

PLANNING DEPARTMENT



Joy Chang, Senior Planner

App. Submitted: January 18, 2023
App. Complete: March 22, 2023
120-Day Deadline: July 20, 2023

Proposal: The applicant proposed to develop Lot 2 of Cedar Creek Plaza to include two new commercial buildings and associated off-street parking, landscaping, and other on-site improvements. The proposed buildings are 7,200 square feet and 5,800 square feet in size. The commercial buildings will be used for all permitted uses in the Retail Commercial (RC) zone. The site will be accessible from an existing internal drive/circulation aisle within the Cedar Creek Plaza. Existing driveways at SW Pacific Highway and SW Edy Road serve Cedar Creek Plaza development.

I. BACKGROUND

A. Applicant / Owner

DD Sherwood One LLC
901 NE Glisan St., Suite 100
Portland, OR 97232

Applicant's Representative

Mike Towle, DOWL
309 SW 6th Avenue, Suite 700
Portland, OR 97204
Mtowle@dowl.com

B. Location: The site is identified as Tax Lot 2200 on Washington County Tax Assessor Map 2S130DA. The site is located on a western portion of the existing commercial subdivision (Cedar Creek Plaza) and the site does not have frontage on a public street. The commercial subdivision is located on the north side of SW Pacific Highway 99-W, west of SW Edy Road. The Cedar Creek Plaza is accessible by existing driveways from SW Pacific Highway/Highway 99-W, and to SW Edy Road.

C. Address: 16864 SW Edy Road **Tax Map/Lot:** 2S130DA 02200

D. Parcel Size: ±1.73 acres in size

E. Existing Development and Site Characteristics: This site is approximately 1.73 acres in size, Lot 2 of Cedar Creek Plaza commercial subdivision. The site is currently vacant, and two commercial buildings and associated off-street parking, landscaping are proposed. The site is generally flat and prime for development. The site is Lot 2 of the Cedar Creek Plaza commercial subdivision. The plaza comprises of seven commercial lots and six of the lots are developed with mixed retail and restaurant uses which operate collectively as a multi-building retail shopping center with shared access, utilities, and parking. Metro's inventory of regionally significant habitat indicates that the subject property does not have any flood areas, streams, wetlands, open water, or high habitat conservation area.

- F. Comprehensive Plan Land Use Designation and Zoning Classification:** The property is designated for commercial use and zoned Retail Commercial (RC).
- G. Adjacent Zoning and Land Use:** The site is surrounded by other Retail Commercial zoned lands and well as High Density Residential PUD) to the west.
- H. Review Type:** According to §16.72.010.A.3 “Fast-track” Site Plan, 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... “Fast-track” Site Plan reviews are quasi-judicial actions and reviewed through a Type II administrative procedure. The review authority for a Type II land use action is the Planning Director or designee and the Appeal Authority is the Planning Commission.
- I. Public Notice:** Notice of this land use application was posted on the site and at five conspicuous locations throughout the city and mailed to property owners within 1,000 feet of the site, on April 7, 2023 in accordance with § 16.72.0120 of the Sherwood Zoning and Community Development Code.
- J. Review Criteria:** Required findings for site plan review are listed in Sherwood Zoning and Community Development Code: Chapter 16.22 Commercial Land Use Districts; Chapter 16.58 Vision Clearance and Fence Standard; Chapter 16.72 Procedures for Processing Development Permits; Chapter 16.90 Site Planning; Chapter 16.92 Landscaping; Chapter 16.94 Off-Street Parking and Loading; Chapter 16.96 On-Site Circulation; Chapter 16.98 On-Site Storage; Chapter 16.106 Transportation Facilities; Chapter 16.108 Improvement Plan Review; Chapter 16.110 Sanitary Sewers; Chapter 16.112 Water Supply; Chapter 16.114 Storm Water; Chapter 16.116 Fire Protection; Chapter 16.118 Public and Private Utilities; Chapter 16.142 Parks, Trees, and Open Spaces; Chapter 16.146 Noise; Chapter 16.148 Vibrations; Chapter 16.150 Air Quality; Chapter 16.152 Odors; Chapter 16.154 Heat and Glare; Chapter 16.156 Energy Conservation.

II. PUBLIC COMMENTS

Public notice was mailed, posted on the property, and posted in five locations throughout the City on April 7, 2023. No public comments were received on the proposal.

III. AGENCY/DEPARTMENTAL COMMENTS

Staff sent an e-notice to affected agencies on April 6, 2023. The following is a summary of the comments received. Copies of full comments are included in the record unless otherwise noted. The following information briefly summarizes the comments received:

Sherwood Engineering Department: The Sherwood Engineering Department provided comments dated April 17, 2023. These comments are included in the Division VI- Public Improvements section of this report and are included as **Exhibit B**. Comments are in regard to streets, sanitary sewer, water, storm sewer and utilities.

Clean Water Services (CWS): A CWS Sensitive Area Pre-Screening Site Assessment (CWS File No. 22-003253) dated December 9, 2022, states sensitive areas do not appear to exist on site or within 200’ of the site, applicant’s Exhibit G. Jackie Humphries, CWS, also provided comments on April 21, 2023, that indicated a Storm Water Connection Permit Authorization would be required. This will be discussed and conditioned further within this report. Her comments are attached as **Exhibit C**.

Pride Disposal: Correspondence from Kristen Tabscott, Pride Disposal, dated March 8, 2023, applicant's Exhibit S, states that the proposed location of the trash enclosure is acceptable, however, exact enclosure dimensions are required. This will be further discussed and condition under Section 16.98.020 (Solid Waste and Recycling Storage) below.

Tualatin Valley Fire & Rescue (TVF&R): An approved Service Provider Permit was submitted as part of the application (TVF&R Permit #2023-006). Applicant's Exhibit P.

Oregon Department of Transportation: ODOT Region 1 states they have no concerns with the proposed development and no ODOT permits are required **Exhibit D**. ODOT Rail Crossing also provided comments and indicated that they have no concerns or comments **Exhibit E**.

The city of Sherwood Building Department, City of Sherwood Public Works, City of Sherwood Police Department, Washington County, Portland General Electric, Tri-met, Sherwood School District, Metro, Kinder Morgan, and Northwest Natural were provided notice but did not submit comments.

IV. REQUIRED FINDINGS

The required findings for the site plan are presented below.

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.**

ANALYSIS: Findings that demonstrate compliance with the applicable development standards from Divisions II, IV, V, VI, and VIII are presented in later sections of this report.

FINDING: This standard is met.

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

ANALYSIS: The subject development has been designed in a manner that will ensure adequate service can be provided from public and private utilities. All required utilities are available at the site and need only be extended into the site to serve the project. The property is within all service areas, such as Clean Water Services for sewer and water, and Pride Disposal for trash service. The project notice was transmitted to all responsible agencies for comment.

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: Following construction, ongoing maintenance of the site and related improvements will be provided by the applicants.

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: There are no natural drainage ways, wetlands, trees, vegetation, scenic views, and topographical features on the site. Existing trees will be retained as shown on the applicant's Sheet L1.0 of Exhibit A.

FINDING: This standard is met.

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

ANALYSIS: A traffic impact analysis was completed by Mackenzie, dated December 23, 2016, as part of the original commercial plaza development. The trip analysis for Lot 2, the subject property, was based on a 94-unit hotel.

The applicant submitted an updated trip generation analysis from Mackenzie, dated January 10, 2023, Applicant's Exhibit C, for the proposed development on Lot 2. The updated analysis determined that the new proposed plan for developing the subject property (13,000 square feet of retail space) will result in a decrease of primary trips when compared to the original traffic study which accounted for a 94-room hotel. Based upon this generation analysis, no additional traffic mitigation will be required. Furthermore, ODOT Region 1 states that they have no concerns with the proposed development, and no ODOT permits are required.

FINDING: This standard is met.

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

ANALYSIS: The applicant has chosen to utilize the urban design alternative standards allowance under Section 16.90.020.D.6.d approval through the Commercial Design Review Matrix. Findings in response to the proposed design elements are presented below. As demonstrated below, the proposed project has been designed to secure at least the minimum number of points required in each category. A summary is provided at the end of the Commercial Design Review Matrix.

FINDING: These standards are met.

COMMERCIAL DESIGN REVIEW MATRIX					
Design Criteria	Possible Points				
	0	1	2	3	4
Building Design (21 Total Points Possible; Minimum 12 Points Required) These standards may be applied to individual buildings or developments with multiple buildings.					
Materials	Concrete, artificial materials (artificial or "spray" stucco, etc.)	Cultured stone, brick, stone, decorative patterned masonry, wood	A mixture of at least two (2) materials (i.e. to break up vertical facade)	A mixture of at least three (3) materials (i.e. to break up vertical facade)	A mixture of at least three (3) of the following materials: brick, stone, cultured stone, decorative patterned masonry, wood

ANALYSIS: Both of the proposed buildings will contain a mixture of at least three materials on the exterior walls. The buildings have been designed to include a mixture of concrete, metal flashing, fiber cement siding and steel canopies. At least three of these materials are proposed on each building elevation, Applicant’s Exhibit L.

FINDING: Based on this, the proposed building designs provide a sufficient mixture of exterior materials to receive three (3) points.

Design Criteria	Possible Points				
	0	1	2	3	4
Roof Form	Flat (no cornice) or single-pitch (no variation)	Distinctive from existing adjacent structures (not applicable to expansion of same building) or either variation in pitch or flat roof with cornice treatment	Distinctive from existing adjacent structures (not applicable to expansion of same building) and either variation in pitch or flat roof with cornice treatment	N/A	N/A

ANALYSIS: As shown on the building elevations, Applicant’s Exhibit L, the proposed buildings on Lot 2 has roof forms that are distinctive from existing adjacent structures and includes a pitch element. Furthermore, the proposed development on Lot 2 continues the same building features, colors, and materials as the rest of the Cedar Creek Plaza center.

FINDING: Based on this, the proposed roof designs are sufficiently distinctive from adjacent development to receive two (2) points.

Design Criteria	Possible Points				
	0	1	2	3	4
Glazing	0—20% glazing on street-facing side(s)	>20% glazing on at least one street-facing side (inactive, display or façade windows)	>20% glazing on all street-facing sides (inactive, display or façade windows)	>20% glazing on at least one street-facing side (active glazing—actual windows)	>20% glazing on all street-facing sides (active glazing—actual windows)

ANALYSIS: The east and south elevations are street-facing facades. The development includes generous glazing on all facades including those that are street facing and those directed toward the interior courtyard. Per the applicant’s narrative,

- Total street facing building façade area is 4,586 sf
- Total street facing glazing area is 1,422 sf
- Total Percentage of 30%

FINDING: Based on this, the percentage of glazing proposed on all street-facing elevation is sufficient to receive four (4) points.

Design Criteria	Possible Points				
	0	1	2	3	4
Fenestration on street-facing elevation	One distinct "bay" with no vertical building elements	Multiple "bays" with one or more "bay" exceeding 30 feet in width	Vertical building elements with no "bay" exceeding 30 feet in width	Vertical building elements with no "bay" exceeding 20 feet in width	N/A

ANALYSIS: Each of the proposed buildings will have multiple “bays” formed by façade articulation or differentiation of exterior wall materials (Applicant’s Exhibit L). Majority of the window openings “bays” are 16-feet wide. The street-facing “bays” do not exceed 20-feet in width.

FINDING: Based on this, the length and frequency of “bays” on street-facing elevations is sufficient to receive three (3) point.

Design Criteria	Possible Points				
	0	1	2	3	4
Entrance Articulation	No weather protection provided	Weather protection provided via awning, porch, etc.	N/A	Weather protection provided via awning, porch, etc. and pedestrian amenities such as benches, tables and chairs, etc. provided near the entrance but not covered	Weather protection provided via awning, porch, etc. and pedestrian amenities such as benches, tables and chairs, etc. provided near the entrance and covered

ANALYSIS: Steel Canopies are proposed at the entrances to the commercial buildings.

FINDING: Based on this, the proposed extent of entrance articulation is sufficient to receive one (1) point.

Design Criteria	Possible Points				
	0	1	2	3	4
Structure Size to discourage "big box" style development	Greater than 80,000 square feet	60,000 - 79,999 square feet	40,000 - 59,999 square feet	20,000 - 39,999 square feet	Less than 20,000 square feet

ANALYSIS: As noted above, the proposed buildings are 7,200 square feet and 5,800 square feet in size, totaling 13,000 square feet.

FINDING: Based on this, the building floor area is sufficient to receive four (4) points.

Building Design (21 Total Points Possible; Minimum 12 Points Required) = 17 Points Earned

Design Criteria	Possible Points				
	0	1	2	3	4
Building Location and Orientation (6 Total Points Possible; Minimum 3 Points Required)					
Location	Building(s) not flush to any right-of-way (including required PUE adjacent to ROW, setbacks or visual corridor) (i.e. parking or drive aisle intervening)	Building(s) located flush to right-of-way on at least one side (with the exception of required setbacks, easements or visual corridors)	Buildings flush to all possible right-of-way (with the exception of required setbacks, easements or visual corridors) (i.e. "built to the corner")	N/A	N/A

ANALYSIS: The proposed site, Lot 2, is not adjacent to any public right-of-way or frontages.

FINDING: Thus, no (0) points are awarded for this category.

Design Criteria	Possible Points				
	0	1	2	3	4
Orientation	Single-building site primary entrance oriented to parking lot	N/A	Single-building site primary entrance oriented to the pedestrian (i.e. entrance is adjacent to public sidewalk or adjacent to plaza area connected to public sidewalk and does not cross a parking area)	N/A	N/A
	Multiple building site primary entrance to anchor tenant or primary entrance to development oriented to parking lot		Multiple building site primary entrance to anchor tenant or primary entrance to development oriented to the pedestrian		

ANALYSIS: Per the applicant's narrative, the development proposes orienting the primary entrance towards the sidewalk that includes pedestrian elements and the pedestrian plaza that connects to the rest of Cedar Creek Plaza shopping center. The primary entrances also include pedestrian amenities including potted planters and benches. See Sheet L1.0 of Applicant's Exhibit A.

FINDING: Based on this, the proposed orientation of the new buildings is sufficient to receive two (2) points.

Design Criteria	Possible Points				
	0	1	2	3	4
Secondary Public Entrance	N/A	N/A	Secondary public pedestrian entrance provided adjacent to public sidewalk or adjacent to plaza area connected to public sidewalk	N/A	N/A

ANALYSIS: The proposal consists of a secondary pedestrian entrance adjacent to a courtyard/plaza which is connected to the public sidewalk through Cedar Creek Plaza circulation.

FINDING: Based on the development plans, and the requirement of providing direct, pedestrian-oriented connections, the proposed development qualifies for an additional two (2) points.

Building Location and Orientation (6 Total Points Possible; Minimum 3 Points Required) = 4 Points Earned

Design Criteria	Possible Points				
	0	1	2	3	4
Parking and Loading Areas (13 Total Points Possible; Minimum 7 Points Required)					
Location of Parking	Greater than 50 percent of required parking is located between any building and a public street	25—50 percent of required parking is located between any building and a public street	Less than 25 percent of required parking is located between any building and a public street	No parking is located between any building and a public street	N/A

ANALYSIS: The proposed development is located within a commercial center that does not front a public street.

FINDING: Based on this, the location of parking proposed between any building and a public street fronting the site is sufficient to receive three (3) points.

Design Criteria	Possible Points				
	0	1	2	3	4
Loading Areas	Visible from public street and not screened	Visible from public street and screened	Not visible from public street	N/A	N/A

ANALYSIS: The development does not propose any loading areas.

FINDING: Based on this, the proposal is sufficient to receive two (2) points.

Design Criteria	Possible Points				
	0	1	2	3	4
Vegetation	At least one "landscaped" island every 13 - 15 parking spaces in a row	At least one "landscaped" island every 10 - 12 parking spaces in a row	At least one "landscaped" island every 8 - 9 parking spaces in a row	At least one "landscaped" island every 6 - 7 parking spaces in a row	N/A

ANALYSIS: The applicant proposes at least one "landscaped" island for every 10-12 parking spaces in a row.

FINDING: Based on this, the frequency of a landscaped island within the proposed parking area is sufficient to receive one (1) point.

Design Criteria	Possible Points				
	0	1	2	3	4
Number of Parking Spaces	>120%	101—120%	100%	<100% (i.e. joint use or multiple reduction) (1 bonus)	N/A

ANALYSIS: Per the applicant’s narrative, the proposed development provides 94 parking spaces. If the proposed buildings include exclusively retail or office space or a mix of both, the parking percentage is greater than 120%. However, if the proposed use for both buildings is eating or drinking establishments, the parking percentage is less than 100%. The applicant is proposing shared parking throughout Cedar Creek Plaza through a reciprocal access and parking agreement (Applicant’s Exhibit N) to meet the use standards for eating or drinking establishments.

FINDING: Based on this, the number of parking spaces proposed is sufficient to receive three (3) point.

Design Criteria	Possible Points				
	0	1	2	3	4
Parking Surface	impervious	Some pervious paving (10 — 25%)	Partially pervious paving (26 — 50%)	Mostly pervious paving (>50%)	N/A

ANALYSIS: No pervious paving is proposed within the parking and circulation area.

FINDING: Thus, no (0) points are awarded for this category.

Parking and Loading Areas (13 Total Points Possible; Minimum 7 Points Required) = 9 Points Earned

Design Criteria	Possible Points				
	0	1	2	3	4
Landscaping (24 Total Point Possible, Minimum 14 Points Required)					
Tree Retention	Less than 50% of existing trees on-site retained	51—60% of existing trees on-site retained	61—70% of existing trees on-site retained	71—80% of existing trees on-site retained	81—100% of existing trees on-site retained

ANALYSIS: Even though the site has a limited number of trees, the applicant is retaining all existing trees on-site.

FINDING: Based on this, the tree retention is sufficient to receive four (4) points.

Design Criteria	Possible Points				
	0	1	2	3	4
Mitigation Trees	Trees mitigated off-site or fee-in-lieu	25—50% of trees mitigated on-site	51—75% of trees mitigated on-site	76—100% of trees mitigated on-site	N/A

ANALYSIS: No tree mitigation is required for the proposed development.

FINDING: Thus, no (0) points are awarded for this category.

Design Criteria	Possible Points				
	0	1	2	3	4
Landscaping Trees	Less than one tree for every 500 square feet of landscaping	1 tree for every 500 square feet of landscaping	2 trees for every 500 square feet of landscaping	3 trees for every 500 square feet of landscaping	4 trees for every 500 square feet of landscaping

ANALYSIS: The site is 1.73 acres in size, with a gross area of 75,166 square feet, per the applicant’s Exhibit A, Sheet L1.0. Total landscaped area is 12,127 square feet, and the applicant is proposing to install 49 trees.

FINDING: Given the 49 proposed trees that will be located within the boundaries of the site, this results in a ratio of approximately 2 trees per every 500 square feet of proposed and existing landscaping. The project is eligible for two (2) points from this category as a result.

Design Criteria	Possible Points				
	0	1	2	3	4
Landscaped Areas	Greater than 35% of landscaped areas are less than 100 square feet in size	Less than 25% of landscaped areas are less than 100 square feet in size	No landscaped areas are less than 100 square feet in size	N/A	N/A

ANALYSIS: As shown on Exhibit A, Sheet L1.0, none of the proposed landscaped areas are less than 100 square feet in size.

FINDING: Thus, the project is eligible for two (2) points from this category.

Design Criteria	Possible Points				
	0	1	2	3	4
Landscaping Trees greater than 3-inch Caliper	<25%	25—50%	>50%	N/A	N/A

ANALYSIS: Less than 25 percent of the new trees proposed will have a trunk diameter of greater than three (3) inches.

FINDING: Thus, no (0) points are awarded for this category.

Design Criteria	Possible Points				
	0	1	2	3	4
Amount of Grass	>75% of landscaped areas	50—75% of landscaped areas	25—49% of landscaped areas	<25% of landscaped areas	N/A

ANALYSIS: Per the applicant’s narrative and Exhibit A, Sheet L1.0, the applicant proposes shrubs and drought resistant ground cover in place of grass.

FINDING: Thus, the project is eligible for three (3) points this category.

Design Criteria	Possible Points				
	0	1	2	3	4
Total Amount of Site Landscaping	<10% of gross site	10—15% of gross site	16—20% of gross site	21—25% of gross site	>25% of gross site

ANALYSIS: As shown on Applicant’s Exhibit A, Sheet L1.0, a total of 12,045 square feet of the

site will be improved with landscaping. Given a gross site area of 75,166 square feet, approximately 16 percent of the gross site area will be improved with landscaping.

FINDING: Based on this, the total amount of site landscaping is sufficient to receive two (2) points.

Design Criteria	Possible Points				
	0	1	2	3	4
Automatic Irrigation	No	Partial	Yes	N/A	N/A

ANALYSIS: The applicants propose to install automatic irrigation systems within all areas proposed for landscaping within the boundaries of the site.

FINDING: Thus, the project is eligible for two (2) points from this category.

Landscaping (24 Total Point Possible, Minimum 14 Points Required) = 15 Points Earned

Design Criteria	Possible Points				
	0	1	2	3	4
Miscellaneous (10 Total Points Possible; Minimum 5 Points Required)					
Equipment Screening (roof)	Equipment not screened	Equipment partially screened	Equipment fully screened	Equipment fully screened by materials matching building architecture/finish	N/A

ANALYSIS: As shown on Applicant's Exhibit L, rooftop equipment will be fully screened by either a parapet wall or additional materials that match the architecture and finish of each building.

FINDING: Thus, the method of equipment screening is sufficient to receive three (3) points.

Design Criteria	Possible Points				
	0	1	2	3	4
Fences and Walls	Standard fencing and wall materials (i.e. wood fences, CMU walls etc.)	N/A	Fencing and wall materials match building materials	N/A	N/A

ANALYSIS: There is existing fencing along the northern property line that is constructed with standard fencing materials.

FINDING: Thus, no (0) points are awarded for this category.

Design Criteria	Possible Points				
	0	1	2	3	4
On-Site Pedestrian Amenities Not Adjacent to Building Entrances	No	Yes; 1 per building	Yes; more than 1 per building	N/A	N/A

ANALYSIS: Pedestrian amenities are proposed adjacent to the building entrances, but none are proposed beyond the building entrances.

FINDING: Thus, no (0) points are awarded for this category.

Design Criteria	Possible Points				
	0	1	2	3	4

Open Space Provided for Public Use	No	Yes; <500 square feet	Yes; 500—1,000 square feet	Yes; >1,000 square feet	N/A
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ANALYSIS: The Plan Sets, Applicant’s Exhibit A, shows a ±600 square foot public plaza between the two proposed building.

FINDING: Based on these findings, the square footage of open space provided for public use is sufficient to receive two (2) points.

Design Criteria	Possible Points				
	0	1	2	3	4
Green Building Certification	N/A	N/A	N/A	LEED, Earth Advantage, etc. (Bonus)	N/A

ANALYSIS: The applicants are not proposing to secure LEED, Earth Advantage, or other “green building” certification.

FINDING: Thus, no (0) points are awarded for this category.

Miscellaneous (10 Total Points Possible; Minimum 5 Points Required) = 5 Points Earned

Summary of the Community Design Matrix:

As demonstrated through responses provided above regarding the Commercial Design Criteria Matrix, the subject proposal meets or exceeds the minimum number of points required for each category. The following summarizes the number of points awarded for each category, as well as the total number of points received.

Community Design Matrix Points Summary			
Design Category	Points Possible	Minimum Points Required	Points Received
Building Design	21	12	17
Building Location and	6	3	4
Parking and Loading Areas	13	7	9
Landscaping	24	14	15
Miscellaneous	10	5	5
TOTAL	74	41	50

The proposed design satisfied the minimum number of points required for each category, and also amasses more than 60 percent of the total points available, as required by Code. As such, it is not necessary to request a design review hearing before the Planning Commission. This standard is met.

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

ANALYSIS: The proposed buildings are located within an existing Cedar Creek Plaza commercial development and will utilize existing driveways to Highway 99-W and SW Edy Road. No changes are proposed to existing driveways with this application.

FINDING: This standard is met.

IV. ZONING STANDARDS

DIVISION II LAND USE AND DEVELOPMENT

Chapter 16.22 - COMMERCIAL LAND USE DISTRICTS

16.22.010 - Purpose

- C. Retail Commercial (RC) - The RC zoning district provides areas for general retail and service uses that neither require larger parcels of land, nor produce excessive environmental impacts as per Division VIII.**

ANALYSIS: The subject site is approximately 1.73 acres and is adjacent to existing commercial development to the west, south and east. Existing residential uses also border the site to the north.

As further described below, the commercial and quasi-residential uses and buildings proposed through this application are allowed in the RC zone. There are no know environmental impacts that will result from development of the site.

FINDING: This standard is met.

16.22.020 - Uses

- A. The table below identifies the land uses that are permitted outright (P), permitted conditionally (C), and not permitted (N) in the Commercial Districts. The specific land use categories are described and defined in Chapter 16.88 Use Classifications and Interpretations.**
- 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 commercial zones or contribute to the achievement of the objectives of the commercial zones may be permitted outright or conditionally, utilizing the provisions of Chapter 16.88 Use Classifications and Interpretations.**
- D. Additional limitations for specific uses are identified in the footnotes of this table.**

Childcare	
• Day cares, preschools, and kindergartens, when clearly secondary to a permitted use	P
• Day cares, preschools, and kindergartens as a stand-alone use.	P

• General retail trade, not exceeding 10,000 square feet of gross square footage.	P
• General retail trade greater than 10,000 square feet of gross square footage	P
• Tool and Equipment Rental and Sales, Including Truck Rental	C
• Retail plant nurseries and garden supply stores (excluding wholesale plant nurseries)	P
• Wholesale building material sales and service	N
• Retail building material sales and lumberyards.	C ⁵
Personal Services	
• Health clubs and studios less than 5,000 square feet in size.	P
• Health clubs and studios greater than 5,000 square feet in size	C
• Personal services catering to daily customers where patrons pay for or receive a service rather than goods or materials, including but not limited to financial, beauty, pet grooming, and similar services.	P
• Public or commercial parking (non-accessory)	P
• Veterinarian offices and animal hospitals.	C
• Animal boarding/Kennels and daycare facilities with outdoor recreation areas ⁶	C
Eating and Drinking establishments	
• Restaurants, taverns, and lounges without drive-thru ⁷	P
• Restaurants with drive-thru services	P

¹ See special Criteria for the NC zone, [16.22.050](#).

² The residential portion of a mixed use development is considered secondary when traffic trips generated, dedicated parking spaces, signage, and the road frontage of residential uses are all exceeded by that of the commercial component and the commercial portion of the site is located primarily on the ground floor.

³ Except in the Adams Avenue Concept Plan area, where only non-residential uses are permitted on the ground floor.

⁴ If use is mixed with another, such as a restaurant, it is considered secondary to that use and permitted, provided it occupies less than fifty (50) percent of the total area.

⁵ All activities are required to be within an enclosed building.

⁶ Animal boarding/kennels and daycare facilities entirely within an enclosed building are considered "other personal service."

⁷ Limited to no more than ten (10) percent of the square footage of each development in the Adams Avenue Concept Plan area.

⁸ except for towers located within one thousand (1,000) feet of the Old Town District which are prohibited.

ANALYSIS: Per the applicant’s narrative, the proposed buildings will be used for those allowed within the RC zone. The proposed buildings will be 7,200 and 5,800 square feet in size. General retail trade greater or less than 10,000 square feet of gross square footage and healthcare facilities are both permitted uses in the RC zone, per the Use Table in Section 16.22.020.

FINDING: These standards are met.

16.22.030 - 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. (Variance and Adjustments)

ANALYSIS: As shown on Applicant’s Exhibit A, each of the applicable development standards addressed below are satisfied to at least the minimum stipulated requirements.

FINDING: This standard is met.

B. Development Standards. Except as otherwise provided, required minimum lot areas, dimensions and setbacks shall be provided in the following table

Development Standard		Facts
Lot area	5,000 sq. ft	± 1.73 acres or 75,359 sq. ft.
Lot width at front property line	40 ft	268 feet
Lot width at building line	40 ft	268 feet
Front yard setback ⁹	0	112 feet
When abutting residential zone	Same as abutting residential zone	N/A

Development Standard		Facts
Side yard setback ⁹	0	0 feet for Building 1 and 120 feet for Building 2
When abutting residential zone or public park	10 ft	60 feet
Rear yard setback ⁹	0	60 feet
When abutting residential zone or public park	10 ft	60 feet
Corner lot ⁹	20 ft	N/A
Height ^{10,11}	50 ft ^{13,14}	28.7 Feet

⁹ Existing residential uses shall maintain setbacks specified in the High Density Residential Zone (16.12.030).

¹⁰ Maximum height is the lessor of feet or stories.

¹¹ Solar and wind energy devices and similar structures attached to buildings and accessory buildings, may exceed this height limitation by up to twenty (20) feet.

¹³ Structures within one-hundred (100) feet of a residential zone shall be limited to the height requirements of that residential area.

¹⁴ Structures over fifty (50) feet in height may be permitted as conditional uses, subject to Chapter 16.82.

FINDING: Based on the analysis presented above and the dimensions shown on Applicant's Exhibit A, the subject Site Plan Review complies with the applicable standards of the RC zone.

16.22.040 - Community Design

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

ANALYSIS: Responses to the applicable development standards addressing off-street parking and loading, energy conservation, landscaping, access and egress, signs, parks and open space, on-site storage, and site design are provided below. The site does not contain any identified environmental resources or historic resources.

FINDING: This standard is met.

16.22.060 – Floodplain.

Except as otherwise provided, Section 16.134.020 shall apply.

ANALYSIS: The subject site is not located within the 100-year Floodplain.

FINDING: This standard is not applicable.

16.58.010 Clear Vision Areas

- A. A clear vision area shall be maintained on the corners of all property at the intersection of two (2) streets, intersection of a street with a railroad, or intersection of a street with an alley or private driveway.**
- B. A clear vision area shall consist of a triangular area, two (2) sides of which are lot lines measured from the corner intersection of the street lot lines for a distance specified in this regulation; or, where the lot lines have rounded corners, the lot lines extended in a straight line to a point of intersection, and so measured, and the third side of which is a line across the corner of the lot joining the non-intersecting ends of the other two (2) sides.**
- C. A clear vision area shall contain no planting, sight obscuring fence, wall, structure, or temporary or permanent obstruction exceeding two and one-half (2½) feet in height, measured from the top of the curb, or where no curb exists, from the established street center line grade, except that trees exceeding this height may be located in this area, provided all branches and foliage are removed to the height of seven (7) feet above the ground on the sidewalk side and ten (10) feet on the street side.**

The following requirements shall govern clear vision areas:

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

ANALYSIS: The Site Plan, Sheet C2.0 of Applicant's Exhibit A, shows that the site contains on-site drive aisles which connect to private drive aisles within the Cedar Creek Plaza development. Access across these drive aisles is granted through an easement (Applicant's Exhibit H). A clear vision area is required at the east portion of the site where an on-site drive aisle connects with a perpendicular off-site drive aisle in the neighboring lot. The south on-site access point runs continuously with an off-site drive aisle within the commercial center, therefore a clear vision area is not required in that location.

FINDING: This standard can be met as conditioned below.

CONDITION OF APPROVAL: B1 Prior to final site plan approval, show that there are no sight obstructing objects within the clear vision area at the eastern portion of the site.

DIVISION III ADMINISTRATIVE PROCEDURES

Chapter 16.70 - GENERAL PROVISIONS

16.70.010 - Pre-Application Conference

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

ANALYSIS: The applicants held a pre-application conference with City of Sherwood staff on November 23, 2022. In attendance were representatives from Community Development Department, as well as representatives from the Oregon Department of Transportation.

FINDING: This standard is met.

16.70.020 - Neighborhood Meeting

- A. The purpose of the neighborhood meeting is to solicit input and exchange information about the proposed development.**
- B. Applicants of Type III, IV and V applications are required to hold a meeting, at a public location for adjacent property owners and recognized neighborhood organizations that are within 1,000 feet of the subject application, prior to submitting their application to the City. Affidavits of mailing, sign- in sheets and a summary of the meeting notes must be included with the application when submitted. Applicants for Type II land use action are encouraged, but not required to hold a neighborhood meeting.**
 - 1. Projects requiring a neighborhood meeting in which the City or Urban Renewal District is the property owner or applicant shall also provide published and posted notice of the neighborhood meeting consistent with the notice requirements in 16.72.020.**

ANALYSIS: The applicants have provided information indicating that they conducted a neighborhood meeting for the subject proposal on January 5, 2023, at the Ridges Elementary School. The applicants have indicated that a notice of the neighborhood meeting was mailed to all owners of property within 1,000 feet of the site. The Affidavits of Mailing, sign-in sheets from the meeting, and minutes from the meeting have been submitted to the City of Sherwood with the application.

FINDING: This standard is met.

16.70.030 - Application Requirements

- A. Form**

Any request for a land use action shall be made on forms prescribed and provided by the City and shall be prepared and submitted in compliance with this Code. A land use application shall be reviewed against the standards and criteria effective at the time of application submittal. Original signatures from all owners or their legal representative must be on the application form.
- B. Copies**

To assist in determining the compliance of proposed land use actions with the Comprehensive Plan and provisions of this Code, applicants shall submit one (1) complete electronic copy of the full application packet, one reduced (8½ x 11) copy of the full application packet and the required number of hard copies as outlined on the applicable forms prescribed and provided by the City.
- C. Content**
 - 1. In addition to the required application form, all applications for Type II-V land use approval must include the following:**
 - a. Appropriate fee(s) for the requested land use action required based on the City of Sherwood Fee Schedule.**
 - b. Documentation of neighborhood meeting per 16.70.020.**

- c. Tax Map showing property within at least 300 feet with scale (1" = 100' or 1" = 200') north point, date and legend.
- d. Two (2) sets of mailing labels for property owners of record within 1,000 feet of the subject site, including a map of the area showing the properties to receive notice and a list of the property owners, addresses and tax lots. Ownership records shall be based on the most current available information from the Tax Assessor's office.
- e. Vicinity Map showing a minimum radius of 500 feet around the property and the closest intersection of two Principal Arterial, Arterial, Collector or Neighborhood roads.
- f. A narrative explaining the proposal in detail and a response to the Required Findings for Land Use Review for the land use approval(s) being sought.
- g. Two (2) copies of a current preliminary title report.
- h. Existing conditions plan drawn to scale showing: property lines and dimensions, existing structures and other improvements such as streets and utilities, existing vegetation, any floodplains or wetlands and any easements on the property.
- i. Proposed development plans sufficient for the Hearing Authority to determine compliance with the applicable standards. Checklists shall be provided by the City detailing information typically needed to adequately review specific land use actions.
- j. A trip analysis verifying compliance with the Capacity Allocation Program, if required per 16.108.070.
- k. A traffic study, if required by other sections of this code,
- l. Other special studies or reports that may be identified by the City Manager or his or her designee to address unique issues identified in the pre-application meeting or during project review including but not limited to:
 - (1) Wetland assessment and delineation
 - (2) Geotechnical report
 - (3) Traffic study
 - (4) Verification of compliance with other agency standards such as CWS, DSL, Army Corps of Engineers, ODOT, PGE, BPA, Washington County.
- m. Plan sets must have:
 - 1) The proposed name of the development. If a proposed project name is the same as or similar to other existing projects in the City of Sherwood, the applicant may be required to modify the project name.
 - 2) The name, address and phone of the owner, developer, applicant and plan producer.
 - 3) North arrow,
 - 4) Legend,
 - 5) Date plans were prepared and date of any revisions
 - 6) Scale clearly shown. Other than architectural elevations, all plans must be drawn to an engineer scale.
 - 7) All dimensions clearly shown.

ANALYSIS: All required application items were provided including several technical studies and plans. A letter of completeness was issued on April 4, 2023.

FINDING: This standard is met.

Chapter 16.92 - LANDSCAPING

16.92.010 - Landscaping Plan Required

All proposed developments for which a site plan is required pursuant to Section 16.90.020 shall submit a landscaping plan that meets the standards of this Chapter. All areas not occupied by structures, paved roadways, walkways, or patios shall be landscaped or maintained according to an approved site plan.

16.92.020 - Landscaping Materials

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

1. **Ground Cover Plants**

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

2. **Shrubs**

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

3. **Trees**

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

ANALYSIS: Applicant's Exhibit A, Sheet L1.0 presents the proposed landscaping plans for the subject site. As required by the standards cited above, trees have a minimum caliper of two inches at time of installation, shrubs have a minimum container size of one gallon, and groundcovers have a minimum size of four inches.

FINDING: This standard is met.

B. **Plant Material Selection and Preparation**

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

ANALYSIS: The preliminary landscaping plans are consistent with Sections B.1 and B.2, above.

FINDING: This standard is met.

C. Existing Vegetation

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

ANALYSIS: Per the applicant's narrative, existing vegetation will be maintained to the greatest extent possible. Adjustment of some existing buffer plant materials will likely be needed to match new grades in some areas. No trees are proposed for removal. Existing vegetation is counted towards meeting landscaping requirements, in accordance with this Code, as shown on the Planting Plan, Sheet L1.0 of Applicant's Exhibit A. No nuisance plants are proposed to meet landscape standards.

FINDING: This standard is met.

D. Non-Vegetative Features

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

ANALYSIS: No architectural features, impervious paving or artificial plants are proposed to be counted towards the required landscape area.

FINDING: This standard is meet.

16.92.030 - Site Area Landscaping and Perimeter Screening Standards

A. Perimeter Screening and Buffering

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

- a. For new uses adjacent to inventoried environmentally sensitive areas, screening requirements shall be limited to vegetation only to preserve wildlife mobility. In addition, the Review Authority may require plants and other landscaping features in locations and sizes necessary to protect the privacy of residences and buffer any adverse effects of adjoining uses.
- b. The required screening shall have breaks, where necessary, to allow pedestrian access to the site. The design of the wall or screening shall also provide breaks or openings for visual surveillance of the site and security.
- c. Evergreen hedges used to comply with this standard shall be a minimum of thirty-six (36) inches in height at maturity, and shall be of such species, number and spacing to provide the required screening within one (1) year after planting.

ANALYSIS: The north boundary of the site is shared with an existing residential neighborhood accessed from SW Madeira Terrace. There is an existing six-foot high sight-obscuring wooden fence that will remain and will provide perimeter screening to the proposed development. All other boundaries of the site are zoned Retail Commercial. The site is not adjacent to any inventoried environmentally sensitive areas. The applicant is not proposing evergreen hedges for perimeter screening.

FINDING: This standard is met.

2. Perimeter Landscaping Buffer

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

APPLICANT'S ANALYSIS: As shown on the Planting Plan, Sheet L1.0 of Exhibit A, a ten-foot-wide landscape strip comprised of trees, shrubs, and ground cover will be provided along the north property line where parking abuts a neighboring property. The parking along the east, west and south property lines abut adjacent commercial properties within the Cedar Creek Plaza, which share parking and vehicle circulation facilities at the center of the development. Perimeter landscape buffers in these scenarios do not match the intent of the code which is designed to create buffers between adjacent sites of differing uses, particularly commercial and residential uses. The placement of buffers along these lot lines that are internal to the overall shopping center would create a broken and non-functional circulation pattern and would not create the cohesive development plan as approved under previous land use decisions.

In the previous Site Plan approval for Cedar Creek Plaza Phase II (SP16-10/CUP 16-06/VAR 17-01), a 10-foot perimeter landscape buffer was approved along SW Edy Road, SW Pacific Highway, and along shared property lines along the west, south, and east boundaries of the site. As part of the subsequent Subdivision approval (SUB 17-02) that subdivided Cedar Creek Plaza into seven commercial lots, including Lot 2, no additional landscape requirements along interior lot lines were required. This applies to the present-day interior lot lines in Cedar Creek Plaza Lot 2.

Additionally, a prior approval in 2005 for a Red Robin restaurant within the Langer Farms Shopping Center set a precedent for perimeter landscaping adjacent to off-street parking. City of Sherwood staff made the interpretation that the perimeter landscaping adjacent to off-street parking did not apply because of the shared ingress and egress and parking for the entire shopping center. These are considered shared because there is an existing joint parking agreement for Cedar Creek Plaza

(included with this application as Exhibit N). Because the parking is shared, no landscaped strip is required between the parking areas of Cedar Creek Lot 2 and the abutting developments within Cedar Creek Plaza.

ANALYSIS: Staff concurs with the applicant's analysis above.

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

- b. **The access drives to a rear lots in the residential zone (i.e. flag lot) shall be separated from abutting property(ies) by a minimum of forty-two-inch sight-obscuring fence or a forty-two-inch to an eight (8) feet high landscape hedge within a four-foot wide landscape buffer. Alternatively, where existing mature trees and vegetation are suitable, Review Authority may waive the fence/buffer in order to preserve the mature vegetation.**

ANALYSIS: This site is zoned RC.

FINDING: This standard is not applicable.

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

ANALYSIS: No reductions to the perimeter landscape buffer width of 10 feet are proposed through this application.

FINDING: This standard is not applicable.

B. Parking Area Landscaping

1. **Purpose. The standard is a landscape treatment that uses a combination of trees, shrubs, and ground cover to provide shade, stormwater management, aesthetic benefits, and screening to soften the impacts of large expanses of pavement and vehicle movement. It is applied to landscaped areas within and around the parking lot and loading areas.**
2. **Definitions**
 - a. **Parking Area Landscaping: Any landscaped area on the site that is not required as perimeter landscaping § 16.92.030 (Site Landscaping and Screening).**
 - b. **Canopy Factor**
 - (1) **Landscape trees are assigned a canopy factor to determine the specific number of required trees to be planted. The canopy factor is calculated based on the following formula: Canopy Factor = Mature Height (in feet) × Canopy Spread (in feet) × Growth Rate Factor × .01**
 - (2) **Growth Rate Factor: The growth rate factor is three (3) for fast-growing trees, two (2) for medium growing trees, and one (1) for slow growing trees. The growth rate of a tree is identified in the "Suggested Plant Lists for Required Landscaping Manual."**

ANALYSIS: The submitted landscaping plans provide detailed information and calculations on the classification of proposed landscaping trees as either “small,” “medium,” or “large” canopy trees, which are based on the methods described above. Additionally, a number of conditions of approval have been added to ensure that all landscape requirements are met.

FINDING: With the proposed conditions of approval, this standard can be met.

CONDITIONS OF APPROVAL: B2 Prior to Final Site Plan Approval, submit a Final Landscape Plan that has been verified by a landscape architect or a certified landscape professional.

CONDITIONS OF APPROVAL: B3 Prior to Final Site Plan Approval, submit a Final Landscape Plan that complies with the installation and maintenance standards of Section 16.92.040 to the Planning Department for review and approval.

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

ANALYSIS: As shown on the Applicant’s Exhibit A, Sheet L1.0, a total of 7,014 square feet of landscaping is proposed within the boundaries of the proposed parking areas, exclusive of any required perimeter landscaping. Given the 94 parking spaces that are proposed, a total of 4,230 square feet of parking area landscaping is required.

FINDING: This standard is met.

- 4. Amount and Type of Required Parking Area Landscaping**
 - a. Number of Trees required based on Canopy Factor**

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

 - (1) Any combination of the following is required:**
 - (i) One (1) large tree is required per four (4) parking spaces;**
 - (ii) One (1) medium tree is required per three (3) parking spaces; or**
 - (iii) One (1) small tree is required per two (2) parking spaces.**
 - (iv) At least five (5) percent of the required trees must be evergreen.**
 - (2) Street trees may be included in the calculation for the number of required trees in the parking area**

ANALYSIS: As shown on the Applicant’s Exhibit A, Sheet L1.0, two “small” trees and 23 “large” trees are proposed for installation. The ratios cited above would permit a maximum of 98 parking spaces based on the number of “small,” “medium,” and “large” trees proposed for installation. However, only 94 parking spaces are proposed. Within the proposed trees, two are evergreen which provides an 8 percent evergreen standard, exceeding the required minimum 5 percent requirement.

FINDING: This standard is met.

- b. Shrubs:**
 - (1) Two (2) shrubs are required per each space.**

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

ANALYSIS: Given 94 proposed parking spaces, the landscaping plans are required to include at least 188 shrubs. Applicant's Exhibit A, Sheet L1.0, shows a total of 470 small, medium, and large shrubs distributed throughout the project. Landscaping is proposed in front of parking spaces throughout the site. Shrubs are proposed in these areas in compliance with the standard cited above.

FINDING: This standard is met.

c. Ground cover plants:

- (1) Any remainder in the parking area must be planted with ground cover plants.**
- (2) The plants selected must be spaced to cover the area within three (3) years. Mulch does not count as ground cover.**

ANALYSIS: Within the perimeter of the parking area, groundcover plants and turf are proposed as the balance of landscaping not otherwise accounted for by shrubs and trees (Applicant's Exhibit A, Sheet L1.0). The proposed density and spacing are anticipated to achieve full coverage within three years of installation.

FINDING: This standard is met.

5. Individual Landscape Islands Requirements

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

ANALYSIS: Each of the new landscaping islands proposed within the parking area is at least five feet wide and at least 90 square feet in area. All islands are sufficiently dimensioned to support at least one tree, and, in general terms, are evenly spaced throughout the parking area. As proposed, there is a minimum of one island for every ten contiguous parking spaces. Stormwater bio-swales are not proposed in lieu of landscape islands.

FINDING: These standards are met.

- f. Exception to Landscape Requirement. Linear raised or marked sidewalks and walkways within the parking areas connecting the parking spaces to the on-site buildings may be included in the calculation of required site landscaping provide that it:**

- (1) Trees are spaced a maximum of thirty (30) feet on at least one (1) side of the sidewalk.
- (2) The minimum unobstructed sidewalk width is at least six (6) feet wide.
- (3) The sidewalk is separated from the parking areas by curbs, bollards, or other means on both sides.

ANALYSIS: No exceptions are being requested as part of the subject project.

FINDING: This standard is not applicable.

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

ANALYSIS: The site does not intersect a public right-of-way.

FINDING: This standard is not applicable.

7. Exceptions

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

ANALYSIS: The applicant is not seeking the option of relief from the landscaping standards cited above.

FINDING: This standard is met.

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

ANALYSIS: The site is not adjacent to public street but gain access from an internal drive from Cedar Creek Plaza shopping center. Per the applicant's narrative, any proposed mechanical equipment will be screened as required by the Code. Rooftop mechanical equipment will be screened with either the parapets or a roof mounted screen, depending on the height of the mechanical equipment. A trash enclosure is proposed on site to satisfy refuse disposal needs

of the proposed commercial uses. The enclosure must meet Pride Disposal minimum requirements and as conditioned in Section 16.98.020.

FINDING: This standard is met as conditioned below.

CONDITION OF APPROVAL: F2 Prior to Final Building Occupancy, all mechanical equipment shall be screened.

D. Visual Corridors

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

ANALYSIS: The site does not directly abut Highway 99-W or any public street. All required visual corridor landscaping was approved and installed through Cedar Creek Plaza shopping center land use (SP 16-10).

FINDING: This standard is met.

16.92.040 - Installation and Maintenance Standards

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

B. Maintenance and Mitigation of Landscaped Areas

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

FINDING: The proposed landscaping plans have been designed to ensure compliance with the standards cited above. Ongoing maintenance of installed landscaping will be the responsibility of the property owner(s), as required by these standards.

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

- 1. Option 1: A permanent built-in irrigation system with an automatic controller installed.**
- 2. Option 2: An irrigation system designed and certified by a licensed landscape architect or other qualified professional as part of the landscape plan, which provides sufficient water to ensure that the plants become established. The**

system does not have to be permanent if the plants chosen can survive independently once established.

3. **Option 3: Irrigation by hand.** If the applicant chooses this option, an inspection will be required one (1) year after final inspection to ensure that the landscaping has become established.

ANALYSIS: The applicant has indicated in their narrative that they plan to install an automatic irrigation system to assist with maintenance of landscaping located within the boundaries of the site. To assure this is done, the following condition of approval is proposed.

FINDING: With this condition of approval, this standard is met.

CONDITION OF APPROVAL: F3 Prior to Final Building Occupancy, the applicant shall provide evidence that an automatic irrigation system has been installed and is functional for all landscaped areas of the project.

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

ANALYSIS: The applicant shall comply with all improvement requirements as required by the condition of approval shown above.

FINDING: With the proposed condition of approval above, this standard is met.

Chapter 16.94 - OFF-STREET PARKING AND LOADING

16.94.010 - General Requirements

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

ANALYSIS: The submitted site plans show proposed locations for off-street parking required to satisfy the minimum demand associated with the subject uses.

FINDING: This standard is met.

- B. **Deferral of Improvements.** Off-street parking and loading spaces shall be completed prior to the issuance of occupancy permits, unless the City determines that weather conditions, lack of available surfacing materials, or other circumstances beyond the control of the applicant make completion impossible. In such

circumstances, security equal to one hundred twenty five (125) percent of the cost of the parking and loading area is provided the City. "Security" may consist of a performance bond payable to the City, cash, certified check, or other assurance of completion approved by the City. If the installation of the parking or loading area is not completed within one (1) year, the security may be used by the City to complete the installation.

ANALYSIS: Assurance of the required amount of parking will be met through the Planning inspection of the property done through the standard inspection process. Per the applicant's narrative, the applicant is not requesting deferral of improvements.

FINDING: This standard is met.

C. Options for Reducing the Required Parking Spaces

1. **Two (2) or more uses or, structures on multiple parcels of land may utilize jointly the same parking and loading spaces when the peak hours of operation do not substantially overlap, provided that satisfactory evidence is presented to the City, in the form of deeds, leases, or contracts, clearly establishing the joint use.**
 - a. **Within commercial, institutional and public, or industrial zones, shared parking may be provided on lots that are within five hundred (500) feet of the property line of the use to be served.**
 - b. **Shared parking is allowed if the application can show that the combined peak use is available by a parking study that demonstrates:**
 - (1) **There is a sufficient number of parking spaces to accommodate the requirements of the individual businesses; or**
 - (2) **That the peak hours of operation of such establishments do not overlap, and**
 - (3) **That an exclusive permanent easement over a delineated area has been granted for parking space use.**

ANALYSIS: Per the applicant's narrative, a reciprocal access and parking agreement was established as a part of the previous Site Plan Review application for the Cedar Creek Plaza (SP 16-10), which authorizes the use of the entire vehicle parking and circulation area by all property owners, tenants, residents, customers, guests, patients, and employees of the commercial development (Page 10 of Applicant's Exhibit N). A reduction in required parking is not proposed. Occupants and customers of the new buildings will utilize the already agreed upon reciprocal access and parking agreement to access and use parking facilities within the Cedar Creek Plaza development. However, reducing the minimum required number of parking spaces through creation of an "off-peak" shared parking agreement is not proposed.

FINDING: This standard is not applicable.

2. **Mixed use projects are developments where a variety of uses occupies a development project or complex. For example, an eating establishment, professional office building and movie theater are all components of a mixed use site. It does not include a secondary use within a primary use such as an administrative office associated with a retail establishment. In mixed-use projects, the required minimum vehicle parking shall be determined using the following formula:**
 - a. **Primary use: i.e. that with the largest proportion of total floor area within the development at one hundred (100) percent of the minimum vehicle parking required for that use.**

- b. **Secondary Use:** i.e. that with the second largest percentage of total floor area within the development, at ninety (90) percent of the vehicle parking required for that use.
- c. **Subsequent use or uses,** at eighty (80) percent of the vehicle parking required for that use.

ANALYSIS: Per the applicant’s narrative, tenants are not yet known for the buildings, however, the proposed development will be for commercial use. The development will rely upon the reciprocal access and parking agreement to utilize existing parking and vehicle circulation areas within Cedar Creek Plaza, which contains a mix of uses (Page 10 of Applicant’s Exhibit N). A detailed analysis of the minimum number of parking spaces required is provided below in Section 16.94.020. The analysis includes the previously approved use as well as a mix of possible uses proposed with this application. Percentage adjustments based on the square footage of each use are presented consistent with the criterion cited above. As reflected in the analysis, the proposed number of off-street parking spaces exceeds the overall minimum requirement and is less than the maximum allowed.

FINDING: This standard is met.

E. Location

1. **Residential off-street parking spaces:**
 - a. Shall be located on the same lot or development as the residential use.
 - b. Shall not include garages or enclosed buildings with the exception of a parking structure in multifamily developments where three (3) or more spaces are not individually enclosed. (Example: Underground or multi-level parking structures).
2. For other uses, required off-street parking spaces may include adjacent on-street parking spaces, nearby public parking and shared parking located within five hundred (500) feet of the use. The distance from the parking, area to the use shall be measured from the nearest parking space to a building entrance, following a sidewalk or other pedestrian route. The right to use private off-site parking must be evidenced by a recorded deed, lease, easement, or similar written notarized letter or instrument.
3. Vehicle parking is allowed only on improved parking shoulders that meet City standards for public streets, within garages, carports and other structures, or on driveways or parking lots that have been developed in conformance with this code. Specific locations and types of spaces (car pool, compact, etc.) for parking shall be indicated on submitted plans and located to the side or rear of buildings where feasible.
 - a. All new development with forty (40) employees or more shall include preferential spaces for carpool/vanpool designation. Carpool and vanpool parking spaces shall be located closer to the main employee entrance than all other parking spaces with the exception of ADA parking spaces. Carpool/vanpool spaces shall be clearly marked as reserved for carpool/vanpool only.
 - b. Existing development may redevelop portions of designated parking areas for multi- modal facilities (transit shelters, park and ride, and bicycle parking), subject to meeting all other applicable standards, including minimum space standards.

ANALYSIS: The proposed development is for commercial uses, therefore, no residential off-street parking spaces are proposed. All off-street parking required for commercial uses will be located

within the boundaries of the site or shared with adjacent uses within Cedar Creek Plaza. All lots within the Cedar Creek Plaza center are located within 500 feet of the site that allows for shared parking.

FINDING: This standard is met.

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

ANALYSIS: Per the applicant's narrative, all parking and maneuvering areas will be clearly marked, painted, and signed to show the direction of flow and to maintain vehicular and pedestrian safety.

FINDING: This standard is met.

G. Surface and Drainage

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

ANALYSIS: All portions of the proposed off-street parking and circulation area will be constructed with a permanent, durable hard surface, such as asphalt or concrete. Pervious paving is not proposed due to limited infiltration documented through the previous site plan review application (SP 16-10). Associated stormwater facilities have been located and sized appropriately to treat and detain run-off from the site prior to discharging to the public system.

City policy requires that a grading and erosion control permit be obtained for any site work that disturbs over 500 square feet of area. This permit is obtained from the Building Department.

The subject property is approximately 1.73 acres in size. Since the project is less than 5 acres, a DEQ NPDES 1200-CN permit will be required unless a DEQ NPDES 1200-C permit is otherwise required by either CWS or DEQ.

FINDING: This standard can be met as conditioned in the Public Infrastructure section and below.

CONDITION OF APPROVAL: E1 Prior to Issuance of Grading Permit, the developer shall obtain a DEQ NPDES 1200-CN permit unless CWS or DEQ require a DEQ NPDES 1200-C permit.

CONDITION OF APPROVAL: C2 Prior to Approval of the Engineering Public Improvement Plans, a City of Sherwood grading and erosion control permit shall be obtained.

- I. Parking and Loading Plan. An off-street parking and loading plan, drawn to scale, shall accompany requests for building permits or site plan approvals, except for single and two-family dwellings, and manufactured homes on residential lots. The plan shall show but not be limited to:**
 - 1. Delineation of individual parking and loading spaces and dimensions.**
 - 2. Circulation areas necessary to serve parking and loading spaces.**

3. Location of accesses to streets, alleys and properties to be served, and any curb cuts.
4. Landscaping as required by Chapter 16.92.
5. Grading and drainage facilities.
6. Signing and bumper guard specifications.
7. Bicycle parking facilities as specified in Section 16.94.020.C.
8. Parking lots more than one (1) acre in size shall provide street-like features including curbs, sidewalks, and street trees or planting strips.

ANALYSIS: As shown on the Preliminary Plans, Applicant’s Exhibit A, the site plan and related off-street parking and circulation area have been designed consistent with the requirements specified above. The parking area is larger than one acre and has been designed to include curbs and on-site walkways that will separate pedestrians from vehicles as they maneuver around the site. Findings regarding required landscaping are presented above, while findings in response to bicycle parking standards are presented below.

FINDING: This standard is met.

16.94.020 - Off-Street Parking Standards

- A. Generally. Where square feet are specified, the area measured shall be the gross building floor area primary to the functioning of the proposed use. Where employees are specified, persons counted shall be those working on the premises, including proprietors, during the largest shift at peak season. Fractional space requirements shall be counted as a whole space. The Review Authority may determine alternate off - street parking and loading requirements for a use not specifically listed in this Section based upon the requirements of comparable uses.

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

	Minimum Parking Standard	Maximum Permitted Parking Zone A ¹	Maximum Permitted Parking Zone B ²
General retail or personal service	4.1 (244 sf)	5.1	6.2
General office	2.7 (370 sf)	3.4	4.1
Eating or drinking establishment	15.3 (65 sf)	19.1	23.0

¹ Parking Zone A reflects the maximum number of permitted vehicle parking spaces allowed for each listed land use. Parking Zone A areas include those parcels that are located within one-quarter (¼) mile walking distance of bus transit stops, one-half (½) mile walking distance of light rail station platforms, or both, or that have a greater than twenty-minute peak hour transit service.

- 2 Parking Zone B reflects the maximum number of permitted vehicle parking spaces allowed for each listed land use. Parking Zone B areas include those parcels that are located at a distance greater than one-quarter (¼) mile walking distance of bus transit stops, one-half (½) mile walking distance of light rail station platforms, or both.
- 3 If the street on which the house has direct access does not permit on-street parking or is less than twenty-eight (28) feet wide, two (2) off-street parking spaces are required per single-family residential unit. (includes single-family detached or attached, two-family dwelling or a manufactured home on an individual lot) If the abutting street is twenty-eight (28) feet or wider, one (1) standard (9 ft. x 20 ft.) parking space is required.
- 4 Visitor parking in residential developments: Multi-family dwelling units with more than ten (10) required parking spaces shall provide an additional fifteen (15) percent of the required number of parking spaces for the use of guests of the residents of the development. The spaces shall be centrally located or distributed throughout the development. Required bicycle parking facilities shall also be centrally located within or evenly distributed throughout the development.

ANALYSIS: Table 1, below presents the applicant’s detailed summary of the off-street parking required for the proposed retail or office space or a mix of both. As shown on the Preliminary Plans, Applicant’s Exhibit A, the proposed development will contain a total of 94 off-street parking spaces, which is consistent with the minimum number of spaces required and the maximum number of spaces allowed under General Retail or General Office. The site is within the boundaries of Zone A with respect to the maximum parking allowed on site.

However, If both buildings are utilized as “Eating or drinking establishments,” the minimum requirement is 199 parking stalls: making the proposed 94 parking stalls insufficient.

Table 1: Minimum and Maximum Parking Standards – LOT 2		
	Minimum Parking Standard	Minimum Required Stalls (13,000 sf)
General retail or personal service	4.1/1,000 sf (244 sf)	53
General office	2.7/1,000 sf (370 sf)	35
Eating or drinking establishment	15.3/1,000 sf (65 sf)	199

The applicant is proposing shared parking with the surrounding commercial development through a reciprocal access and parking agreement that was established through a prior land use approval (SP 16-10).

In the applicant’s narrative, Tables 2-5, demonstrate how the parking requirements for the overall development are affected based on if the proposed building were to include exclusively healthcare, restaurant, or retail uses. Tables 2-3 showed compliance with parking minimums for retail and general office uses.

Table 4 reflected below, shows the parking requirement within the Cedar Creek Plaza (entire development) and if the proposed development was exclusively for restaurant uses. If the proposed development was exclusively used for restaurants, the entire site (Cedar Creek Plaza) is required to have 617 parking spaces.

Table 4: Cedar Creek Plaza (Entire Development) Parking Requirements - EXCLUSIVELY RESTAURANT				
Use	Floor Area	Minimum Parking Ratio	Minimum Required Stalls	Min Adjusted Per Criteria in SZCDC 16.94.010(C)(2)
Assisted Living (Nursing Home)	143,400 sf	-	98	98 (100%)
Healthcare/Medical Office	42,000 sf	2.7/1,000 sf	113	102 (90%)
Retail	19,918 sf	4.1/1,000 sf	82	66 (80%)
Fitness	15,728 sf	4.3/1,000 sf	68	54 (80%)
Restaurant	22,782 sf	15.3/1,000 sf	349	279 (80%)
Drive-Thru Restaurant	2,250 sf	9.9/1,000 sf	22	18 (80%)
Total	246,078 sf	-	732	617

Table 5 below shows the proposed parking supply for the entire Cedar Creek Plaza including the development proposal on Lot 2. It reflects a shortage of 19 parking spaces if the development is exclusively used for restaurants.

Table 5: Overall Parking Summary	
Required Minimum	Healthcare: 490 spaces Retail: 500 spaces Restaurant: 617 spaces
Proposed Parking Supply	598 spaces
Surplus/Deficit	Healthcare: +108 Retail: +98 Restaurant: -19

If the buildings were to be used for a mix of healthcare and retail use, the overall Cedar Creek Plaza development and subdivision will continue to comply with parking requirements.

If the buildings were to be used for restaurant use, the overall Cedar Creek Plaza development and subdivision will not comply with parking requirements, being 19 parking stalls short.

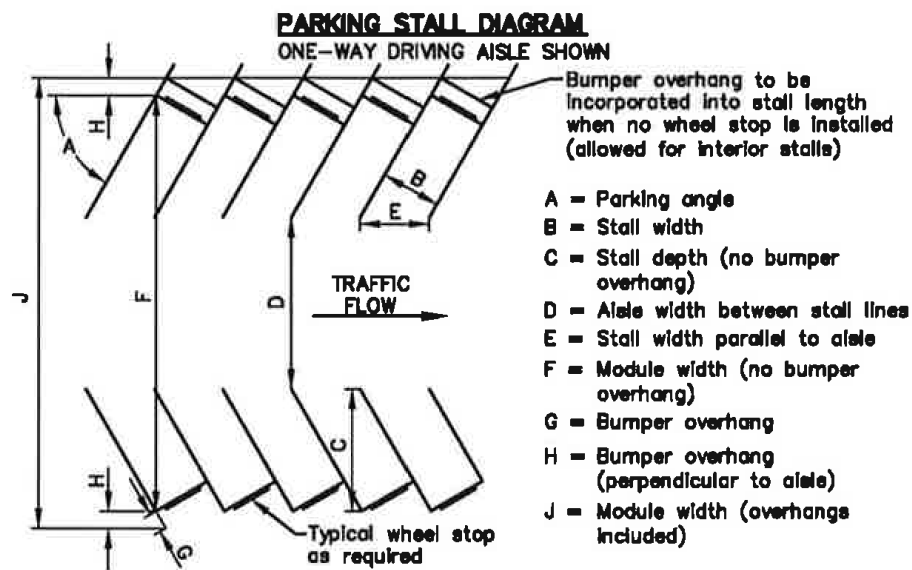
Per the applicant’s narrative, the applicant recognizes that programming 13,000 square feet of solely restaurant use would create an imbalance in patron parking demand within the center. Therefore, the applicant plans to execute a balanced programming of uses all of which will be allowed in the RC zone. With the additional 94 parking spaces proposed, the total parking provided totals 598 spaces. See Applicant’s Exhibit O, Parking Map, for more information.

FINDING: As conditioned below, this standard can be met.

CONDITION OF APPROVAL: A7 After approval of the building permits for site development from the City’s Building Official, any future building permits for tenant improvements are conditioned to provide documentation to the Sherwood Planning Department showing how minimum parking requirements are satisfied at the time of tenant improvements building permit approval.

B. Dimensional and General Configuration Standards

1. Dimensions For the purpose of this Chapter, a "parking space" means a stall nine (9) feet in width and twenty (20) feet in length. Up to twenty five (25) percent of required parking spaces may have a minimum dimension of eight (8) feet in width and eighteen (18) feet in length so long as they are signed as compact car stalls. All vehicle turning and maneuvering. Groups of more than four (4) parking spaces shall be served by a driveway so as to minimize backing movements or other maneuvering within a street, other than an alley. All parking areas shall meet the minimum standards shown in the following table.



**2: Minimum Parking Dimension Requirements
One-Way Driving Aisle (Dimensions in Feet)**

A	B	C	D	E	F	G	H	J
90°	8.0	15.0	26.0	8.0	56.0	3.0	3.0	62.0
	9.0	17.0	24.0	9.0	58.0	3.0	3.0	64.0

**Table 3: Two-Way Driving Aisle
(Dimensions in Feet)**

A	B	C	D	E	F	G	H	J
90°	8.0	15.0	26.0	8.0	56.0	3.0	3.0	62.0
	9.0	17.0	24.0	9.0	58.0	3.0	3.0	64.0

ANALYSIS: As shown on the Applicant's Exhibit A, Sheet C2.1, the proposed parking areas have been designed consistent with the dimensional standards specified above. Proposed parking stalls are 9-feet wide and 20-feet long, except on the south and east property lines where vehicle overhang is utilizing subsection 16.94.020.B.3.c below.

FINDING: This standard is met.

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

ANALYSIS: As shown on the Applicant's Exhibit A, Sheet C2.1, parking space configuration, stall, and access aisle size are of sufficient width for all vehicles turning and maneuvering on-site. Parking areas meet minimum dimensional requirements. No backing movements or maneuvering on public streets will be required.

FINDING: This standard is met.

3. Wheel Stops

- a. **Parking spaces along the boundaries of a parking lot or adjacent to interior landscaped areas or sidewalks shall be provided with a wheel stop at least four (4) inches high, located three (3) feet back from the front of the parking stall as shown in the above diagram.**
- b. **Wheel stops adjacent to landscaping, bio-swales or water quality facilities shall be designed to allow stormwater runoff.**
- c. **The paved portion of the parking stall length may be reduced by three (3) feet if replaced with three (3) feet of low lying landscape or hardscape in lieu of a wheel stop; overhang from a wheel stop may be low-lying landscaping rather than an impervious surface.**

ANALYSIS: Per the applicant's narrative, all parking spaces will have curbing or wheel stops in compliance with this requirement.

FINDING: This standard is met.

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

ANALYSIS: No service drives are proposed.

FINDING: This standard is not applicable.

5. Credit for On-Street Parking

- a. **On-Street Parking Credit. The amount of off-street parking required shall be reduced by one (1) off-street parking space for every on-street parking space adjacent to the development. On-street parking shall follow the established configuration of existing on-street parking, except that angled**

parking may be allowed for some streets, where permitted by City standards.

- b. The following constitutes an on-street parking space:
 - (1) Parallel parking, each twenty-four (24) feet of uninterrupted curb;
 - (2) Forty-five (45)/sixty (60) degree diagonal, each with ten (10) feet of curb;
 - (3) Ninety (90) degree (perpendicular) parking, each with eight (8) feet of curb;
 - (4) Curb space must be connected to the lot which contains the use;
 - (5) Parking spaces that would not obstruct a required clear vision area, nor any other parking that violates any law or street standard; and;
 - (6) On-street parking spaces credited for a specific use may not be used exclusively by that use, but shall be available for general public use at all times. No signs or actions limiting general public use of on-street spaces is permitted.

ANALYSIS: No credit for on-street parking is requested.

FINDING: This standard is not applicable.

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

ANALYSIS: The applicants are not requesting reductions to required parking based on the criterion cited above.

FINDING: This standard is met.

C. Bicycle Parking Facilities

1. General Provisions

- a. **Applicability.** Bicycle parking spaces shall be provided for new development, changes of use, and major renovations, defined as construction valued at twenty-five (25) percent or more of the assessed value of the existing structure.
- b. **Types of Spaces.** Bicycle parking facilities shall be provided in terms of short-term bicycle parking and long-term bicycle parking. Short-term bicycle parking is intended to encourage customers and other visitors to use bicycles by providing a convenient and readily accessible place to park bicycles. Long-term bicycle parking provides employees, students, residents, commuters, and others who generally stay at a site for at least several hours a weather-protected place to park bicycles.
- c. **Minimum Number of Spaces.** The required total minimum number of bicycle parking spaces for each use category is shown in Table 4, Minimum Required Bicycle Parking Spaces.
- d. **Minimum Number of Long-term Spaces.** If a development is required to provide eight (8) or more required bicycle parking spaces in Table 4, at

least twenty-five (25) percent shall be provided as long-term bicycle with a minimum of one (1) long-term bicycle parking space.

- e. **Multiple Uses.** When there are two or more primary uses on a site, the required bicycle parking for the site is the sum of the required bicycle parking for the individual primary uses.

Table 4: Minimum Required Bicycle Parking Spaces

Use Categories	Minimum Required Spaces
Commercial Categories	
Retail sales/service office	2 or 1 per 20 auto spaces, whichever is greater

ANALYSIS: The proposed uses (retail, healthcare, restaurants) are subject to the same bicycle parking space ratio of one space for every 20 vehicle parking spaces. This results in the need for at least 5 bicycle stalls based on 94 auto parking spaces. "Long term" bicycle is not required, since the required bicycle parking is less than 8 bicycle spaces per the criterion cited above.

As shown on the applicant's Exhibit A, Sheet C2.0, two bike racks are proposed with 3-spaces minimum.

FINDING: With conditions of approval, the criteria is met.

CONDITION OF APPROVAL: B4 Prior to Final Site Plan Approval, the applicant shall show all bike rack locations on the final site plans. All locations and the number of bicycle spaces shall comply with all City requirements.

2. Location and Design.

a. General Provisions

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

ANALYSIS: The applicant provided general locations of the bicycle spaces but did not provide specific and design are required above.

FINDING: This standard can be met as conditioned below.

CONDITION OF APPROVAL: B5 Prior to Final Site Plan Approval, the applicant shall provide bicycle parking details as required under Section 16.94.020.C.2.

- b. Short-term Bicycle Parking**
 - (1) Provide lockers or racks that meet the standards of this section.
 - (2) Locate inside or outside the building within thirty (30) feet of the main entrance to the building or at least as close as the nearest vehicle parking space, whichever is closer.

- c. Long-term Bicycle Parking**
 - (1) Provide racks, storage rooms, or lockers in areas that are secure or monitored (e.g., visible to employees or customers or monitored by security guards).
 - (2) Locate the outside bicycle parking spaces within one hundred (100) feet of the entrance that will be accessed by the intended users.
 - (3) All of the spaces shall be covered.

- d. Covered Parking (Weather Protection)**
 - (1) When required, covered bicycle parking shall be provided in one (1) of the following ways: inside buildings, under roof overhangs or awnings, in bicycle lockers, or within or under other structures.
 - (2) Where required covered bicycle parking is not within a building or locker, the cover must be permanent and designed to protect the bicycle from rainfall and provide seven-foot minimum overhead clearance.
 - (3) Where required bicycle parking is provided in lockers, the lockers shall be securely anchored.

ANALYSIS: As shown on the Applicant's Exhibit A, Sheets C2.0, all "short term" spaces are located within less than 30 feet of a building entrance.

FINDING: With the previously proposed condition of approval regarding bike locations and design, this standard is met.

16.94.030 - Off-Street Loading Standards

A. Minimum Standards

- 1. A driveway designed for continuous forward flow of passenger vehicles for the purpose of loading and unloading passengers shall be located on the site of any school, or other public meeting place, which is designed to accommodate more than twenty five (25) persons at one time.
- 2. The minimum loading area for non-residential uses shall not be less than ten (10) feet in width by twenty-five (25) feet in length and shall have an unobstructed height of fourteen (14) feet.
- 3. Multiple uses on the same parcel or adjacent parcels may utilize the same loading area if it is shown in the development application that the uses will not have substantially overlapping delivery times.

4. **The following additional minimum loading space is required for buildings in excess of twenty thousand (20,000) square feet of gross floor area:**
 - a. **Twenty thousand (20,000) to fifty (50,000) sq. ft. - five hundred (500) sq. ft.**
 - b. **Fifty (50,000) sq. ft. or more - seven hundred fifty (750) sq. ft.**

ANALYSIS: The proposed development will not include a school or other public meeting place. The proposed buildings total 13,000 square feet, therefore, no loading areas are proposed. Per the applicant's narrative, loading is anticipated in small style delivery trucks and can be offloaded from the drive aisle in short time periods that would not pose impacts to required parking. This is consistent with the current loading and delivery system throughout the rest of the Cedar Creek Plaza shopping center.

FINDING: This standard is met.

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

ANALYSIS: No formal loading spaces are proposed. Loading and unloading of deliveries will be completed during off hours when parking will not be fully utilized. As stated above, loading is anticipated in small style delivery trucks and can be offloaded from the drive aisle in short time periods that would not pose impacts to required parking. This is consistent with the current loading and deliveries system throughout the rest of the Cedar Creek Plaza shopping center.

FINDING: This standard is met.

- C. **Exceptions and Adjustments. The review authority, through Site Plan Review, may approve loading areas within a street right-of-way in the Old Town Overlay District when all of the following conditions are met:**
 1. **Short in duration (i.e., less than one (1) hour);**
 2. **Infrequent (less than three (3) operations occur daily between 5:00 a.m. and 12:00 a.m. or all operations occur between 12:00 a.m. and 5:00 a.m. at a location that is not adjacent to a residential zone);**
 3. **Does not unreasonably obstruct traffic; [or] Does not obstruct traffic during peak traffic hours;**
 4. **Does not obstruct a primary emergency response route; and**
 5. **Is acceptable to the applicable roadway authority.**

ANALYSIS: The site is not located within the Old Town Overlay District.

FINDING: Compliance is not required.

Chapter 16.96 - ON-SITE CIRCULATION

16.96.010 - On-Site Pedestrian and Bicycle Circulation

- A. **Purpose. On-site facilities shall be provided that accommodate safe and convenient pedestrian access within new subdivisions, multi-family developments, planned unit developments, shopping centers and commercial districts, and connecting to adjacent residential areas and neighborhood activity centers within one-half mile of the development. Neighborhood activity centers include but are not limited to existing**

or planned schools, parks, shopping areas, transit stops or employment centers. All new development, (except single-family detached housing), shall provide a continuous system of private pathways/sidewalks.

ANALYSIS: As shown on the Applicant's Exhibit A, Sheet C2.0, an interconnected network of internal walkways is proposed within the site to facilitate safe and convenient pedestrian travel from the proposed buildings to adjacent internal streets and walkways within the Cedar Creek Plaza commercial center.

FINDING: This standard is met.

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

ANALYSIS: The City of Sherwood has reviewed the project site and circulation plan as part of the Site Plan process and has found the circulation to be adequate for the proposed level of development. All final site plans and building plans must conform to the Site Plan.

FINDING: This standard is met.

C. Joint Access. Two (2) or more uses, structures, or parcels of land may utilize the same ingress and egress when the combined ingress and egress of all uses, structures, or parcels of land satisfied the other requirements of this Code, provided that satisfactory legal evidence is presented to the City in the form of deeds, easements, leases, or contracts to clearly establish the joint use.

ANALYSIS: The proposed development will utilize existing previously approved access points in the commercial center available for use through a reciprocal access and parking agreement that applies to all the properties within the development (Page 10 of Applicant's Exhibit N). No changes to these existing access points for the Cedar Creek Plaza commercial center are proposed through this application.

FINDING: This standard is met.

D. Connection to Streets

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

ANALYSIS: As noted above, the proposed development will utilize existing previously approved access points in the commercial center available for use through a reciprocal access and parking agreement that applies to all the properties within the development (Page 10 of Applicant's Exhibit N). No changes to these existing access points for the Cedar Creek Plaza commercial center are proposed through this application.

The entrance of each building is connected to a public sidewalk by internal private walkways through the Cedar Creek Plaza Commercial development.

FINDING: This standard is met.

F. Access to Major Roadways. Points of ingress or egress to and from Highway 99W and arterials designated on the Transportation Plan Map, attached as Appendix C of the Community Development Plan, Part II, shall be limited as follows:

1. Single and two-family uses and manufactured homes on individual residential lots developed after the effective date of this Code shall not be granted permanent driveway ingress or egress from Highway 99W and arterial roadways. If alternative public access is not available at the time of development, provisions shall be made for temporary access which shall be discontinued upon the availability of alternative access.
2. Other private ingress or egress from Highway 99W and arterial roadways shall be minimized. Where alternatives to Highway 99W or arterials exist or are proposed, any new or altered uses developed after the effective date of this Code shall be required to use the alternative ingress and egress.
3. All site plans for new development submitted to the City for approval after the effective date of this Code shall show ingress and egress from existing or planned local or collector streets, consistent with the Transportation Plan Map and Section VI of the Community Development Plan.

ANALYSIS: No new access points to public streets, or changes to existing access points, are proposed with this application. The site will utilize existing shared access points and circulation areas within the development which are governed by a reciprocal access and parking agreement. The existing access points were approved by the City through prior land use applications.

FINDING: This standard is met.

G. Service Drives. Service drives shall be provided pursuant to Section 16.94.030.

ANALYSIS: No service drives are proposed.

FINDING: This standard is not applicable.

16.96.030 - Minimum Non-Residential Standards

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

A. Driveways

1. **Commercial:** Improved hard surface driveways are required as follows:

Required		Minimum Width	
Parking Spaces	# Driveways	One-Way Pair	Two-Way
1 - 49	1	15 feet	24 feet
50 & above	2	15 feet	24 feet

3. Surface materials are encouraged to be pervious when appropriate considering soils, anticipated vehicle usage and other pertinent factors.

ANALYSIS: As noted above, a total of 94 parking spaces will be located within the boundaries of the site. As shown on Applicant’s Exhibit A, Sheet C2.0, two driveways are proposed. Both driveways are two-way drive isles and 24 -26 feet in width. The proposed driveways will be comprised of asphalt. Pervious paving is not proposed due to limited infiltration present at the site as documented previously through SP 16-10.

FINDING: This standard is met.

B. Sidewalks and Curbs

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

ANALYSIS: As shown on Exhibit A, Sheet C2.0, sidewalks and curbing have been provided throughout the site. Proposed sidewalks connect proposed building entrances to the existing on-site pedestrian circulation system within the cedar Creek Plaza development, that ultimately connects to the public sidewalks. No transit facilities are located within 500 feet of the site. The nearest bus stop is located at the intersection of SW Sherwood Boulevard and SW Langer Drive. The nearest public park (Pioneer Park) is farther away than 500 feet. Each of the proposed internal walkways will be constructed of concrete, asphalt, brick, or masonry pavers. Each of the proposed walkways, regardless of whether they provide a connection with to a public sidewalk is at least six feet wide. No exceptions to construction of internal walkways are requested by the applicant.

FINDING: This standard is met.

16.96.040 - On-Site Vehicle Circulation

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

ANALYSIS: Appropriate ingress and egress are shown on Applicant's Exhibit A. Any approval of these plans will require development to follow the circulation shown on the plans.

FINDING: This standard is met.

B. Joint Access [See also Chapter 16.108]

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

ANALYSIS: The proposed development will utilize existing approved access points in the Cedar Creek Plaza commercial development which have been established for shared use through a reciprocal access and parking agreement. No changes to these existing access points are proposed through this application.

FINDING: This standard is met.

C. Connection to Streets

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

ANALYSIS: As noted above, the development will utilize existing approved reciprocal access, parking, and maintenance agreement to allow unrestricted use of the vehicular circulation and parking areas. Shared access from SW Edy Road and SW Pacific Highway will enable customers the ability to travel efficiently to and from the site. The proposed site design includes private sidewalks that connect proposed building entrances to the existing on-site pedestrian circulation system within the development, which connects to public sidewalks.

FINDING: This standard is met.

E. Service Drives. Service drives shall be provided pursuant to Section 16.94.030.

ANALYSIS: No service drives are provided or required.

FINDING: This standard is not applicable.

Chapter 16.98 - ON-SITE STORAGE

16.98.020 - Solid Waste and Recycling Storage

All uses shall provide solid waste and recycling storage receptacles which are adequately sized to accommodate all solid waste generated on site. All solid waste and recycling storage areas and receptacles shall be located out of public view. Solid waste and recycling receptacles for multi-family, commercial, industrial and institutional uses shall

be screened by six (6) foot high sight-obscuring fence or masonry wall and shall be easily accessible to collection vehicles.

ANALYSIS: As shown on the site plans, Applicant's Exhibit A, one trash enclosure is proposed to satisfy refuse disposal needs of the retail, commercial, and restaurant uses. These enclosures will be constructed with six-foot-tall cement block (CMU) walls and have operable gates. The trash and recycling enclosures has been placed to enable easy access for collection vehicles. Additionally, conditions of approval have been proposed based on input received from Pride Disposal (Applicant's Exhibit S).

FINDING: With the following proposed condition of approval, this standard is met.

CONDITIONS OF APPROVAL: B6 Prior to Final Site Plan Approval, submit details of the trash enclosure that meets Pride Disposal requirements.

Division VI. - PUBLIC INFRASTRUCTURE

Chapter 16.106 - TRANSPORTATION FACILITIES

16.106.010 – Generally

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

ANALYSIS: Craig Christensen, City of Sherwood Engineering, provided comments dated April 17, 2023, and states that the subject property has frontage on a stubbed public street off of SW Madeira Terrace at the western end of the site. No direct vehicular access will be allowed between the subject parcel and SW Madeira Terrace due to it being a residential area. The site will obtain access to SW Pacific Highway and SW Edy Road through other parcels of property in the area (Cedar Creek Plaza commercial development).

A trip generation analysis was performed for the proposed development of the subject property and determined that the new proposed plan for developing the subject property (13,000 square feet of retail space) will result in a decrease of primary trips when compared to the original traffic study which accounted for a 94-room hotel. Based upon this generation analysis, no additional traffic mitigation will be required unless otherwise conditioned by ODOT. There are no transportation conditions.

Marah Danielson, ODOT Region 1, provided comments dated April 19, 2023, Exhibit D, stating that ODOT has no concerns with the proposed development and ODOT permits are not required.

FINDING: This condition is met.

16.106.020 - Required Improvements

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

classification of the street network as established in the Transportation System Plan, Figure 15.

- B. **Existing Streets.** Except as otherwise provided, when a development abuts an existing street, the improvements requirement shall apply to that portion of the street right-of-way located between the centerline of the right-of-way and the property line of the lot proposed for development. In no event shall a required street improvement for an existing street exceed a pavement width of thirty (30) feet.
- C. **Proposed Streets**
 - 1. Except as otherwise provided, when a development includes or abuts a proposed street, in no event shall the required street improvement exceed a pavement width of forty (40) feet.
 - 2. **Half Streets:** When a half street is created, a minimum of 22 feet of driving surface shall be provided by the developer.

ANALYSIS: The development site is not adjacent to an existing or proposed street. All right-of-way improvements were required and constructed as part of Cedar Creek Plaza commercial development. As noted above, there are no transportation improvements required.

FINDING: These standards are not applicable.

D. Extent of Improvements

- 1. Streets required pursuant to this Chapter shall be dedicated and improved consistent with Chapter 6 of the Community Development Plan, the TSP and applicable City specifications included in the City of Sherwood Construction Standards. Streets shall include curbs, sidewalks, catch basins, street lights, and street trees. Improvements shall also include any bikeways designated on the Transportation System Plan map. Applicant may be required to dedicate land for required public improvements only when the exaction is directly related to and roughly proportional to the impact of the development, pursuant to Section 16.106.090.
- 2. If the applicant is required to provide street improvements, the City Engineer may accept a future improvements guarantee in lieu of street improvements if one or more of the following conditions exist, as determined by the City:
 - a. A partial improvement is not feasible due to the inability to achieve proper design standards;
 - b. A partial improvement may create a potential safety hazard to motorists or pedestrians.
 - c. Due to the nature of existing development on adjacent properties it is unlikely that street improvements would be extended in the foreseeable future and the improvement associated with the project under review does not, by itself, provide a significant improvement to street safety or capacity;
 - d. The improvement would be in conflict with an adopted capital improvement plan;
 - e. The improvement is associated with an approved land partition on property zoned residential use and the proposed land partition does not create any new streets; or
 - f. Additional planning work is required to define the appropriate design standards for the street and the application is for a project that would contribute only a minor portion of the anticipated future traffic on the street.

ANALYSIS: The development site is not adjacent to an existing or proposed street. All right-of-way improvements were required and constructed as part of Cedar Creek Plaza commercial development. As noted above, there are no transportation improvements required.

FINDING: These standards are not applicable.

E. Transportation Facilities Modifications

1. A modification to a standard contained within this Chapter and Section 16.58.010 and the standard cross sections contained in Chapter 8 of the adopted TSP may be granted in accordance with the procedures and criteria set out in this section.

ANALYSIS: The applicants are not requesting a modification to street improvement standards discussed above.

FINDING: This standard is not applicable.

16.106.030 - Location

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

B. Street Connectivity and Future Street Systems

1. **Future Street Systems.** The arrangement of public streets shall provide for the continuation and establishment of future street systems as shown on the Local Street Connectivity Map contained in the adopted Transportation System Plan (Figure 16).
2. **Connectivity Map Required.** New residential, commercial, and mixed use development involving the construction of new streets shall be submitted with a site plan that implements, responds to and expands on the Local Street Connectivity map contained in the TSP.
3. **Block Length.** For new streets except arterials, block length shall not exceed 530 feet. The length of blocks adjacent to arterials shall not exceed 1,800 feet.
4. **Where streets must cross water features identified in Title 3 of the Urban Growth Management Functional Plan (UGMFP),** provide crossings at an average spacing of 800 to 1,200 feet, unless habitat quality or length of crossing prevents a full street connection.
5. **Where full street connections over water features identified in Title 3 of the UGMFP cannot be constructed in centers, main streets and station communities (including direct connections from adjacent neighborhoods), or spacing of full street crossings exceeds 1,200 feet,** provide bicycle and pedestrian crossings at an average spacing of 530 feet, unless exceptional habitat quality or length of crossing prevents a connection.
6. **Pedestrian and Bicycle Connectivity.** Paved bike and pedestrian accessways consistent with cross section standards in Figure 8-6 of the TSP shall be provided on public easements or right-of-way when full street connections

are not possible, with spacing between connections of no more than 300 feet. Multi-use paths shall be built according to the Pedestrian and Bike Master Plans in the adopted TSP.

7. **Exceptions. Streets, bike, and pedestrian connections need not be constructed when any of the following conditions exists:**
 - a. **Physical or topographic conditions make a street or accessway connection impracticable. Such conditions include but are not limited to freeways, railroads, steep slopes, wetlands or other bodies of water where a connection could not reasonably be provided.**
 - b. **Buildings or other existing development on adjacent lands physically preclude a connection now or in the future considering the potential for redevelopment; or**
 - c. **Where streets or accessways would violate provisions of leases, easements, covenants, restrictions or other agreements existing as of May 1, 1995, which preclude a required street or accessway connection.**

ANALYSIS: The development site is not adjacent to an existing or proposed street. All right-of-way improvements were required and constructed as part of Cedar Creek Plaza commercial development. As noted above, there are no transportation improvements required.

FINDING: These standards are not applicable.

- C. **Underground Utilities. All public and private underground utilities, including sanitary sewers and stormwater drains, shall be constructed prior to the surfacing of streets. Stubs for service connections shall be long enough to avoid disturbing the street improvements when service connections are made.**
- D. **Additional Setbacks. Generally additional setbacks apply when the width of a street right-of-way abutting a development is less than the standard width under the functional classifications in Section VI of the Community Development Plan. Additional setbacks are intended to provide unobstructed area for future street right-of-way dedication and improvements, in conformance with Section VI. Additional setbacks shall be measured at right angles from the centerline of the street.**

ANALYSIS: The development site is not adjacent to an existing or proposed street. All right-of-way improvements were required and constructed as part of Cedar Creek Plaza commercial development. As noted above, there are no transportation improvements required.

FINDING: These standards are not applicable.

16.106.040 - Design

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

ANALYSIS: The development site is not adjacent to an existing or proposed street. All right-of-way improvements were required and constructed as part of Cedar Creek Plaza commercial development. As noted above, there are no transportation improvements required.

FINDING: These standards are not applicable.

16.106.060 - Sidewalks

A. Required Improvements

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

B. Design Standards

- 1. Arterial and Collector Streets. Arterial and collector streets shall have minimum eight (8) foot wide sidewalks/multi- use path, located as required by this Code.**
- 2. Local Streets. Local streets shall have minimum five (5) foot wide sidewalks, located as required by this Code.**
- 3. Handicapped Ramps. Sidewalk handicapped ramps shall be provided at all intersections.**

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

ANALYSIS: The development site is not adjacent to an existing or proposed street. All right-of-way improvements were required and constructed as part of Cedar Creek Plaza commercial development. As noted above, there are no transportation improvements required.

FINDING: These standards are not applicable.

16.106.070 - Bike Lanes

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

ANALYSIS: The development site is not adjacent to an existing or proposed street. All right-of-way improvements were required and constructed as part of Cedar Creek Plaza commercial development. As noted above, there are no transportation improvements required.

FINDING: This standard is not applicable.

16.106.080 - Traffic Impact Analysis (TIA)

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

- 1. An amendment to the Sherwood Comprehensive Plan or zoning map.**
- 2. A new direct property approach road to Highway 99W is proposed.**
- 3. The proposed development generates fifty (50) or more PM peak-hour trips on Highway 99W, or one hundred (100) PM peak-hour trips on the local transportation system.**

4. An increase in use of any adjacent street or direct property approach road to Highway 99W by ten (10) vehicles or more per day that exceed the twenty thousand-pound gross vehicle weight.
5. The location of an existing or proposed access driveway does not meet minimum spacing or sight distance requirements, or is located where vehicles entering or leaving the property are restricted, or such vehicles are likely to queue or hesitate at an approach or access connection, thereby creating a safety hazard.
6. A change in internal traffic patterns that may cause safety problems, such as back up onto the highway or traffic crashes in the approach area.

ANALYSIS: As discussed previously, a trip generation analysis was performed for the proposed development of the subject property and determined that the new proposed plan for developing the subject property (13,000 square feet of retail space) will result in a decrease of primary trips when compared to the original traffic study which accounted for a 94-room hotel. Based upon this generation analysis, no additional traffic mitigation will be required unless otherwise conditioned by ODOT.

Marah Danielson, ODOT Region 1, provided comments dated April 19, 2023, Exhibit D, stating that ODOT has no concerns with the proposed development and ODOT permits are not required.

FINDING: These standards are met.

Chapter 16.110 - SANITARY SEWERS

16.110.010 - Required Improvements

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

ANALYSIS: Per Engineering Comments, Exhibit B, there is currently a public sanitary sewer main exists near the western end of the site. All neighboring properties either have public sanitary sewer service or access to public sanitary sewer service, therefore ,no public sanitary sewer main extension is required.

Every business owner who discharges water or waste containing fats, wax, grease, or oils must install, use, maintain and keep in good working condition an interceptor. As used in this subchapter, "interceptor" means a device designed and installed so as to adjust, separate and retain deleterious, hazardous, or undesirable matter from sewage and to permit normal sewage or liquid wastes to discharge into the disposal terminal.

FINDING: With the following conditions of approval, this standard is met.

CONDITION OF APPROVAL: C3 Prior to Approval of the Public Improvement Plans, if any of the businesses are expected to produce waste containing fats, wax, grease or oils, the proposed development shall design to provide a grease interceptor on the sanitary sewer service serving the

proposed building spaces producing said waste meeting the approval of the Sherwood Engineering Department.

CONDITION OF APPROVAL: C4 Prior to Approval of the Public Improvement Plans, the developer shall design to connect to the existing sanitary sewer stub at the western end of the subject property unless otherwise approved by the Sherwood Engineering Department.

CONDITION OF APPROVAL: D3 Prior to Issuance of a Plumbing Permit, the proposed development shall design the private sanitary sewer to be in compliance with the current Oregon Plumbing Specialty Code.

16.110.020 - Design Standards

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

ANALYSIS: Compliance with the standards of this code is demonstrated in this narrative and in Sheet C5.0 of Applicant's Exhibit A. No public sanitary sewer main extension is required.

FINDING: This standard is met.

B. Over-Sizing

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

FINDING: No public sanitary sewer main extension is required. Therefore, this standard is not applicable.

16.110.030 - Service Availability

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

ANALYSIS: Issuance of a service availability certification by the City shall occur through review and approval of plans for public improvements, which will be submitted to the City for issuance of the required permits after receiving necessary land use approvals.

FINDING: This standard is met.

Chapter 16.112 - WATER SUPPLY

16.112.010 - Required Improvements

Water lines and fire hydrants conforming to City and Fire District standards shall be installed to serve all building sites in a proposed development. All waterlines shall be connected to existing water mains or shall construct new mains appropriately sized and located in accordance with the Water System Master Plan.

ANALYSIS: City Engineering comments, Exhibit B, states that there is currently a public water main existing along the southeast side of the subject property. All neighboring properties either have public water or access to public water, therefore ,no public water main extension is required.

The proposed buildings will obtain domestic and fire water via an existing water line stubbed into the subject property.

FINDING: With the proposed conditions of approval, this standard can be met.

CONDITION OF APPROVAL: D4 Prior to Issuance of a Plumbing Permit, water flows calculations (domestic, irrigation and fire) shall be provided by the developer.

CONDITION OF APPROVAL: C5 Prior to Approval of the Public Improvement Plans, the proposed development shall design to bring fire water (if necessary/desired) and domestic water to the subject property meeting the approval of the Sherwood Engineering Department.

CONDITION OF APPROVAL: C6 Prior to Approval of the Public Improvement Plans, the proposed development shall design for backflow prevention on the fire water service (if required/desired) and on the domestic water service meeting the approval of the Sherwood Engineering Department.

CONDITION OF APPROVAL: D5 Prior to Issuance of a Plumbing Permit, the proposed development shall design for private water lines to be in compliance with the current Oregon Plumbing Specialty Code.

CONDITION OF APPROVAL: E2 Prior to Acceptance of Public Improvements, any public water facilities located on private property shall have a recorded public water line easement encompassing the related public water improvements meeting Sherwood Engineering standards.

16.112.020 - Design Standards

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

ANALYSIS: The utility plan (Sheet C5.0 in Applicant's Exhibit A) shows a private water connection has been sized appropriately for the development in accordance with applicable City standards.

FINDING: This standard is met.

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

ANALYSIS: The Composite Utility plan, Sheet C5.0 of Applicant's Exhibit A, demonstrates that the proposed development will comply with applicable fire protection requirements.

FINDING: This standard is met.

16.112.030 - Service Availability

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

ANALYSIS: Issuance of a service availability certification by the City shall occur through review and approval of plans for public improvements, which will be submitted to the City for issuance of the required permits after receiving necessary land use approvals.

FINDING: This standard is met.

Chapter 16.114 - STORMWATER

16.114.010 - Required Improvements

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

ANALYSIS: City Engineering provided comments, Exhibit B, stating that a public storm sewer main currently exists at the southeast side of the subject property. All neighboring properties either have public storm sewer service or access to public storm sewer service, therefore no public storm sewer main extension is required.

The subject development will need to provide on-site storm runoff water quality treatment and hydro-modification facilities in compliance with Clean Water Services (CWS) standards for any new/modified impervious area to be installed. Storm runoff detention will also be required unless otherwise approved by ODOT.

Clean Water Services, Jackie Humphreys, provided comments, and state that a Clean Water Services Storm Water Connection Permit Authorization must be obtained prior to any work on site (Exhibit C).

FINDING: With the following conditions of approval, the criterion is met.

CONDITION OF APPROVAL: C7 Prior to Approval of the Public Improvement Plans, the proposed development shall design to provide on-site storm runoff water quality treatment for the subject development in compliance with Clean Water Services' standards meeting the approval of the Sherwood Engineering Department.

CONDITION OF APPROVAL: C8 Prior to Approval of the Public Improvement Plans, the proposed development shall design to provide on-site storm runoff hydro-modification facilities for

the subject development in compliance with Clean Water Services' standards meeting the approval of the Sherwood Engineering Department.

CONDITION OF APPROVAL: C9 Prior to Approval of the Public Improvement Plans, the developer shall design to connect to the existing storm sewer stub at the eastern end of the subject property unless otherwise approved by the Sherwood Engineering Department.

CONDITION OF APPROVAL: C10 Prior to Approval of the Public Improvement Plans, the proposed development shall design to provide on-site storm detention facilities for the subject development in compliance with Clean Water Services' standards meeting the approval of the Sherwood Engineering Department and ODOT unless otherwise approved by ODOT.

CONDITION OF APPROVAL: E3 Prior to Acceptance of Public Improvements, private water quality, hydro-modification and detention facilities shall have a recorded Private Stormwater Facility Access and Maintenance Covenant. An Operation and Maintenance Plan for all private storm runoff water quality/hydro-modification facilities is also required to be submitted to the Sherwood Engineering Department.

CONDITION OF APPROVAL: D6 Prior to Issuance of a Plumbing Permit, the proposed development shall design for private storm water runoff within the subject property to be collected and conveyed in accordance with the current Oregon Plumbing Specialty Code

CONDITION OF APPROVAL: C11 Prior to Approval of the Engineering Public Improvement Plans, a Storm Water Connection Permit Authorization shall be obtained from Clean Water Services.

16.114.020 - Design Standards

- A. Capacity.** Stormwater drainage systems shall be sized, constructed, located, and installed at standards consistent with this Code, the Storm Drainage Master Plan Map, attached as Exhibit E, Chapter 7 of the Community Development Plan, other applicable City standards, the Clean Water Services Design and Construction standards R&O 04-9 or its replacement, and hydrologic data and improvement plans submitted by the developer.
- B. On-Site Source Control.** Stormwater detention and groundwater recharge improvements, including but not limited to such facilities as dry wells, detention ponds, and roof top ponds shall be constructed according to Clean Water Services Design and Construction Standards.
- C. Conveyance System.** The size, capacity and location of stormwater sewers and other stormwater conveyance improvements shall be adequate to serve the development and accommodate upstream and downstream flow. If an upstream area discharges through the property proposed for development, the drainage system shall provide capacity to the receive stormwater discharge from the upstream area. If downstream drainage systems are not sufficient to receive an increase in stormwater caused by new development, provisions shall be made by the developer to increase the downstream capacity or to provide detention such that the new development will not increase the stormwater caused by the new development.

ANALYSIS: Sheet C4.0 of Applicant's Exhibit A shows storm water facilities. As conditioned above, compliance with the design standards will be satisfied.

FINDING: This standard is met as conditioned above.

16.114.030 - Service Availability

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

ANALYSIS: Issuance of a service availability certification by the City shall occur through review and approval of plans for public improvements, which will be submitted to the City for issuance of the required permits after receiving necessary land use approvals.

FINDING: This standard is met.

Chapter 16.116 - FIRE PROTECTION

16.116.010 - Required Improvements

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

16.116.020 - Standards

- A. Capacity. All fire protection facilities shall be approved by and meet the specifications of the Fire District, and shall be sized, constructed, located, and installed consistent with this Code, Chapter 7 of the Community Development Plan, and other applicable City standards, in order to adequately protect life and property in the proposed development.**
- B. Fire Flow. Standards published by the Insurance Services Office, entitled "Guide for Determination of Required Fire Flows" shall determine the capacity of facilities required to furnish an adequate fire flow. Fire protection facilities shall be adequate to convey quantities of water, as determined by ISO standards, to any outlet in the system, at no less than twenty (20) pounds per square inch residual pressure. Water supply for fire protection purposes shall be restricted to that available from the City water system. The location of hydrants shall be taken into account in determining whether an adequate water supply exists.**
- C. Access to Facilities. Whenever any hydrant or other appurtenance for use by the Fire District is required by this Chapter, adequate ingress and egress shall be provided. Access shall be in the form of an improved, permanently maintained roadway or open paved area, or any combination thereof, designed, constructed, and at all times maintained, to be clear and unobstructed. Widths, height clearances, ingress and egress shall be adequate for District firefighting equipment. The Fire District, may further prohibit vehicular parking along private accessways in order to keep them clear and unobstructed, and cause notice to that effect to be posted.**
- D. Hydrants. Hydrants located along private, accessways shall either have curbs painted yellow or otherwise marked prohibiting parking for a distance of at least fifteen (15) feet in either direction, or where curbs do not exist, markings shall be painted on the pavement, or signs erected, or both, given notice that parking is prohibited for at least fifteen (15) feet in either direction.**

ANALYSIS: The Site Plan, Sheet C5.0 of the Applicant's Exhibit A, shows proposed fire protection facilities that will provide adequate water supply. A Tualatin Valley Fire & Rescue

Service Provider Permit No. 2023-0006 was also provided, Applicant's Exhibit P, with an approved Fire Service and Access Plan (Sheet FS-1).

FINDING: With the following condition of approval, this standard can be met.

CONDITION OF APPROVAL: E1 Prior to Acceptance of Public Improvements, the applicant shall comply with the Tualatin Valley Fire and Rescue Service Provider Permit No. 2023-006.

Chapter 16.118 - PUBLIC AND PRIVATE UTILITIES

16.118.010 - Purpose

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

16.118.020 - Standards

- A. Installation of utilities shall be provided in public utility easements and shall be sized, constructed, located and installed consistent with this Code, Chapter 7 of the Community Development Code, and applicable utility company and City standards.**
- B. Public utility easements shall be a minimum of eight (8) feet in width unless a reduced width is specifically exempted by the City Engineer. An eight-foot wide public utility easement (PUE) shall be provided on private property along all public street frontages. This standard does not apply to developments within the Old Town Overlay.**
- C. Where necessary, in the judgment of the City Manager or his designee, to provide for orderly development of adjacent properties, public and franchise utilities shall be extended through the site to the edge of adjacent property(ies).**
- D. Franchise utility conduits shall be installed per the utility design and specification standards of the utility agency.**
- E. Public Telecommunication conduits and appurtenances shall be installed per the City of Sherwood telecommunication design standards.**
- F. Exceptions: Installation shall not be required if the development does not require any other street improvements. In those instances, the developer shall pay a fee in lieu that will finance installation when street or utility improvements in that location occur.**

ANALYSIS: Per the applicant's narrative, no public telecommunications conduits or conduits for franchise utilities are proposed or required with this application. All public utility improvements and telecommunication/franchise utilities conduits and easements required for the development were approved through a previous land use application (SP16-10).

Per City Engineering comments, it is unnecessary to require an 8-foot-wide PUE along the end of the stub right-of-way since it is not an actual street frontage.

There is no actual street frontage that would require Sherwood Broadband conduit and vault installation. If access to Sherwood Broadband is desired for the site, the developer will coordinate directly with the Sherwood Broadband department in obtaining service.

FINDING: This standard is met.

16.118.030 - Underground Facilities

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

16.118.040 - Exceptions

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

ANALYSIS: All public utility improvements required for the development were approved through a previous land use application (SP16-10). No undergrounding of utilities is required with this application.

FINDING: This standard is met.

Division VIII. - ENVIRONMENTAL RESOURCES

Chapter 16.134 - FLOODPLAIN (FP) OVERLAY

16.134.010 - Generally

Special resource zones are established to provide for preservation, protection, and management of unique natural and environmental resources in the City that are deemed to require additional standards beyond those contained elsewhere in this Code. Special resource zones may be implemented as underlying or overlay zones depending on patterns of property ownership and the nature of the resource. A property or properties may be within more than one (1) resource zone. In addition, the City may identify special resource areas and apply a PUD overlay zone in advance of any development in order to further protect said resources.

ANALYSIS: The subject site is not located within the Floodplain Overlay regulated through Chapter 16.134.

FINDING: The corresponding standards are not applicable.

Chapter 16.138 - MINERAL RESOURCES

16.138.010 - Permitted Activities

Mineral extraction and processing, including sand and gravel pits, rock crushers, concrete and asphalt mixing plants, are permitted in the GI zone as conditional uses, subject to Chapter 16.82, and the following special conditions.

ANALYSIS: No mineral extraction or processing activities are proposed through the subject application.

FINDING: This standard is not applicable.

Chapter 16.140 - SOLID WASTE

16.140.010 - Solid Waste Facilities

Solid waste facilities are defined in 16.10.020 of this Code and are permitted in the General Industrial (GI) and Light Industrial (LI) zones as described in those sections of the Code. Permitted solid waste facilities are subject to the review procedures, site improvements and other standards of this Chapter.

ANALYSIS: No solid waste facilities are proposed through the subject application.

FINDING: This standard is not applicable.

Chapter 16.142 - PARKS, TREES AND OPEN SPACES

16.142.010 - Purpose

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

ANALYSIS: The applicant is not proposing removal of trees and no woodlands existing on site.

FINDING: These standards are addressed below.

16.142.060 - Street Trees

- A. Installation of Street Trees on New or Redeveloped Property. Trees are required to be planted to the following specifications along public streets abutting or within any new development or re-development. Planting of such trees shall be a condition of development approval. The City shall be subject to the same standards for any developments involving City-owned property, or when constructing or reconstructing City streets. After installing street trees, the property owner shall be responsible for maintaining the street trees on the owner's property or within the right-of-way adjacent to the owner's property.**
- 1. Location: Trees shall be planted within the planter strip along a newly created or improved streets. In the event that a planter strip is not required or available, the trees shall be planted on private property within the front yard setback area or within public street right-of-way between front property lines and street curb lines or as required by the City.**
 - 2. Size: Trees shall have a minimum trunk diameter of two (2) caliper inches, which is measured six inches above the soil line, and a minimum height of six (6) feet when planted.**
 - 3. Types: Developments shall include a variety of street trees. The trees planted shall be chosen from those listed in 16.142.080 of this Code.**
 - 4. Required Street Trees and Spacing:**
 - a. The minimum spacing is based on the maximum canopy spread identified in the recommended street tree list in section 16.142.080 with the intent of providing a continuous canopy without openings between the trees. For example, if a tree has a canopy of forty (40) feet, the spacing between trees**

is forty (40) feet. If the tree is not on the list, the mature canopy width must be provided to the planning department by a certified arborist.

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

ANALYSIS: The site does not abut public streets. Street trees for the frontage along public streets were planted with prior development of the Cedar Creek Plaza (SP 16-10).

FINDING: These standards are not applicable.

16.142.070 - Trees on Property Subject to Certain Land Use Applications

- A. Generally. The purpose of this Section is to establish processes and standards which will minimize cutting or destruction of trees and woodlands within the City. This Section is intended to help protect the scenic beauty of the City; to retain a livable environment through the beneficial effect of trees on air pollution, heat and glare, sound, water quality, and surface water and erosion control; to encourage the retention and planting of tree species native to the Willamette Valley and Western Oregon; to provide an attractive visual contrast to the urban environment, and to sustain a wide variety and distribution of viable trees and woodlands in the community over time.
- B. Applicability. All applications including a Type II - IV land use review, shall be required to preserve trees or woodlands, as defined by this Section to the maximum extent feasible within the context of the proposed land use plan and relative to other codes, policies, and standards of the City Comprehensive Plan.

ANALYSIS: No trees are proposed for removal with this application. No woodlands exist on site.

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.

ANALYSIS: Per the applicant's narrative, the previous Site Plan Review application for the subdivision (SP 16-10) included a tree inventory and arborist report which provided information on the location, species, size, canopy, and condition of all existing trees located within the boundaries of the site, as well as trees located along the site's SW Edy Road and SW Pacific Highway frontages. No trees are proposed for removal through this application. As shown on the Planting Plan, Sheet L1.0 of Applicant's Exhibit A, existing trees on-site will be protected in place.

FINDING: With this condition the project is consistent with these requirements.

CONDITION OF APPROVAL: A8 All site construction shall follow all recommendations contained in Sheet L1.0 of Applicant's Exhibit A, to preserve all trees recommended for onsite preservation.

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.

ANALYSIS: No trees are proposed for removal with this application. As reflected on Sheet L1.0 of the Applicant's Exhibit A, existing trees on-site will be retained and protected in place during construction.

3. **Required Tree Canopy - Non-Residential and Multi-family Developments.** Each net development site shall provide a variety of trees to achieve a minimum total tree canopy of 30 percent. The canopy percentage is based on the expected mature canopy of each tree by using the equation πr^2 to calculate the expected square footage of each tree. The expected mature canopy is counted for each tree even if there is an overlap of multiple tree canopies. The canopy requirement can be achieved by retaining existing trees or planting new trees. Required landscaping trees can be used toward the total on site canopy required to meet this standard. The expected mature canopy spread of the new trees will be counted toward the required canopy cover. A certified arborist or other qualified professional shall provide an estimated tree canopy for all proposed trees to the planning department for review as a part of the land use review process.

	Residential (single family & two family developments)	Old Town & Infill developments	Commercial, Industrial, Institutional Public and Multi-family
Canopy Requirement	40%	N/A	30%
Counted Toward the Canopy Requirement			
Street trees included in canopy requirement	Yes	N/A	No
Landscaping requirements included in canopy requirement	N/A	N/A	Yes
Existing trees onsite	Yes x2	N/A	Yes x2
Planting new trees onsite	Yes	N/A	Yes

Mature Canopy in Square Feet Equation πr^2 or $(3.14159 * \text{radius}^2)$ (This is the calculation to measure the square footage of a circle. The Mature Canopy is given in diameter. In gardening and horticulture reference books, therefore to get the radius you must divide the diameter in half.

Canopy Calculation Example: Pin Oak

Mature canopy = 35'

$$(3.14159 * 17.5^2) = 962 \text{ square feet}$$

ANALYSIS: The required tree canopy for commercial development is 30%. The Planting Plan, Sheet L1.0 of the applicant's Exhibit A and as shown on the table below, the applicant is proposing 70% tree canopy for the commercial development.

SITE TREE CANOPY COVERAGE - EXISTING & PROPOSED					
30% SITE CANOPY COVERAGE REQUIRED					
TREE SPECIES	QTY.	SIZE CLASSIFICATION	MATURE SPREAD	MATURE CANOPY AREA (SF)	TOTAL CANOPY COVERAGE (SF)
CALOCEDRUS DECURRENS	16	MEDIUM	30'	706	11,296
CERCIDIPHYLLUM JAPONICUM	1	SMALL	40'	1256	1,256
FRAXINUS PENNSYLVANICA 'MARSHALL'S SEEDLESS'	11	LARGE	40'	1256	13,816
PSEUDOTSUGA MENZIESII	6	LARGE	60'	2827	16,962
THUJA PLICATA 'HOGAN'	2	SMALL	15'	176	352
ZELKOVA SERRATA 'GREEN VASE'	13	LARGE	30'	706	9,178
TOTAL QUALIFYING TREES					49
TOTAL CANOPY COVERAGE AREA					52,860
SITE AREA					75,166 SF
% OF SITE					70%

FINDING: This standard is met.

4. **The City may determine that, regardless of D.1 through D.3, that certain trees or woodlands may be required to be retained. The basis for such a decision shall include; specific findings that retention of said trees or woodlands furthers the purposes and goals of this Section, is feasible and practical both within the context of the proposed land use plan and relative to other policies and standards of the City Comprehensive Plan, and are:**
 - a. **Within a Significant Natural Area, 100-year floodplain, City greenway, jurisdictional wetland or other existing or future public park or natural area designated by the City Comprehensive Plan, or**
 - b. **A landscape or natural feature as per applicable policies of the City Comprehensive Plan, or are necessary to keep other identified trees or woodlands on or near the site from being damaged or destroyed due to windfall, erosion, disease or other natural processes, or**
 - c. **Necessary for soil stability and the control of erosion, for managing and preserving surface or groundwater quantities or quality, or for the maintenance of a natural drainageway, as per Clean Water Services stormwater management plans and standards of the City Comprehensive Plan, or**
 - d. **Necessary in required buffers between otherwise incompatible land uses, or from natural areas, wetlands and greenways, or**
 - e. **Otherwise merit retention because of unusual size, size of the tree stand, historic association or species type, habitat or wildlife preservation considerations, or some combination thereof, as determined by the City.**

ANALYSIS: No trees are proposed for removal with this application. The site is not located within a Significant Natural Area, 100-year floodplain, City greenway, jurisdictional wetland, or public park (existing or planned).

FINDING: These standards are met.

5. **Tree retention requirements for properties located within the Old Town Overlay or projects subject to the infill standards of Chapter 16.68 are only subject to retention requirements identified in D.4. above.**
6. **The Notice of Decision issued for the land use applications subject to this Section shall indicate which trees and woodlands will be retained as per subsection D of this Section, which may be removed or shall be retained as per subsection D of this Section and any limitations or conditions attached thereto.**
7. **All trees, woodlands, and vegetation located on any private property accepted for dedication to the City for public parks and open space, greenways, Significant Natural Areas, wetlands, floodplains, or for stormwater management or for other purposes, as a condition of a land use approval, shall be retained outright, irrespective of size, species, condition or other factors. Removal of any such trees, woodlands, and vegetation prior to actual dedication of the property to the City shall be cause for reconsideration of the land use plan approval.**

FINDING: The subject site is not located within the Old Town Overlay. No trees are proposed for removal through this application. The site does not contain areas accepted for dedication to the City for public parks and open space, greenways, Significant Natural Areas, wetlands, floodplains, or for storm water management.

- E. **Tree Preservation Incentive. Retention of existing native trees on site which are in good health can be used to achieve the required mature canopy requirement of the development. The expected mature canopy can be calculated twice for existing trees. For example, if one existing tree with an expected mature canopy of 10 feet (78.5 square feet) is retained it will count as twice the existing canopy (157 square feet).**

ANALYSIS: Compliance with the tree canopy coverage requirement is met through new trees proposed for installation at the site. It should be noted, however, that the canopy area of existing trees identified for preservation will be in addition to the canopy projected from new trees.

FINDING: This standard is not applicable.

F. Additional Preservation Incentives

1. **General Provisions. To assist in the preservation of trees, the City may apply one or more of the following flexible standards as part of the land use review approval. To the extent that the standards in this section conflict with the standards in other sections of this Title, the standards in this section shall apply except in cases where the City determines there would be an unreasonable risk to public health, safety, or welfare. Flexibility shall be requested by the applicant with justification provided within the tree preservation and protection report as part of the land use review process and is only applicable to trees that are eligible for credit towards the effective tree canopy cover of the site. A separate adjustment application as outlined in Section 16.84.030.A is not required.**
2. **Flexible Development Standards. The following flexible standards are available to applicants in order to preserve trees on a development site. These standards cannot be combined with any other reductions authorized by this code.**
 - a. **Lot size averaging. To preserve existing trees in the development plan for any Land Division under Division VII, lot size may be averaged to allow lots less than the minimum lot size required in the underlying zone as long as the average lot area is not less than that allowed by the**

- underlying zone. No lot area shall be less than 80 percent of the minimum lot size allowed in the zone;
- b. **Setbacks.** The following setback reductions will be allowed for lots preserving existing trees using the criteria in subsection (1) below. The following reductions shall be limited to the minimum reduction necessary to protect the tree.
 - (1) **Reductions allowed:**
 - (a.) **Front yard** - up to a 25 percent reduction of the dimensional standard for a front yard setback required in the base zone. Setback of garages may not be reduced by this provision.
 - (b.) **Interior setbacks** - up to a 40 percent reduction of the dimensional standards for an interior side and/or rear yard setback required in the base zone.
 - (c.) **Perimeter side and rear yard setbacks** shall not be reduced through this provision.
 - c. **Approval criteria:**
 - (1) A demonstration that the reduction requested is the least required to preserve trees; and
 - (2) The reduction will result in the preservation of tree canopy on the lot with the modified setbacks; and
 - (3) The reduction will not impede adequate emergency access to the site and structure.
3. **Sidewalks.** Location of a public sidewalk may be flexible in order to preserve existing trees or to plant new large stature street trees. This flexibility may be accomplished through a curb-tight sidewalk or a meandering public sidewalk easement recorded over private property and shall be reviewed on a case by case basis in accordance with the provisions of the Engineering Design Manual, Street and Utility Improvement Standards. For preservation, this flexibility shall be the minimum required to achieve the desired effect. For planting, preference shall be given to retaining the planter strip and separation between the curb and sidewalk wherever practicable. If a preserved tree is to be utilized as a street tree, it must meet the criteria found in the Street Tree section, 16.142.060.
 4. **Adjustments to Commercial and Industrial development Standards.** Adjustments to Commercial or Industrial Development standards of up to 20 feet additional building height are permitted provided;
 - a. At least 50% of a Significant Tree stand's of canopy within a development site (and not also within the sensitive lands or areas that areas dedicated to the City) is preserved;
 - b. The project arborist or qualified professional certifies the preservation is such that the connectivity and viability of the remaining significant tree stand is maximized;
 - c. Applicable buffering and screening requirements are met;
 - d. Any height adjustments comply with state building codes;
 - e. Significant tree stands are protected through an instrument or action subject to approval by the City Manager or the City manager's designee that demonstrates it will be permanently preserved and managed as such;
 - (1.) A conservation easement;
 - (2.) An open space tract;
 - (3.) A deed restriction; or
 - (4.) Through dedication and acceptance by the City.

ANALYSIS: The applicant is not utilizing any of the preservation incentives listed above to preserve additional existing trees.

FINDING: These standards are not applicable.

Chapter 16.144 - WETLAND, HABITAT AND NATURAL AREAS

16.144.010 – Generally

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

ANALYSIS: The site does not contain any wetlands identified on the City's Wetland Inventory.

FINDING: This standard is not applicable.

Chapter 16.146 – NOISE

16.146.010 – Generally

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

16.146.020 - Noise Sensitive Uses

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

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

ANALYSIS: The commercial uses proposed through this application are anticipated to comply with noise standards contained in OAR 340- 35-035. In general, potential noise sources would be limited to those typical of a commercial retail shopping center (i.e., human voices, auto traffic, outdoor mechanical equipment, and refuse collection vehicles). The subject site is zoned for commercial development and is immediately adjacent to existing residential developments north

of the site. As noted above, the noise sources anticipated in conjunction with the proposed development are expected to be typical of a commercial shopping center.

FINDING: This standard is met.

Chapter 16.148 – VIBRATIONS

16.148.010 - Generally

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

ANALYSIS: With the exception of vibrations that may occur during site development and building construction, none of the proposed commercial uses are anticipated to generate vibrations that could be detected at the boundaries of the site. No heavy mechanical equipment (i.e., compaction, grinding, shredding) will be used in conjunction with any of the uses on the site.

FINDING: This standard is met.

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

ANALYSIS: All of the proposed commercial uses are anticipated to achieve and maintain compliance with State air quality standards regarding dust. The use of an incinerator is not proposed or necessary as part of the daily operations of the proposed uses, and none of them require the issuance of a State Air Contaminant Discharge Permit. Other than dust that may be generated during site development and building construction, the site will be fully improved with either buildings, hardscape, or landscaping that significantly precludes the potential for readily discernable dust generation.

FINDING: This standard is met.

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.

ANALYSIS: With the exception of outdoor trash enclosures and emissions from kitchen and restaurant vent hoods, none of the proposed commercial uses is anticipated to generate discernable odors.

The trash enclosure is located within the northern boundary of the site to reduce the potential for adverse impact on adjacent properties. Typical trash bins with full coverage lids will be used for the collection of refuse, which will minimize the airborne distribution of odors.

FINDING: Based on this analysis, the criteria cited above are satisfied.

Chapter 16.154 - 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.

ANALYSIS: As shown on the submitted photometric plan, Sheet SP of Applicant's Exhibit A, exterior lighting proposed for the site will not generate off-site glare in excess of one-half foot candle on adjacent residential properties. None of the proposed commercial uses is anticipated to generate excessive heat or glare.

FINDING: This standard is met.

Chapter 16.156 - ENERGY CONSERVATION

16.156.020 - Standards

A. Building Orientation - The maximum number of buildings feasible shall receive sunlight sufficient for using solar energy systems for space, water or industrial process heating or cooling. Buildings and vegetation shall be sited with respect to each other and the topography of the site so that unobstructed sunlight reaches the south wall of the greatest possible number of buildings between the hours of 9:00 AM and 3:00 PM, Pacific Standard Time on December 21st.

ANALYSIS: The proposed buildings are placed on the site in a manner that would allow the utilization of roof-mounted solar energy systems.

FINDING: This standard is met.

B. Wind - The cooling effects of prevailing summer breezes and shading vegetation shall be accounted for in site design. The extent solar access to adjacent sites is not impaired, vegetation shall be used to moderate prevailing winter wind on the site.

ANALYSIS: Based on available weather data from the National Oceanic and Atmospheric Administration (NOAA), the prevailing wind patterns in the southwest portion of metropolitan Portland during summer are from the northwest. In winter, they're predominantly from the south.

The placement of the proposed buildings will allow prevailing summer breezes to flow evenly through the site. Trees placed along the perimeter of the site and within the parking area will provide ample shading at maturity.

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

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, staff **Approves** the **Cedar Creek Plaza Lot 2 (LU 2023-001 SP)** with the following conditions of approval:

VI. CONDITIONS OF APPROVAL

A. General Conditions:

1. Compliance with the Conditions of Approval is the responsibility of the developer or its successor in interest.
2. This land use approval shall substantially comply with the submitted preliminary site plans and narrative as of March 22, 2023. Additional development or change of use may require a new development application and approval.
3. The developer/owner/applicant is responsible for all costs associated with private/public facility improvements.
4. This approval is valid for a period of two (2) years from the date of the decision notice. Extensions may be granted by the City as afforded by the Sherwood Zoning and Community Development Code.
5. The continual operation of the property shall comply with the applicable requirements of the Sherwood Zoning and Community Development Code and Municipal Code.
6. This approval does not negate the need to obtain permits, as appropriate from other local, state or federal agencies even if not specifically required by this decision.
7. After approval of the building permits for site development from the City's Building Official, any future building permits for tenant improvements are conditioned to provide documentation to the Sherwood Planning Department showing how minimum parking requirements are satisfied at the time of tenant improvements building permit approval.
8. All site construction shall follow all recommendations contained in Sheet L1.0 of Applicant's Exhibit A, to preserve all trees recommended for onsite preservation.

B. Prior to Final Site Plan Approval:

1. Prior to final site plan approval, show that there are no sight obstructing objects within the clear vision area at the eastern portion of the site.
2. Prior to Final Site Plan Approval, submit a Final Landscape Plan that has been verified by a landscape architect or a certified landscape professional.
3. Prior to Final Site Plan Approval, submit a Final Landscape Plan that complies with the installation and maintenance standards of Section 16.92.040 to the Planning Department for review and approval.
4. Prior to Final Site Plan Approval, the applicant shall show all bike rack locations on the final site plans. All locations and the number of bicycle spaces shall comply with all City requirements.
5. Prior to Final Site Plan Approval, the applicant shall provide bicycle parking details as required under Section 16.94.020.C.2.
6. Prior to Final Site Plan Approval, submit details of the trash enclosure that meets Pride Disposal requirements.

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

1. Prior to Approval of the Engineering Public Improvement Plans, an Engineering Compliance Agreement shall be executed with the City of Sherwood.

2. Prior to Approval of the Engineering Public Improvement Plans, a City of Sherwood grading and erosion control permit shall be obtained.
3. Prior to Approval of the Public Improvement Plans, if any of the businesses are expected to produce waste containing fats, wax, grease or oils, the proposed development shall design to provide a grease interceptor on the sanitary sewer service serving the proposed building spaces producing said waste meeting the approval of the Sherwood Engineering Department.
4. Prior to Approval of the Public Improvement Plans, the developer shall design to connect to the existing sanitary sewer stub at the western end of the subject property unless otherwise approved by the Sherwood Engineering Department.
5. Prior to Approval of the Public Improvement Plans, the proposed development shall design to bring fire water (if necessary/desired) and domestic water to the subject property meeting the approval of the Sherwood Engineering Department.
6. Prior to Approval of the Public Improvement Plans, the proposed development shall design for backflow prevention on the fire water service (if required/desired) and on the domestic water service meeting the approval of the Sherwood Engineering Department.
7. Prior to Approval of the Public Improvement Plans, the proposed development shall design to provide on-site storm runoff water quality treatment for the subject development in compliance with Clean Water Services' standards meeting the approval of the Sherwood Engineering Department.
8. Prior to Approval of the Public Improvement Plans, the proposed development shall design to provide on-site storm runoff hydro-modification facilities for the subject development in compliance with Clean Water Services' standards meeting the approval of the Sherwood Engineering Department.
9. Prior to Approval of the Public Improvement Plans, the developer shall design to connect to the existing storm sewer stub at the eastern end of the subject property unless otherwise approved by the Sherwood Engineering Department.
10. Prior to Approval of the Public Improvement Plans, the proposed development shall design to provide on-site storm detention facilities for the subject development in compliance with Clean Water Services' standards meeting the approval of the Sherwood Engineering Department and ODOT unless otherwise approved by ODOT.
11. Prior to Approval of the Engineering Public Improvement Plans, a Storm Water Connection Permit Authorization shall be obtained from Clean Water Services.

D. Prior to Issuance of a Building, Plumbing, or Grading Permit:

1. Prior to Issuance of Building or Plumbing Permit, an Engineering Compliance Agreement shall be obtained from the City of Sherwood Engineering Department.
2. Prior to Issuance of Grading Permit, the developer shall obtain a DEQ NPDES 1200-CN permit unless CWS or DEQ require a DEQ NPDES 1200-C permit.
3. Prior to Issuance of a Plumbing Permit, the proposed development shall design the private sanitary sewer to be in compliance with the current Oregon Plumbing Specialty Code.
4. Prior to Issuance of a Plumbing Permit, water flows calculations (domestic, irrigation and fire) shall be provided by the developer.
5. Prior to Issuance of a Plumbing Permit, the proposed development shall design for private water lines to be in compliance with the current Oregon Plumbing Specialty Code.
6. Prior to Issuance of a Plumbing Permit, the proposed development shall design for private storm water runoff within the subject property to be collected and conveyed in accordance with the current Oregon Plumbing Specialty Code

E. Prior to Acceptance of Public Improvements

1. Prior to Acceptance of Public Improvements, the applicant shall comply with the Tualatin Valley Fire and Rescue Service Provider Permit No. 2023-006.

2. Prior to Acceptance of Public Improvements, any public water facilities located on private property shall have a recorded public water line easement encompassing the related public water improvements meeting Sherwood Engineering standards.
3. Prior to Acceptance of Public Improvements, private water quality, hydro-modification and detention facilities shall have a recorded Private Stormwater Facility Access and Maintenance Covenant. An Operation and Maintenance Plan for all private storm runoff water quality/hydro-modification facilities is also required to be submitted to the Sherwood Engineering Department.

F. Prior to the Issuance of Certificate of Occupancy:

1. Prior to Occupancy, Engineering Final Acceptance of the constructed public improvements shall be obtained from the City of Sherwood Engineering Department.
2. Prior to Final Building Occupancy, all mechanical equipment shall be screened.
3. Prior to Final Building Occupancy, the applicant shall provide evidence that an automatic irrigation system has been installed and is functional for all landscaped areas of the project.

VII. Exhibits

A. Applicant's submittal with narrative and supporting documents as of March 22, 2023

- Application
- Applicant's Exhibits
 - A. Plan Set
 - B. Pre-Application Conference Notes
 - C. Traffic Generation Letter
 - D. Preliminary Drainage Report
 - E. Vicinity Map & Tax Map
 - F. Geotechnical Report
 - G. CWS Service Provider Letter
 - H. Plat
 - I. Title Report
 - J. Neighborhood Meeting Packet & Mailing List
 - K. Stormwater Report
 - L. Architectural Elevations
 - M. Commercial Design Review Matrix
 - N. Covenants, Conditions and Restrictions
 - O. Parking Map
 - P. TVF&R Service Provider Letter
 - Q. Narrative
 - S. Pride Disposal Review

B. City of Sherwood, Engineering Department comments dated April 17, 2023

C. Clean Water Service comments dated April 21, 2023

D. Oregon Department of Transportation Region 1 correspondence dated April 19, 2023

E. Oregon Department of Transportation Rail Crossing correspondence dated April 7, 2023


This approval is valid for a period of two (2) years from the date of the decision notice, per Section 16.122.010.

APPEAL

This decision shall become final 14 days from the date of the mailing of this decision unless otherwise appealed. **This decision is final unless an appeal is received by 5:00 PM June 1, 2023.** The appeal shall be submitted on forms provided by the City, shall include the appeal fee, as identified in the most recently adopted fee schedule, and shall have a petition for review as described in SZCDC Section 16.76.030.

STATE OF OREGON)
)
Washington County)

I, Joy Chang, for the Planning Department, City of Sherwood, State of Oregon, in Washington County, do hereby certify that the Notice of Decision on Case File No. LU 2023-001 SP was placed in a U.S. Postal receptacle on May 18, 2023.

City of Sherwood

Joy Chang, Senior Planner