 square-foot wetland also exists approximately 1,000-feet south of the site but impacts to this sensitive area and its associated vegetated corridor will not occur as a result of proposed site grading.

- B. The applicant shall provide appropriate plans and text that identify and describe the significance and functional value of natural features on the site (if identified in the Community Development Plan, Part 2) and protect those features from impacts of the development or mitigate adverse effects that will occur. A facility complies with this standard if: [...]**

Response: As identified in the CWS SPL (Exhibit G) and the natural resource assessment (Exhibit H), no sensitive areas exist on-site, including natural drainageways, wetlands, forest habitat, or other environmentally sensitive vegetation/lands. While the Rock Creek Wetland-Stream Complex exists to the west of the site, this area is isolated from the site by SW Tonquin Road, and the associated 50-foot buffers do not extend into the site. An approximately 14,214 square-foot wetland also exists approximately 1,000-feet south of the site but impacts to this sensitive area and its associated vegetated corridor will not occur as a result of proposed site grading. As a result, there will be no impacts to these sensitive areas and their associated vegetated corridors. Further, the site's few trees along its western boundary adjacent to SW Tonquin Road are not impacted by proposed site grading as identified on Sheets C3.0-C3.1 of the plan set (Exhibit F) and are not proposed for removal with this application. As shown on Sheets C2.0 and C3.0 of the plan set, various erosion control techniques are also proposed to prevent any off-site impacts, including sediment fencing at the edge of the work area, straw wattles at the top of the existing roadside ditch along SW Tonquin Road, rocked and stabilized construction entrances, and a temporary settling pond to prevent sediment-laden runoff from leaving the site. As vegetation along the slope adjacent to SW Tonquin Road is not proposed for removal, erosion of this slope is not anticipated. Therefore, and as concluded by the CWS SPL, no sensitive areas exist on-site, and as described further in the natural resource assessment, proposed site grading work will not impact any off-site sensitive areas or associate vegetated corridors.

- 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: [...]

Response: While the Metro Regionally Significant Fish and Wildlife Habitat map shows the possible presence of critical habitat within the site, the CWS SPL (Exhibit G) and the natural resource assessment (Exhibit H) both conclude that no sensitive areas exist on site that

would provide for this habitat. While the Rock Creek Wetland-Stream Complex exists to the west of the site, this area is isolated from the site by SW Tonquin Road, and the associated 50-foot buffers do not extend into the site. An approximately 14,214 square-foot wetland also exists approximately 1,000-feet south of the site but impacts to this sensitive area and its associated vegetated corridor will not occur as a result of proposed site grading. As a result, there would be no impacts to these sensitive areas and their associated vegetated corridors. Further, the site's few trees, along its western boundary adjacent to SW Tonquin Road are not impacted by proposed site grading as identified on Sheets C3.0-C3.1 of the plan set (Exhibit F) and are not proposed for removal with this application. As shown on Sheets C2.0 and C3.0 of the plan set, various erosion control techniques are also proposed to prevent any off-site impacts, including sediment fencing at the edge of the work area, straw wattles at the top of the existing roadside ditch along SW Tonquin Road, rocked and stabilized construction entrances, and a temporary settling pond to prevent sediment-laden runoff from leaving the site. As vegetation along the slope adjacent to SW Tonquin Road is not proposed for removal, erosion of this slope is not anticipated. Therefore, and as concluded by the CWS SPL, no sensitive areas exist on-site, and as described further in the natural resource assessment, proposed site grading work will not impact any sensitive areas or associated vegetated corridors, including any off-site regionally significant fish and wildlife habitat.

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 professional acoustical engineer that the proposed uses will not cause noise in excess of State standards.

Response: Commercial, industrial, or institutional uses are not proposed at this time. Therefore, there will be no uses that could be a source of operational noise on the site.

Chapter 16.148 – Vibrations

16.148.010 – Exceptions

This Chapter does not apply to vibration caused by construction activities including vehicles accessing construction sites, or to vibrations caused by automobiles, trucks, trains, aircraft, and other similar vehicles when said vehicles are properly maintained and operated and are using properly designated rights-of-way, travelways, flight paths or other routes. Nothing in this Chapter shall preclude the City from abating any vibration problem as per applicable City nuisance and public safety ordinances.

Response: Only site grading is proposed at this time; no specific uses are proposed with this application that could be a source of operational vibrations on the site. As identified by this exception, vibrations that may result from proposed site grading are exempt from the standards of this chapter as grading is a construction activity necessary to prepare the site for future development.

Chapter 16.150 – Air Quality

16.150.010 – Generally

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.

Response: Commercial, industrial, or institutional uses are not proposed at this time that could be a source of dust. Proposed site grading activities will be conducted in a manner that will minimize the potential of soil erosion, including wind erosion, and will be consistent with City construction approvals and the National Pollutant Discharge Elimination System (NPDES) construction stormwater permit obtained for the project.

- 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.

Response: Incinerators are not proposed. This standard does not apply.

- 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.

Response: Only site grading is proposed at this time; no specific uses are proposed with this application. Therefore, an air contaminant discharge permit is not required. This standard does not apply.

Chapter 16.152 – Odors

16.152.020 – Standards

The applicant shall submit a narrative explanation of the source, type and frequency of the odorous emissions produced by the proposed commercial, industrial, or institutional use. In evaluating the potential for adverse impacts from odors, the City shall consider the density and characteristics of surrounding populations and uses, the duration of any odorous emissions, and other relevant factors.

Response: Odors are not anticipated with the proposed site grading, and no uses are proposed with this application. This standard does not apply.

Chapter 15.154 – Heat and Glare

16.154.010 – Generally

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.

Response: Only site grading is proposed at this time; no specific uses are proposed with this application that could be a source of excessive heat or glare, and no exterior lighting is proposed. This standard does not apply.

4.0 Conclusion

As evidenced through this narrative and associated documents, the applicant's request for Site Plan Review for proposed site grading is consistent with the applicable local policies and regulations governing the allowance of this request. Therefore, the applicant respectfully requests City of Sherwood approval of this application.

Engineering Land Use Application Comments



Home of the Tualatin River National Wildlife Refuge

To: Eric Rutledge, Associate Planner
From: Craig Christensen P.E., Civil Engineer, Engineering Department
Project: Kerr Site Grading (LU 2021-014)
Date: September 27, 2021

Engineering staff has reviewed the information provided for the above referenced private development project. Final construction plans will need to meet the standards established by the City of Sherwood Engineering Department and Public Works Department, Clean Water Services (CWS) and Tualatin Valley Fire & Rescue (TVF&R), in addition to requirements established by other jurisdictional agencies providing land use comments. City of Sherwood Engineering Department comments are as follows:

Transportation

The subject property fronts SW Tonquin Road (Washington County right-of-way) along the western side. The subject property also fronts an unnamed public street along the north side. Since the proposed project work consists of grading only, no public street improvements are required unless otherwise noted by Washington County. A permit from Washington County to obtain construction access from SW Tonquin Road will likely be required by Washington County.

Condition: Prior to Issuance of Grading Permit, a permit from Washington County shall be obtained for construction access to the site from SW Tonquin Road unless otherwise noted by Washington County.

Sanitary Sewer

Since the proposed project work consists of grading only, no public sanitary sewer improvements are required.

Storm Sewer

Since the proposed project work consists of grading only, no City of Sherwood public storm sewer improvements are required.

Since no permanent impervious area is being constructed with the project (includes gravel surfacing), no storm water quality facilities or hydro-modification facilities are required.

Water

Since the proposed project work consists of grading only, no public water system improvements are required.

Grading and Erosion Control

The proposed work on the subject property will consist of grading in excess of 5 acres, therefore a DEQ NPDES 1200C permit is required.

The proposed work is grading only and no permanent impervious area (including gravel surfacing) may be installed under this Land Use Decision.

Condition: Prior to issuance of Grading Permit, the developer shall obtain a NPDES 1200C permit from DEQ.

Other Engineering Issues

A Clean Water Services Service Provider Letter (SPL) has been obtained by the developer.

Condition: The developer shall adhere to the conditions of the Clean Water Services Service Provider Letter.



WASHINGTON COUNTY

OREGON

October 4, 2021

To: Eric Rutledge – Associate Planner

From: Naomi Vogel – Associate Planner

RE: Kerr Site Grading

City File Number: **LU2021-014 SP**

County File Number: CP21-913

Tax Map and Lot Number: **2S133BB00100 and 2S1330000400**

Location: **SW Tonquin Road**

Washington County Department of Land Use and Transportation has reviewed the above noted development application for site grading activities on the subject tax lots. The purpose of the proposed site grading is to prepare the site for future industrial uses consistent with those allowed in the Employment Industrial (EI) zone. The proposed grading work will result in a balanced site, with minimal import material needed. It is anticipated that site grading will take approximately four to six months. During on-site work, access to the site will occur through two separate entrances, including the existing entrance along SW Tonquin Road, as well as from the existing private roadway along the site's northern boundary. Access onto SW Tonquin Road will be limited to turning movements as proposed in the applicant's "Access and Traffic Control Impact Plan" dated August 26, 2021.

CONDITIONS OF APPROVAL

I. PRIOR TO APPROVAL OF A GRADING/EROSION CONTROL PERMIT BY THE CITY OF SHERWOOD:

- A. Obtain a **Washington County** Right-of Way Permit(s) from the Operations Division (503.846.7623) via the **Public Permitting and Services Portal** (WashCoORACA.com) for the following:

Department of Land Use & Transportation
Operations and Maintenance

1400 SW Walnut Street, MS 51, Hillsboro, OR 97123-5625
phone: 503-846-7623 • fax: 503-846-7620
www.co.washington.or.us/lut • lutops@co.washington.or.us

- a. Temporary construction access on SW Tonquin Road as proposed in the applicant's Access and Traffic Control Impact Plan dated August 26, 2021.

Note: The use of the accesses for grading shall be limited to a period of six months as proposed by the applicant.

- b. Final Sight Distance Certification for the temporary construction accesses. The applicant shall comply with the Preliminary Sight Distance Certification.

If you have any questions, please contact me at 503-846-7639.

Cc: Operations Division (Permits Section)
Transportation File

From: [TATALOVICH Nicholas * DGMI](#)
To: [Eric Rutledge](#)
Subject: RE: LU 2021-014 Kerr Site Grading - Opportunity to Comment
Date: Wednesday, October 6, 2021 5:35:35 PM
Attachments: [image001.png](#)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you are expecting this email and/or know the content is safe.

Eric,

Thanks for the opportunity to comment on the Kerr Site Grading proposal. I apologize if we missed the initial comment request period. We have the following comment:

A DOGAMI Operating Permit amendment will be needed to change the DOGAMI approved post mining land use from Forestry/Pasture to Industrial. This site's proposed plans may qualify for the DOGAMI On-Site Construction Operation and Reclamation Plan Waiver. The Suspension Order in place may remain or the permit may be conditioned to restrict material export.

Best,

Nicholas Tatalovich | Aggregate Permitting Reclamationist

Oregon Department of Geology and Mineral Industries

Mineral Land Regulation & Reclamation

229 Broadalbin St SW, Albany, Oregon 97321

Direct: (541) 967-2066 | Fax: (541) 967-2075

Nicholas.Tatalovich@oregon.gov | www.oregongeology.org

Due to an increase in permit applications and inquiries submitted to the MLRR office, processing and response times have increased. Permit applications are processed in the order they are received and moved forward as applicants respond to deficiencies. Thank you for your patience.

COVID-19 Response: To help address COVID-19 concerns, many DOGAMI staff are teleworking. MLRR is continuing normal operations. For best service, please contact us by email.

If you'd like to receive our newsletters via email, sign up for our listserv at:

<http://listsmart.osl.state.or.us/mailman/listinfo/mlrr.newsletter>

Unless otherwise indicated, all information in this correspondence is classified as Level 1, "Published" according to State of Oregon statute and administrative policy.

From: Eric Rutledge <RutledgeE@SherwoodOregon.gov>
Sent: Monday, October 4, 2021 11:53 AM
To: TATALOVICH Nicholas * DGMI <Nicholas.Tatalovich@oregon.gov>
Subject: RE: LU 2021-014 Kerr Site Grading - Opportunity to Comment

Hi Nicholas,

Would DOGAMI like to provide comment on this application?

You previously provided completeness comments. This round is for final land use comments.

Let me know if you have any questions.

Thanks,

Eric Rutledge
City of Sherwood
Associate Planner
rutledgee@sherwoodoregon.gov
Desk 503.625.4242
Work Cell 971.979.2315

From: Eric Rutledge
Sent: Wednesday, September 15, 2021 3:12 PM
To: Eric Rutledge <RutledgeE@SherwoodOregon.gov>
Subject: LU 2021-014 Kerr Site Grading - Opportunity to Comment

Hi Agency Partners:

The City of Sherwood Planning Department is requesting agency comments on the following land use application:

- **Proposal:** The applicant is requesting land use approval for site grading activities on two lots in the Employment Industrial zone. The development site is 28.17-acres and is comprised of tax lots 2S133BB00100 and 2S1330000400, located on the east side of SW Tonquin Road. The purpose of the proposed site grading is to prepare the site for future industrial uses consistent with those allowed in the Employment Industrial (EI) zone. The proposed grading work will result in a balanced site, with minimal import material needed. It is anticipated that site grading will take approximately four to six months. During on-site work, access to the site will occur through two separate entrances, including the existing entrance along SW Tonquin Road, as well as from the existing private roadway along the site's northern boundary.
- **Location:** No site address (Tax Lots 2S133BB00100 and 2S1330000400)
- **Comment Deadline:** Thursday September 30, 2021 for consideration in the staff report
- **Hearing Date:** n/a (Type II Staff Decision – no earlier than October 1, 2021)
- **Applicable code criteria:** SZCDC Chapter 16.31 - Industrial Land Use Districts; Chapter 16.72 -

Procedures for Processing Development Permits; Chapter 16.90 Site Planning

- **Application materials:** <https://www.sherwoodoregon.gov/planning/project/kerr-site-grading>

Eric Rutledge
City of Sherwood
Associate Planner
rutledgee@sherwoodoregon.gov
Desk 503.625.4242
Work Cell 971.979.2315



M E M O R A N D U M

Date: October 1, 2021
To: Eric Rutledge, Associate Planner, City of Sherwood
From: Jackie Sue Humphreys, Clean Water Services (CWS)
Subject: Kerr Site Grading, LU 2021-014, 2S133BB00100, 2S1330000400

Please include the following comments when writing your conditions of approval:

PRIOR TO ANY WORK ON THE SITE

A Clean Water Services (CWS) Storm Water Connection Permit Authorization must be obtained. Application for CWS Permit Authorization must be in accordance with the requirements of the Design and Construction Standards, Resolution and Order No. 19-5 as amended by R&O 19-22, or prior standards as meeting the implementation policy of R&O 18-28, and is to include:

- a. Detailed plans prepared in accordance with Chapter 2, Section 2.04.
- b. Detailed grading and erosion control plan. An Erosion Control Permit will be required. Area of Disturbance must be clearly identified on submitted construction plans. If site area and any offsite improvements required for this development exceed five-acres of disturbance, project will require a 1200-C Erosion Control Permit.
- c. Detailed plans showing each lot within the development having direct access by gravity to public storm and sanitary sewer.
- d. Show all existing and proposed easements on plans. Any required storm sewer, sanitary sewer, and water quality related easements must be granted to the City.
- e. Any proposed offsite construction activities will require an update or amendment to the current Service Provider Letter for this project.

CONCLUSION

This Land Use Review does not constitute CWS approval of storm or sanitary sewer compliance to the NPDES permit held by CWS. CWS, prior to issuance of any connection permits, must approve final construction plans and drainage calculations.

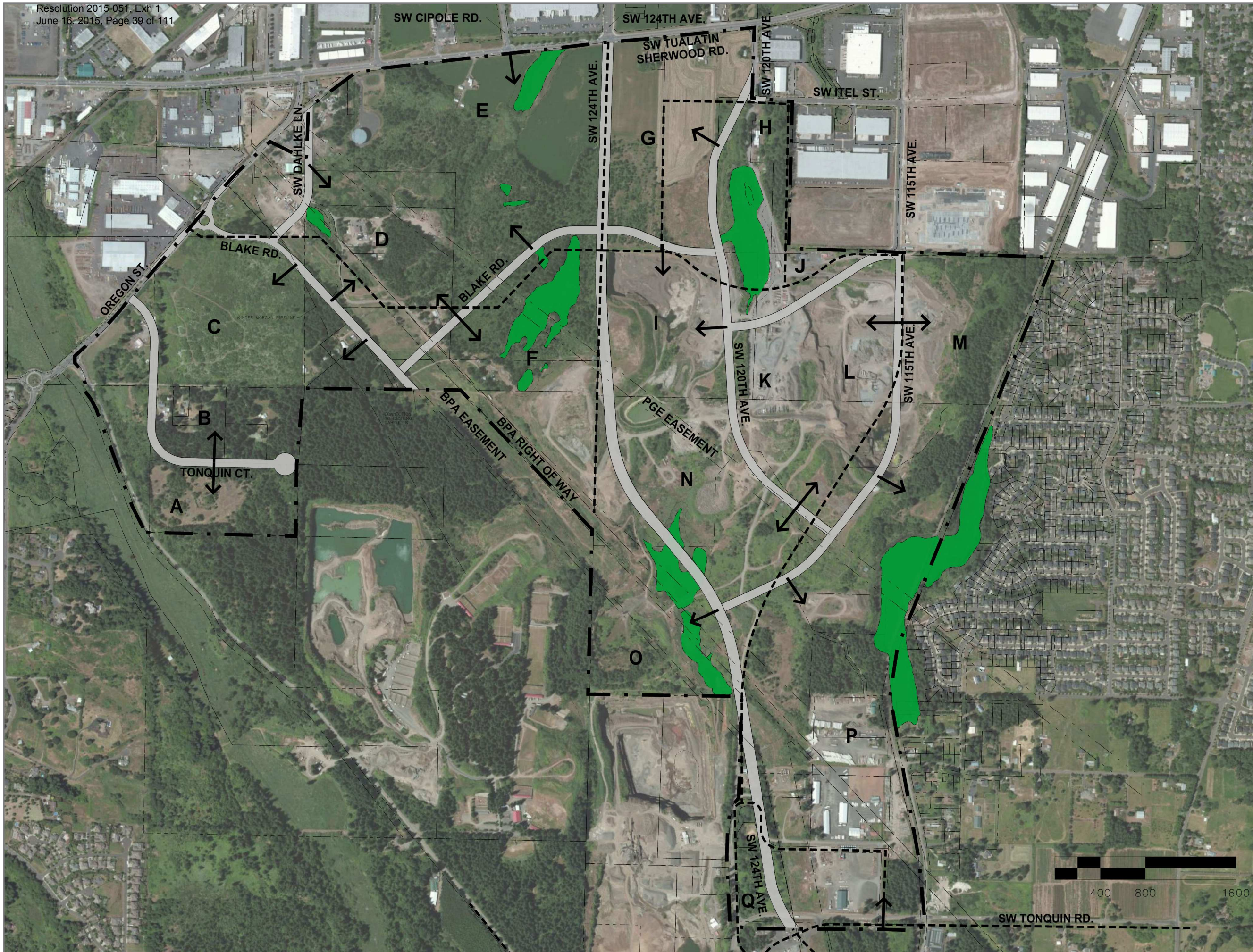


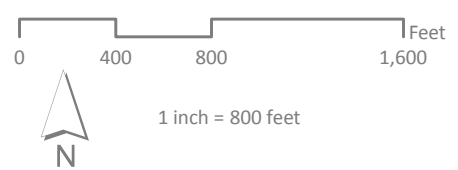
Exhibit C1

SHERWOOD TONQUIN EMPLOYMENT AREA AND SW TUALATIN CONCEPTUAL ROAD LAYOUT

Washington County, OR
FIGURE 17

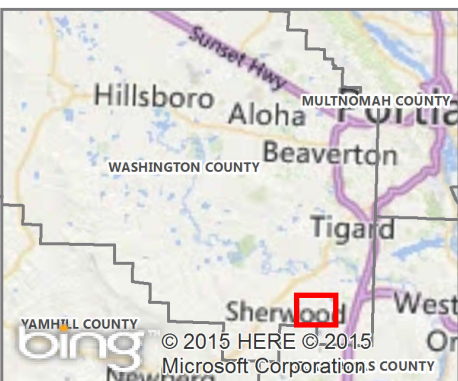
LEGEND:

SHERWOOD-TUALATIN JOINT PLAN AREA BOUNDARY	
CONCEPT PLAN ROAD ALIGNMENTS	
PROPOSED REFINED ROAD ALIGNMENTS	
WETLANDS AND 50 FOOT BUFFER	
ANTICIPATED ACCESS	
DEVELOPMENT NODE	



SOURCE DATA: Metro RUS Lite Base Data, Nov 2014
GEOGRAPHIC PROJECTION: NAD 83 HARN, Oregon North Lambert Conformal Conic

Date: 6/4/2015 Map Created By: GF
File: TEA_SWCP_ConceptualRoadLayout Project No: 2130069.04



MACKENZIE.

P 503.224.9560 • F 503.228.1285 • W MCKENZIE.COM
RiverEast Center, 1515 SE Water Avenue, #100, Portland, OR 97214

Portland, Oregon • Vancouver, Washington • Seattle, Washington