



*Home of the Tualatin River National Wildlife Refuge*

# **Planning Commission Meeting Packet**

**FOR**

**October 12, 2021**

**at 6:15 PM**

**Sherwood City Hall  
22560 SW Pine Street  
Sherwood, Oregon**





Home of the Tualatin River National Wildlife Refuge

## Planning Commission Work Session Meeting Agenda

October 12, 2021 at 6:15 PM

Pursuant to House Bill 4212 (2020), this meeting will be conducted electronically and will be live streamed at:

<https://www.youtube.com/user/CityofSherwood>

### Work Session

#### 1. CALL TO ORDER

#### 2. Residential Design Standards

The purpose of this work session item:

- a. To provide a final update to the Commission prior to the first public hearing scheduled for 10/26/2021

#### 3. ADJOURN WORK SESSION

### Regular Meeting

#### 1. CALL TO ORDER

#### 2. CONSENT AGENDA

- a. Approval of September 14, 2021, Planning Commission Work Session and Regular Meeting Minutes

#### 3. COUNCIL LIAISON ANNOUNCEMENTS

#### 4. STAFF ANNOUNCEMENTS

- Sherwood West Concept Planning Update

#### 5. COMMUNITY COMMENTS

Pursuant to House Bill 4212 (2020), citizen comments and testimony for public hearings must be submitted in writing to [Planning@Sherwoodoregon.gov](mailto:Planning@Sherwoodoregon.gov). To be included in the record for this meeting, the email must clearly state either (1) that it is intended as a citizen comment for this meeting or (2) if it is intended as testimony for a public hearing, the specific public hearing topic for which it is intended, and in either case, must be received at least 24 hours in advance of the scheduled meeting time.

#### 6. PUBLIC HEARINGS

##### a. Public Hearing, Case File LU 2021-009 MM -- Cedar Creek Multifamily Development,

**Proposal:** The applicant is proposing a Major Modification to an Approved Site Plan for a new 3-story, 84-unit multifamily building located in the Cedar Creek Plaza Shopping Center. The building will be located on an existing vacant lot within the commercial center, identified Tax Lot 2S130DA02200. In order to meet the minimum lot area requirements for the 84-unit multifamily building, the applicant is proposing to utilize the residential lot area entitlements from Tax Lots 2S130DA02300 and 2700 within the commercial center. The units will be for rent and include 10 studio, 63 one-bedroom, and 11 two-bedroom units. Amenities including an outdoor pet area, central courtyard, covered patio, and bike storage are proposed. A total of 90 new vehicle parking stalls are proposed for a total of 605 stalls within the Cedar Creek Plaza center. Access to the site is proposed from the existing driveways along

SW Edy Rd. and Hwy 99W. The original Site Plan approval for the Cedar Creek Plaza Shopping Center was issued under Land Use Case File SP 16-10 / CUP 16-06 / VAR 17-01.

**b. Public Hearing. Case File LU 2021-019 PA – Economic Opportunities Analysis**

**Proposal:** The City of Sherwood proposes adopting the 2021-2041 Economic Opportunities Analysis (EOA). The EOA demonstrates that the policies, infrastructure investments, and land use map changes in the City's Comprehensive Plan will support economic growth and provide adequate development capacity to meet Sherwood's 20-year jobs forecast, consistent with Statewide Land Use Goal 9, Economic Development. The Economic Opportunities Analysis is a technical document to support goals and policies within the City's Comprehensive Plan.

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**City of Sherwood, Oregon**  
**Planning Commission Work Session and Regular Meeting**  
**September 14, 2021**

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**Planning Commissioners Present:**

Chair Jean Simson  
Vice Chair Justin Kai  
Commissioner Rick Woodyla  
Commissioner Taylor Giles  
Commissioner Dan Bantz

**Staff Present:**

Erika Palmer, Planning Manager  
Julia Hajduk, Community Development Dir.  
Joy Chang, Senior Planner  
Eric Rutledge, Associate Planner

**Planning Commissioners Absent:**

Commissioner Alexandra Brown

**City Council Liaison Present:**

Councilor Doug Scott

**WORK SESSION:**

Chair Simson called the work session to order at 6:15 pm.

**1. ECONOMIC OPPORTUNITIES ANALYSIS-REVIEW OF UPDATED DRAFT**

Planning Manager Erika Palmer provided the updated draft Economic Opportunities Analysis (EOA) and a presentation (see record, Exhibit A and B). She said the EOA was prepared in 2019 and has the planning period of 2019-2039. She said since the EOA was not adopted in 2019 the planning period year must be updated to 2021-2041. She stated the employment forecast and buildable lands analysis were also updated. The EOA was originally reviewed by the Comprehensive Plan Community Advisory Committee, the Planning Commission, and City Council.

Ms. Palmer commented on state requirements and said Goal 9 requirement is to provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens. She stated legal requirements for Goal 9 require identifying lands for employment (20-year supply). Cities are also required to do an EOA to look at existing conditions and forecast future conditions. The EOA also informs industrial and commercial development policies, identifies land deficits, and helps coordinate opportunities.

Ms. Palmer discussed the methodology for determining the commercial and industrial buildable lands inventory (BLI) and the difference between the 2019-2039 inventory and the updated 2021-2041 inventory. She said in 2019 BLI was 310 acres and over the past two years the number has decreased to 249 acres. In the past two years we have seen a little over 60 acres be built for employment needs. Employment land in Tonquin and Brookman is expected to meet both the industrial and commercial lands need over the next twenty years, however, if Sherwood grows faster, there will be a shortage of appropriate sites particularly parcels more than 10 acres in size. This creates opportunities for some larger parcels for future employment uses in Sherwood West.

Ms. Palmer discussed the suitable buildable land by plan designation and site size table and said in the last EOA (2019-2039), the data in Table 23 shows that Sherwood has no commercial sites larger than 10 acres within the city limits. Sherwood does, however, have industrial sites larger than 10 acres (a total of 87 acres). In addition, the Tonquin Employment Area has 12 sites between 5 and 10 acres and 1 site larger than 10 acres. The Brookman Area has 3 sites between 2 and 5 acres and 1 site between 5 and 10 acres. The updated EOA still shows Sherwood has no commercial sites larger than 10 acres within the city limits. Sherwood does, however, have industrial sites larger than 10 acres (a total of 42 acres). In addition, the Tonquin Employment Area has 12 sites between 5 and 10 acres and no sites larger than 10 acres. The Brookman Area has 3 sites between 2 and 5 acres and 1 site between 5 and 10 acres.

Ms. Palmer referred to the existing economic conditions in Sherwood and said wages are below average for the Portland Region and for the nearby cities of Tigard and Tualatin. The median income is above the comparable cities and the Portland region. She said more people commute out of Sherwood to work. She said potential growth industries in Sherwood include manufacturing, wholesale, professional and business services, services for visitors, and services for residents. She commented on the employment growth forecast and said 2019-2039 employment forecast was 1.7% which equates to 3,446 jobs. The 2021-2041 employment forecast is 1.42% which equates to 2,987 jobs. She stated this is just a forecast and if growth occurs at the projected rate, which is faster than Metro's Forecast for housing growth used in Sherwood's HNA, the population to employment ratio would decrease from about 3.2 residents per job to about 2.3 residents per job. This is in line with the city's economic development goals, and employment growth could grow faster as Sherwood continues to support our Economic Development goals and policies for job creation.

Ms. Palmer concluded that Sherwood has enough employment land to accommodate industrial growth, but if the rate of development increases, there will likely be a shortage of appropriate sites (sites larger than 10 acres). From 2019 the total unconstrained buildable acres went from 309 acres to 249 acres -- 60 acres of employment land is now developed or is in the process of developing. Sherwood needs to address infrastructure needs in TEA – align economic development with planning for infrastructure development. She noted Sherwood will need flexibility in its development code to provide opportunities for growing and developing businesses and will need to work with partners to identify opportunities for supporting existing businesses in Sherwood.

Ms. Palmer said there will be a Planning Commission public hearing on the EOA in October to adopt the document prior to adopting the Comprehensive Plan as it is a supporting document to the plan.

Commission Woidyla referred to the employment forecast and asked if BLI is doing the forecasting. Ms. Palmer said the average annual growth rate comes from Metro. She said there are other options, but Metro's is the highest. Community Development Director Julia Hajduk said this will have to be readdressed in a few years.

Chair Simson requested that Ms. Palmer email her presentation to the Planning Commissioners.

Chair Simson adjourned the work session at 6:59 pm.

## **REGULAR SESSION:**

Chair Simson called the regular session to order at 7:00 pm.

### **1. CONSENT AGENDA**

Planning Commission Minutes  
September 14, 2021  
Page 2 of 5

- a. **July 27, 2021, Planning Commission Work and Regular Session Minutes**
- b. **August 10, 2021, Planning Commission Work Session Minutes**
- c. **August 24, 2021, Planning Commission Work Session Minutes**

Chair Simson referred to the July 27 meeting minutes under Community Comments and said the *Recorders Note* was unclear and asked if it could be amended to read that the public arrived late, and Chair Simson reopened the Community Comments with the consent of the Commission.

**Motion: from Commissioner Woidyla to approve the Consent Agenda as amended, seconded by Vice Chair Kai. Motion passed 5:0. (Commissioner Brown was absent)**

## **2. COUNCIL LIAISON ANNOUNCEMENT**

Councilor Scott said the Robin Hood Festival has been cancelled. He said Keith Campbell has been hired as the City Manager and will start on October 7. City Council held a public hearing on the sign code amendments and approved the amendments. He noted the feather signs have been banned in all zones. He said next week the City Council will have a work session on the Residential Design Standards. He said in October the City Council will have a work session on backyard chickens.

## **3. STAFF ANNOUNCEMENTS**

- **Comprehensive Plan Update**  
The first hearing will be a hearing in October or early November.
- **Sherwood West Update**  
There will be an open house in October with an extensive outreach.

## **4. COMMUNITY COMMENTS**

None.

## **5. NEW BUSINESS**

- a. **Public Hearing Case File, LU 2021-009 MM Cedar Creek Multifamily Development**

Chair Simson read the public hearing statement and said the Planning Commission is the final authority on this item with appeal to the City Council. A decision may be made at the close of the hearing or the matter may be continued to a time and date certain. She asked members of the Commission to expose any ex parte contact, biased or conflict of interest.

Chair Simson said Vice Chair Kai called and asked about allowed uses and confirming the code that was in place at the time the application was submitted. She said he asked about the Washington County letter and the parking plan. She stated that she has not read the documents and was unable to comment. She said a question regarding school capacity was asked and the answer is the Planning Commission cannot consider school capacity. She said that was the extent of their conversation. She said this does not impact her ability

to participate in the hearing.

Vice Chair Kai added that his question regarding Washington County was related to trip generation. He said this does not preclude his ability to participate. Commissioner Woidyla, Giles, and Bantz did not have anything to declare.

Associate Planner Eric Rutledge said the applicant has requested a continuance to October 12, 2021. He said the applicant is meeting with neighboring commercial property owners in the development. He stated there has been an extension on the 120-day local decision deadline to December 29, 2021.

Chair Simson asked the Planning Commission to retain the hearing documents for the next hearing. Revised materials will be submitted as an exhibit.

With no further questions, Chair Simson asked for a motion.

**Motion: from Vice Chair Kai to continue the public hearing on the application for Cedar Creek Multi-Family Development LU 2021-009 MM to the meeting date October 12, 2021, at the request of the applicant with their agreement to toll the 120-day deadline extended to December 29, 2021, seconded by Commissioner Giles. Motion passed 5:0. (Commissioner Brown was absent).**

## **6. RESIDENTIAL DESIGN STANDARDS PROJECT**

Senior Planner Joy Chang provided a presentation (see record, Exhibit C). She said discussion will include the Residential Design Standards checklist, primary elevations, and secondary elevations. She referred to the original and the revised checklist and reminded the Commission that the overall intent of the design standards is to have homes that look high quality and maintain the small town feel of Sherwood. She said both checklists identify the first three key design elements. She noted there will be different checklists based on the proposal. She provided examples based on the original and the revised checklist. Discussion followed.

Ms. Chang said staff received comments from Matt Schiewe and Marilyn Mays with concerns with additional design guidelines (see record, Exhibit D). She said they commented on the Visual Preference Survey and said only 219 individuals or 1% of Sherwood's population took the survey so it is meaningless. The comments stated the proposed added design guidelines go too far without a proper or solid base of reason, added design guidelines are arbitrary design rules based on taste, and design guidelines should be based on scientific reasons for a healthier environment.

Ms. Chang said there will be City Council work session on this topic next Tuesday. Public Hearings are anticipated on October 26 and November 9.

Chair Simson called for discussion on the checklists. Discussion followed about the possibility of being too prescriptive. Vice Chair Kai suggested being more prescriptive about what we want in what areas and



said we will get a better product. He said the standard needs to be set high. Councilor Giles said his concern is that homes will look too identical because we were too prescriptive. Vice Chair Kai said each requirement has flexibility built in. Chair Simson asked what happened to the landscaping minimum in the front yard. Ms. Chang said the recommendation was not ready for tonight's discussion. She said the Planning Commission did identify that the requirement should include front yard versus overall lot landscaping. Chair Simson said that is part of the development standard. Commissioner Bantz said he is generally in favor of less restrictions.

Ms. Chang summarized that the laundry list option is out the window. Chair Simson stated the City Council should be provided the laundry list and informed that the Planning Commission was not comfortable with that and preferred the prescriptive list and note there is concern from the Commission that this may be too prescriptive. Ms. Chang agreed.

Chair Simson commented on the 15% requirement for doors and windows and suggested counting added design elements. Ms. Chang said trim, shutters, and dormers can be included. Chair Simson suggested 10% on the secondary on a corner lot. Commissioner Bantz agreed with 10% but not higher. Vice Chair Kai agreed. Chair Simson suggested adding pictures to the code or providing guidelines for the developers.

## **7. PLANNING COMMISSION ANNOUNCEMENTS**

Chair Simson noted the importance of having separation pages in the packet. Staff agreed.

Commissioner Woodyla asked for a status on the Planning Commission vacancy. Ms. Palmer said staff has received one application and she has had a conversation with Chair Simson and Councilor Scott on how to proceed. She said the direction she received was to complete the Comprehensive Plan and Residential Design Standards before considering potential members. Commissioner Woodyla announced that Lam Research will be coming to Sherwood.

Commissioner Bantz said he will not be available for the October 12 meeting.

Chair Simson adjourned the meeting at 8:50 pm.

Submitted by:

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Colleen Resch, Planning Technician

Approval Date: \_\_\_\_\_



October 5, 2021

**VIA E-MAIL**

**PRIVILEGED AND CONFIDENTIAL**

**Michael C. Robinson**

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Mr. Eric Rutledge, Associate Planner  
City of Sherwood Planning Department  
Sherwood City Hall  
22560 SW Pine Street  
Sherwood, OR 97140

RE: City of Sherwood Case File LU-2021-009MM; Applicant's Request for  
Continuance of Initial Evidentiary Hearing and Extension of 120-Day Period

Dear Mr. Rutledge:

This office represents the Applicant. This letter requests that the Sherwood Planning Commission open the initial evidentiary hearing on October 12, 2021 for the purpose of continuing the hearing to the date and time certain of December 14, 2021 at 7:00 p.m. The purpose of the continuance request is to allow the Applicant to meet with its neighboring commercial property owners. The Applicant will not make a presentation to the Planning Commission on October 12, 2021.

The Applicant has extended the 120-day period in ORS 227.178(1) by sixty-three days, the period of the continuance.

Please place this letter and its enclosure before the Sherwood Planning Commission and in the official Planning Department file for this Application.

Very truly yours,



Michael C. Robinson

MCR:jmhi  
Enclosure

cc: Mr. Josh Soper (*via email*) (*w/enclosure*)  
Mr. Steve Deacon (*via email*) (*w/enclosure*)  
Mr. Brad Kilby (*via email*) (*w/enclosure*)  
Mr. Pete Snook (*via email*) (*w/enclosure*)  
Mr. Ian Lewallen (*via email*) (*w/enclosure*)  
Mr. Richard Smith (*via email*) (*w/enclosure*)

PDX\130949\244731\MCR\31880465.1



### Time Extension Form

I, Steve Deacon, pursuant to ORS 227.178(5), hereby

request to extend the 120-day period set forth in ORS 227.178(1) and/or the 100-day period set forth in

ORS 197.311, whichever may be applicable, for LU-2021-009MM (LU case file #). Any applicable

statutory deadline(s) for final action on the above-referenced matter(s) is/are hereby extended to \_\_\_\_\_

March 2, 2022.

 , MGR  
Signed

10-2-21  
Date

**CITY OF SHERWOOD  
SEPTEMBER 7, 2021  
PLANNING COMMISSION STAFF REPORT**



**Cedar Creek Plaza Multifamily  
Major Modification to an Approved Site Plan  
LU 2021-009 MM**

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**To: City of Sherwood Planning Commission**

**From:** Eric Rutledge, Associate Planner 

Pre-App Meeting: February 18, 2021  
App. Submitted: May 5, 2021  
App. Complete: August 3, 2021  
Hearing Date: September 14, 2021  
120-Day Deadline: December 1, 2021

**PROPOSAL:** The applicant is proposing a Major Modification to an Approved Site Plan for a new 3-story, 84-unit multi-family building located in the Cedar Creek Plaza Shopping Center. The building will be located on an existing vacant lot within the commercial center, identified as Tax Lot 2S130DA02200. In order to meet the minimum lot area requirements for the 84-unit multifamily building, the applicant is proposing to utilize the residential lot area entitlements from Tax Lots 2S130DA02300 and 2700 within the commercial center. The units will be for rent and include 10 studio, 63 one-bedroom, and 11 two-bedroom units. Amenities including an outdoor pet area, central courtyard, covered patio, and bike storage are proposed. A total of 90 new vehicle parking stalls are proposed for a total of 605 stalls within the Cedar Creek Plaza center. Access to the site is proposed from the existing driveways along SW Edy Rd. and Hwy 99W. The original Site Plan approval for the Cedar Creek Plaza Shopping Center was issued under Land Use Case File SP 16-10 / CUP 16-06 / VAR 17-01.

**I. BACKGROUND**

A. Applicant: Deacon Development, LLC  
901 NE Glisan St., Suite 100  
Portland, OR 97232

Owner: DD Sherwood Two, LLC.  
TL 2200 901 NE Glisan St., Suite 100  
Portland, OR 97232

Owner: DD Sherwood One, LLC.  
TL 2200 901 NE Glisan St., Suite 100  
& 2700 Portland, OR 97232

- B. Location: 16784, 16840, and 16864 SW Edy Rd. (Tax Lots 2S130DA2700, 2300, and 2200, respectively). West corner of Hwy 99W and SW Edy Rd. (Cedar Creek Plaza)
- C. Current Zoning: Retail Commercial (RC)
- D. Review Type: Type IV Major Modification
- E. Public Notice: Notice of the application was provided in accordance with § 16.72.020 of the Sherwood Zoning and Development Code (SZDC) as follows: notice was distributed in five locations throughout the City, posted on the property, and mailed to property owners within 1,000 feet of the site on or before August 25, 2021. Newspaper notice was also provided in a newspaper of local circulation on August 19 and September 9, 2021.
- F. Review Criteria: Sherwood Zoning and Community Development Code (SZCDC) Chapter 16.12 Residential Land Use Districts; Chapter 16.22 Commercial Land Use Districts; Chapter 16.50 Accessory Structures, Architectural Features and Decks; Chapter 16.58 Clear Vision and Fence Standards; Chapter 16.60 Yard Requirements; 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 15.154 Heat and Glare; Chapter 16.156 Energy Conservation
- G. History and Background: The Sherwood Providence Medical Plaza received Site Plan approval from the City in 2004 for a 42,000 SF medical office building (SP 04-04). In 2017 the medical center property and two other adjacent properties were redeveloped to create the Cedar Creek Plaza Shopping Center (Exhibit GG - SP 16-10 / CUP 16-06 / VAR 17-01). The resulting development was 13.17-acres and contained three

commercial lots owned by Quarto LLC, Providence Health & Services – Oregon, and DD Sherwood One LLC (Deacon Development). The Quarto property is now occupied by The Ackerly Senior Living, the Providence property is occupied by Providence, and the Deacon property has been subdivided and sold and is now occupied by various commercial users. A lot line adjustment was approved to reconfigure the three lots in 2017 (Exhibit HH – LLA 17-02). The 6.38-acre Deacon property was also subdivided in 2017 (Exhibit II - SUB 17-02) into seven (7) new commercial lots known as the Cedar Creek Plaza subdivision (Exhibit BB). Deacon Development is now proposing a new 84-unit multi-family building on Lot 2 of the Cedar Creek Plaza subdivision, utilizing residential lot area entitlements from Lots 3 and 7 to achieve the required minimum lot size requirements. Lot 2 is currently vacant while Lots 3 and 7 are improved with commercial buildings, parking, and landscaping.

- H. Existing Conditions: Cedar Creek Plaza is an existing 13.17-acre commercial shopping center with a variety of commercial buildings and uses. The development includes a 42,000 SF medical office building, 138 room senior care facility, and 47,500 SF of mixed commercial uses including retail, fitness, and restaurant. The commercial center contains eight (8) buildings, 515 parking stalls, vehicle and pedestrian ways, landscaping, and underground utilities. Access to development is provided via a fully signalized intersection at SW Borchers Rd. / SW Edy Rd. and a right-in only driveway from Hwy 99W. The proposed multifamily building will be located on Lot 2 of the Cedar Creek Plaza subdivision which is currently vacant.

Tax Lot 2200 (1.73 AC) – vacant, two parking stalls at west corner

Tax Lot 2300 (0.91 AC) – commercial building, 26 parking stalls

Tax Lot 2700 (0.70 AC) – commercial building, 33 parking stalls

- I. Surrounding Land Uses: The site abuts two public streets including SW Edy Rd. to the north and Hwy 99W to the south. The zoning to the north is Retail Commercial (RC) and Medium Density Residential High (MDRH), to the south / southeast is General Commercial (GC), and to the west is High Density Residential with a Planned Unit Development Overlay (HDR-PUD).

## II. AFFECTED AGENCY AND PUBLIC COMMENTS

A. Notice of the application was sent to affected agencies via email on August 16, 2021. The following responses were received:

1. City of Sherwood Engineering Department provided comments dated August 31, 2021 (Exhibit T). The comments address traffic and transportation, public utilities (water, sanitary sewer, storm water), and other engineering requirements. The comments and Conditions of Approval are incorporated throughout the report under each applicable code section.
2. City of Sherwood Police Department provided comments dated August 17, 2021 (Exhibit U). The comments express concern regarding parking management and enforcement, noise and privacy between the existing neighborhood and proposed development, and traffic congestion at SW Edy Rd. and SW Borchers Drive. The comments conclude that police services and responses will increase as a result of the development.
3. Washington County Land Use and Transportation provided comments dated August 27, 2021 (Exhibit V). The comments state the County concurs with the Trip Generation Memo provided by the applicant.
4. Tualatin Valley Fire and Rescue provided comments during the completeness review process which are dated May 7, 2021 (Exhibit W). The comments are in regard to fire hydrants, water supply, and fire apparatus access. Final compliance with the fire marshal's letter and all fire code regulations is required as a condition of approval.
5. The Oregon Department of Transportation provided comments dated May 21, 2021 (Exhibit X). The comments state no significant impacts to the state highway will occur as a result of the development. The anticipated traffic trips generated by the multi-family building is lower than the traffic trips generated by the hotel that was assumed in the original Transportation Impact Analysis (TIA).
6. Clean Water Services provided a memorandum dated August 31, 2021 (Exhibit Y). The memorandum provides Conditions of Approvals related to CWS regulations for stormwater and erosion control. The applicant has provided also a Sensitive Area Pre-Screening Site Assessment (Exhibit N) that indicates a no site assessment or service provider letter is required.
7. Pride Disposal Company – Pride Disposal provided comments dated August 30, 2021 (Exhibit Z). The applicant is required to comply with Pride Disposal standards for trash enclosure design and vehicle access.



8. The Oregon Department of Transportation Outdoor Advertising Sign Program provided comment dated August 17, 2021 (Exhibit AA). The comments referred the property owner and developer to the Oregon Revised Statutes (ORS) Chapter 377 regarding signage visible to a state highway for any future signs on the property.
- B. Notice of the application was provided in accordance with SZCDC § 16.72 for a Type IV hearing. The following public testimony was received:

1. Harold Cox (Exhibit JJ - 16852 SW Edy Rd.) – Mr. Cox owns Lot 1 of the Cedar Creek Plaza subdivision which is currently occupied by Planet Fitness. The testimony states Mr. Cox is opposed to the Major Modification because the developer represented that Lot 2 would be developed with a compatible commercial use. The testimony expresses concern over the development's potential to reduce property values in the commercial center and impact loans which are based on the current CC&R's. Mr. Cox requests that the City deny the application or postpone the hearing until owners in the commercial center can be contacted properly.

Staff Response: The proposed multi-family residential use is permitted in the Retail Commercial zone, subject to the dimensional requirements of the High Density Residential zone. As described in the staff report findings, the proposed building complies with the dimensional requirements of the high density zone. The testimony also raises concerns related to the CC&Rs for the commercial center and the ability for the proposed building to impact property values and loans. While the development code does not contain approval criteria related to property values or loans, the staff report identifies issues related to the recorded CC&R's and compatibility with the proposed parking plan. Condition of Approval B4 requires the applicant to update the CC&R's or provide an alternative parking plan that meets the minimum parking requirements.

2. Mark Light (Exhibit KK – 17117 SW Robinwood Place) - Mr. Light lives in the adjacent townhomes to the south/west of the proposed development. The testimony raises issues with the development as it relates to egress, carbon footprint, logistical concerns with regard to fire access and public safety, and general inconveniences to the surrounding residents as a result of the development.

Staff Response: The proposed multi-family building will be located in an existing commercial center with approved egress via a fully

signalized intersection at SW Edy Rd. and SW Borchers Dr. The development complies with the energy conservation, noise, odor, and other environmental impact standards in SZCDC § 16.146 - .156. The development will also be required to meet fire access requirements prior to receiving occupancy, per Condition of Approval G11.

3. Bruce Bebb (Exhibit LL – 21233 SW Houston Drive) – Mr. Bebb lives in the adjacent residential neighborhood to the west of the proposed development. The testimony is in opposition to the application and raises concern about traffic at the intersection of SW Borchers Rd. and SW Edy Rd. During both the rush hours (AM / PM) and sometimes mid-day, the intersection is blocked with traffic heading east on Edy Rd. towards Hwy 99W.

Staff Response: The original land use application for Cedar Creek Plaza development included a Transportation Impact Analysis (TIA) for the entire commercial center including Lot 2. The TIA assumed that Lot 2 would be developed with a 94-room hotel generating 768 daily trips. The applicant has provided a Trip Update Letter (Exhibit L) that shows the daily trips generated by the 84-unit multi-family building is 456. Therefore, at build-out of Lot 2, the proposed 84-unit residential building will result in a reduction of 312 daily trips compared to the 94-room hotel. Agency comments provided by the Oregon Department of Transportation (Exhibit X), Washington County Land Use & Transportation (Exhibit V), and the City of Sherwood Engineering (Exhibit T) concur with the trip generation report provided by the applicant.

### III. APPLICABLE CODE PROVISIONS

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

#### Chapter 16.22 - COMMERCIAL LAND USE DISTRICTS

##### 16.22.010 – Purpose

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- 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.**

##### 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.

\*\*\*(*Abbreviated table*)

Uses	RC Zone
Multi-family housing, subject to the dimensional requirements of the High Density Residential (HDR) zone in <u>16.12.030</u> when located on the upper floors, in the rear of, or otherwise clearly secondary to commercial buildings. <sup>2, 3</sup>	P

<sup>2</sup> 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.

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

**ANALYSIS:** The applicant is proposing a new 84-unit multifamily building in the Retail Commercial (RC) zone. Multifamily housing is a permitted use in the zone, subject to the dimensional requirements of the High Density Residential (HDR) zone when located on the upper floors, in the rear of, or otherwise clearly secondary to commercial buildings.

The multifamily building will be located on Lot 2 of the Cedar Creek Plaza subdivision (Exhibit BB) which is located behind the existing commercial buildings in the Cedar Creek Plaza development. As shown in the applicant's Aerial-Vicinity Map (Exhibit B), the proposed residential building will be screened from SW Edy Rd. and Hwy 99W by

one or more commercial buildings including the Providence medical office building at the corner.

Because the commercial use table references all of § 16.12.030 as dimensional requirements, all of the development standards included under § 16.12.030 apply to multifamily housing in the RC zone.

Compliance with the dimensional requirements of the HDR zone are provided in the section below.

**FINDING:** Multifamily housing is permitted in the RC zone, subject to the dimensional requirements of the HDR zone. Compliance with the dimensional standards is provided in § 16.12.030 below. This standard is met.

**16.12.030 - Residential Land Use Development Standards**

**A. Generally**

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

**B. Development Standards**

**Except as modified under Chapter 16.68 (Infill Development), Section 16.144.030 (Wetland, Habitat and Natural Areas) Chapter 16.44 (Townhomes), or as otherwise provided, required minimum lot areas, dimensions and setbacks shall be provided in the following table.**

**C. Development Standards per Residential Zone**

<b>Development Standard</b>	<b>HDR</b>
<b>Minimum lot area (multifamily, first 2 units)</b>	<b>8,000 SF</b>
<b>Minimum lot area (multifamily, each additional unit after first 2)</b>	<b>1,500 SF</b>
<b>Minimum Lot width at front property line</b>	<b>25 ft.</b>
<b>Minimum Lot width at building line<sup>[1]</sup> (multifamily)</b>	<b>60 ft.</b>

Development Standard	HDR
Lot depth	80 ft.
Maximum Height <sup>[2]</sup>	40 or 3 stories
Front yard setback <sup>[4]</sup>	14
Interior side yard (multifamily, over 24 ft. height)	§ 16.68 infill
Rear yard	20

<sup>1</sup>Minimum lot width at the building line on cul-de-sac lots may be less than that required in this Code if a lesser width is necessary to provide for a minimum rear yard.

<sup>2</sup>Maximum height is the lesser of feet or stories

<sup>3</sup>Some accessory structures, such as chimneys, stacks, water towers, radio or television antennas, etc. may exceed these height limits with a conditional use permit, per Chapter 16.62 (Chimneys, Spires, Antennas and Similar Structures).

<sup>4</sup>Reductions in front yard setbacks for architectural features as described in 16.50.050 are not permitted in the MDRL, MDRH, or HDR zoning districts.

**ANALYSIS:** The applicant is proposing an 84-unit multifamily building to be located on Lot 2 of the Cedar Creek Plaza subdivision. The minimum lot size required for 84-units is 131,000 SF or 3-acres. In order to obtain the minimum lot size required for 84-units, the applicant is proposing to utilize the residential lot area entitlements from Lots 3 and 7 of the subdivision and apply them to Lot 2. While the City’s development code does not have a process for transferring residential lot area entitlements, staff supports the approach because the proposed building is within the same commercial center / subdivision as the other lots being borrowed from and because the building is located behind the commercial storefronts when viewed from the public streets.

At the time of application submittal, all three lots were owned by Deacon Development, as demonstrated in the land use application forms (Exhibit R). The applicant indicated that one of the developed lots, (either Lots 3 or 7) has been sold since the application was first submitted. Written details of the sale have not been provided.

The minimum lot size requirements are met as shown in the table below. 8,000 SF are required for the first two units, and 1,500 SF are required for each additional unit thereafter.

<b>Lot No.</b>	<b>Lot Area</b>	<b>Lot area used for residential units</b>	<b># Residential Units Associated with Lot(s)</b>	<b>Remaining lot area not used for residential units</b>
Lot 2	75,359 SF	74,000 SF	<b>46 units</b> (8,000 SF for first 2 units, 66,000 SF for next 44 units at 1,500 SF each)	1,359 SF
Lot 3	39,639 SF	28,500 SF	<b>19 units</b> (28,500 SF for next 19 units at 1,500 at each)	11,139 SF
Lot 7	30,492 SF	28,500 SF	<b>19 units</b> (28,500 SF for next 19 units at 1,500 at each)	1,992 SF
<b>Total</b>	<b>145,490 SF</b>	<b>131,000 SF</b>	<b>84 units</b>	<b>14,490 SF</b>

The remaining dimensional requirements are met as shown in the table below. Exhibit F – Sheet C1.00 shows the dimensions of the site plan.

<b>Development Standard</b>	<b>HDR</b>	<b>Proposed (Lot 2)</b>
Minimum lot area (multifamily, first 2 units)	8,000 SF	See above
Minimum lot area (multifamily, each additional unit after first 2)	1,500 SF	See above
Minimum Lot width at front property line	25 ft.	294 ft.

Development Standard	HDR	Proposed (Lot 2)
Minimum Lot width at building line (multifamily)	60 ft.	294 ft.
Lot depth	80 ft.	245 ft.
Maximum Height	40 or 3 stories	3 stories, 39 ft. 5 ½ inches
Front yard setback	14	287 ft. from Hwy 99W
Interior side yard (multifamily, over 24 ft. height)	§ 16.68 infill**  Final building height is 39.46 ft., requiring a 12.73 ft. interior side yard setback**	13 ft. (south / west)  56.6 ft. (north / west)
Rear yard	20	68 ft.

**\*\*16.68.030 - Building Design on Infill Lots**

*Structures exceeding twenty four (24) feet in height shall conform to the following standards:*

*B. Interior Side Setback and Side Yard Plane. When a structure exceed twenty four (24) feet in height:*

- 1. The minimum interior side setback is five (5) feet, provided that elevations or portions of elevations exceeding twenty four (24) feet in height shall be setback from interior property line(s) an additional one-half (½) foot for every one (1) foot in height over twenty four (24) feet (see example below)*

$$39.46 \text{ ft.} - 24 \text{ ft.} = 15.46 \text{ ft.}; 15.46 \text{ ft.} \times 0.5 \text{ ft.} = 7.73 \text{ ft.}; 7.73 \text{ ft.} + 5 \text{ ft.} = 12.73 \text{ ft.}$$

In addition to the 84-unit residential building, the applicant is proposing carport structures for the rear parking aisle along the west property line. Building permits are required for the accessory structures, as conditioned below.

**FINDING:** This standard is met as conditioned below.

**CONDITION OF APPROVAL A10:** As required by the building code, the applicant shall obtain building permits for any carports and accessory structures on Lot 2.

**16.22.030 - Development Standards (Commercial Land Use Districts)**

**A. Generally**

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

**B. Development Standards**

**Except as otherwise provided, required minimum lot areas, dimensions and setbacks shall be provided in the following table**

\*\*\*

**ANALYSIS:** The subject lots (2, 3, and 7 of Cedar Creek Plaza subdivision) showed conformance with the applicable development standards of the Retail Commercial zone as part of the Site Plan approval and subsequent subdivision. The proposed multifamily building is located on Lot 2 and is required to comply with dimensional requirements of the HDR zone under SZCDC § 16.12.030. Findings for § 16.12.030 are provided in the section above.

**FINDING:** The proposed multi-family building conforms with the dimensional standards of the HDR zone as required for multi-family housing in commercial zones.

**6.22.040 - 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:** The applicable Community Design standards are addressed in this report.

**FINDING:** The application complies or is conditioned to comply with the applicable Community Design standards.

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**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 development is located at the rear of an existing commercial shopping center. Clear vision areas at public street and driveway intersections were required as part of the original land use approval. No new clear vision areas are required.

**FINDING:** This standard is met.

**16.58.020 - Fences, Walls and Hedges.**

- A. Purpose: The fence standards promote the positive benefits of fences without negatively impacting the community or endangering public or vehicle safety. Fences can create a sense of privacy, protect children and pets, provide separation from busy streets, and enhance the appearance of property by providing attractive landscape materials. The negative effect of fences can include the creation of street walls that inhibit police and community surveillance, decrease the sense of community, hinder the safe movement of pedestrians and vehicles, and create an unattractive**

appearance. These standards are intended to promote the positive aspects of fences and to limit the negative ones.

**B. Reserved**

**C. Applicability:** The following standards apply to walls, fences, hedges, lattice, mounds, and decorative toppers. The standards do not apply to vegetation, sound walls and landscape features up to four (4) feet wide and at least twenty (20) feet apart.

**E. Location—Non-Residential Zone:**

1. Fences up to eight (8) feet high are allowed along front, rear and side property lines, subject to Section 16.58.010. (Clear Vision) and building department requirements.
2. A sound wall is permitted when required as a part of a development review or concurrent with a road improvement project. A sound wall may not be taller than twenty (20) feet.
3. Hedges up to twelve (12) feet tall are allowed, however, when the non-residential zone abuts a residential zone the requirements of section 16.58.030.d.6. shall apply.

**F. General Conditions—All Fences:**

1. Fences must be structurally sound and maintained in good repair. A fence may not be propped up in any way from the exterior side.
2. Chain link fencing is not allowed in any required residential front yard setback.
3. The finished side of the fence must face the street or the neighboring property. This does not preclude finished sides on both sides.
4. Buffering: If a proposed development is adjacent to a dissimilar use such as a commercial use adjacent to a residential use, or development adjacent to an existing farming operation, a buffer plan that includes, but is not limited to, setbacks, fencing, landscaping, and maintenance via a homeowner's association or managing company must be submitted and approved as part of the preliminary plat or site plan review process per Section 16.90.020 and Chapter 16.122.
5. In the event of a conflict between this Section and the clear vision standards of Section 16.58.010, the standards in Section 16.58.010 prevail.
6. Fences and walls cannot be located within or over a public utility easement without an approved right-of-way permit.
7. The height of a fence or wall is measured from the actual adjoining level of finished grade measured six (6) inches from the fence. In the event the ground is sloped, the lowest grade

**within six (6) inches of the fence is used to measure the height.**

**ANALYSIS:** The development is proposed on Lot 2 of the Cedar Creek Plaza subdivision and commercial center. A residential townhome development zoned HDR-PUD is located adjacent to Cedar Creek Plaza to the west. As required by subsection (4) above, the applicant has provided a detailed landscape plan (Exhibit G) that shows the existing and proposed buffering between Lot 2 and the townhome development. An existing 6 ft. tall wooden fence and row of evergreen trees is located along the shared property line. Some of the trees are dead and are required to be replaced prior to occupancy per Condition of Approval G4.

A grove of six (6) mature Douglas Fir trees are located at the northern corner of Lot 2. The original site plan approval (SP 16-10 / CUP 16-06 / VAR 17-01) proposed removing the trees with preservation dependent on field verification of the tree trunk location. The trees have not been removed and the updated Landscape Plans (Exhibit G – Sheet L1.00) indicate five (5) of the trees will be preserved while tree “T16” will be removed. The five trees now shown as being preserved will provide a valuable natural buffer between the proposed multi-family building and the existing residential development to the west. The five trees are required to be protected through site development per Condition of Approval A11.

Maintenance of the existing and proposed vegetation is the responsibility of the property owner. The adjacent properties in all other directions are zoned commercial and do not require buffering from each other based on the standard above.

**FINDING:** This standard is met by Condition of Approval A11 and G4.

## **Division V. - COMMUNITY DESIGN**

### **Chapter 16.90 – SITE PLANNING**

#### **16.90.030 - Site Plan Modifications and Revocation**

##### **A. Modifications to Approved Site Plans**

##### **1. Major Modifications to Approved Site Plans**

**a. Defined. A major modification review is required if one or more of the changes listed below are proposed:**

- (1) A change in land use (i.e. residential to commercial, commercial to industrial, etc.);**
- (2) An increase in density by more than ten (10) percent, provided the resulting density does not exceed that allowed by the land use district;**

- (3) A change in setbacks or lot coverage by more than ten (10) percent, provided the resulting setback or lot coverage does not exceed that allowed by the land use district;
- (4) A change in the type and/or location of accessways, drives or parking areas negatively affecting off-site traffic or increasing Average Daily Trips (ADT) by more than 100;
- (5) An increase in the floor area or height proposed for non-residential use by more than ten (10) percent;
- (6) A reduction of more than ten (10) percent of the area reserved for common open space; or
- (7) Change to a condition of approval that was specifically applied to this approval (i.e. not a "standard condition"), or a change similar to items identified in Section 16.90.030.A.1.a.(1)—(2) as determined by the Review Authority.

**ANALYSIS:** The applicant is proposing a new 84-unit multi-family building in the existing Cedar Creek Plaza development. The original land use approval (SP 16-10 / CUP 16-06 / VAR 17-01) did not include a multi-family housing use as identified in the commercial use table under SZCDC § 16.22.020. The 138-assisted living and memory care facility was approved as a “Residential care facility. The proposed 84-units represent an increase in the density in the development by more 10%.”

	Lot Size	Multifamily dwelling units	Density per acre
Original approval	13.17 AC	0	0
Proposed (Cedar Creek Plaza Commercial Center)	13.17 AC	84	6.3
Proposed (Lots 2, 3, 7 only)	3.34 AC	84	25.14

The proposal does not represent an increase in Average Daily Trips (ADT) by more than 100 because the original TIA for the development assumed a greater daily trip count than the multi-family building will create (Exhibit L – Trip Update Letter).

**FINDINGS:** The proposed development will increase density on Lots 2, 3, and 7 of the Cedar Creek Plaza subdivision by more than 10% and Major Modification approval is required.

- b. Approval Criteria. An applicant may request a major modification as follows:**
  - (1) Upon the review authority determining that the proposed modification is a major modification, the applicant must submit an application form, filing fee and narrative, and a site plan using the same plan format as in the original approval. The review authority may require other relevant information, as necessary, to evaluate the request.**
  - (2) The application is subject to the same review procedure (Type II, III or IV), decision making body, and approval criteria used for the initial project approval, except that adding a Conditional Use to an approved Type II project is reviewed using a Type III procedure.**
  - (3) The scope of review is limited to the modification request and does not open the entire site up for additional review unless impacted by the proposed modification. For example, a request to modify a parking lot requires site design review only for the proposed parking lot and any changes to associated access, circulation, pathways, lighting, trees, and landscaping.**
  - (4) Notice must be provided in accordance with Chapter 16.72.020.**
  - (5) The decision maker approves, denies, or approves with conditions an application for major modification based on written findings of the criteria.**

**ANALYSIS:** The original land use application was processed under the City's Type IV procedure with the Planning Commission as the decision-making body. The proposed Major Modification is being processed as a Type IV application as required by the criteria above. Notice has been provided in accordance with SZCDC § 16.72.020 including mailed notice to property owners within 1,000 ft. of the site. The applicable sections of the City's development code are addressed throughout this report. The proposal meets or is conditioned to meet all of the applicable criteria.

**FINDINGS:** These criteria are met.

**16.90.020 - Site Plan Review**

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**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:** The Cedar Creek Plaza commercial center is located in the RC zone and is required to all applicable zoning district and community design standards. The proposal is for a Major Modification to an Approved Site Plan. The application complies or is conditioned to comply with all applicable design standards as described in this report.

**FINDINGS:** This criteria is met.

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

**ANALYSIS:** The Cedar Creek Plaza commercial center was approved in 2016 under SP 16-10 / CUP 16-06 / VAR 17-01. The development has received occupancy from the City of Sherwood and is fully operational including having adequate water, sanitary sewer, storm, solid waste, electric power, and communications facilities. As described in the City of Sherwood Engineering Comments (Exhibit T), adequate water, sanitary sewer, storm, transportation, and communication facilities are available to serve the increase in demand generated by the proposed residential building.

Pride Disposal provided comments (Exhibit Z) indicating the development can be served with solid waste services.

The Sherwood Police Department provided comments (Exhibit U) expressing concern over public safety as a result of the development. The concerns include parking management, traffic congestion at SW Edy Rd. and SW Borchers Rd., and noise and privacy issues between the proposed building and the adjacent residential neighborhood. The comments state police services will likely increase as a result of the development.

When considering negative impacts of a development such as parking, traffic, and noise, the City is required to issue a decision based on the applicable development code criteria. The development code includes provisions to address noise and privacy concerns including a minimum rear setback of 20 ft. (actual setback is 68 ft.), height limitations (40 ft.), a 6 ft. tall fence or hedge, and a 10 ft. landscape buffer between commercial and residential uses. Regarding traffic, the applicant has provided a Trip Update Letter (Exhibit L) that demonstrates the transportation improvements constructed with re-development of commercial center in 2016 will function as designed and in conformance with City standards upon completion of the multi-family building.

Regarding the stated parking concerns from the Police Department, staff agrees with the concern as the applicant has not shown conformance with the City's minimum parking requirements. Based on the discrepancies between the proposed parking plan in the application, the field conditions, and the parking restrictions in the CC&Rs, the development may lead to parking management problems within the commercial center. The City of Sherwood Police Department will be responsible for responding to parking complaints and issues if the commercial center parking overflows to the adjacent public streets including SW Maderia Terrace.

The applicant is required to comply with the minimum parking requirements per Condition of Approval B4.

**FINDINGS:** This criterion is met by Condition of Approval B4.

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

**ANALYSIS:** The applicant has provided two sets of Covenants, Conditions, and Restrictions (CC&Rs) for the Cedar Creek Plaza center that address ownership and maintenance for commonly held improvements including parking, landscaping, and utilities. The applicant is proposing to meet the minimum parking standards by sharing parking across the entire development, however, the recorded CC&Rs do not support the approach due to specific restrictions on shared parking. This criterion has not been met because the applicant has not provided evidence of an acceptable method of ownership, management, and maintenance of the proposed parking.

**FINDINGS:** This criterion is not met but can be met by Condition of Approval B4.

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:** Lot 2 is vacant with the exception of existing vegetation along the west property line, adjacent to the HDR-PUD zone. A row of evergreen trees, shrubs, and ground cover were planted along the shared property line as part of the original commercial center development.

A small grove of six (6) mature Douglas Fir trees are located at the northern corner of Lot 2. The original site plan approval (SP 16-10 / CUP 16-06 / VAR 17-01) proposed removing the trees with preservation dependent on field verification of the tree trunk location. The trees have not been removed and the updated Landscape Plans (Exhibit G – Sheet L1.00) indicate five (5) of the trees will be preserved while tree “T16” will be removed. No wetlands, floodplains, or other significant natural features are present on the site. Mature trees are a significant natural feature that provide shade, screening and buffering between properties, as well as scenic opportunities for the surrounding developed area.

**FINDINGS:** This criterion is met as conditioned below.

**CONDITION OF APPROVAL A11:** The existing grove of mature Douglas Fir trees at the northern corner of Lot 2, identified on the plans as trees T14, T15, T17, T18, and T19 shall be protected and preserved through site development as shown in Exhibit G – Sheet L1.00.

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

**ANALYSIS:** The original land use application for Cedar Creek Plaza development (SP 16-10 / CUP 16-06 / VAR 17-01) included a Transportation Impact Analysis (TIA) for the entire commercial center including Lot 2. The TIA assumed that Lot 2 would be



developed with a 94-room hotel generating 768 daily trips including 718 external trips (on or off the site) and 50 internal trips (within the commercial site). The transportation improvement and traffic mitigation requirements for the original approval were based on full build-out of the commercial center including the 94-room hotel. The required transportation improvements have been made as indicated in the City of Sherwood Engineering comments.

The applicant has provided a Trip Generation Letter (Exhibit L) that shows the daily trips generated by the 84-unit multi-family building is 456, including 402 external trips and 54 internal trips. Therefore, at build-out of Lot 2, the proposed 84-unit residential building will result in a reduction of 312 daily trips compared to the assumed 94-room hotel use. No additional transportation improvement or traffic mitigation measures are required.

**FINDINGS:** This criterion is met.

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

**ANALYSIS:** The original approval for the mixed-use development utilized the Commercial Design Review Matrix to comply with the Site Plan urban design standards. The proposed multi-family building and development on Lot 2 has been incorporated into the previous analysis and an updated matrix for the entire commercial center is provided. Detailed analysis and findings for each category is provided below. Final findings and conditions of approval are provided at the end of the matrix.

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

<sup>1</sup>No aluminum or T-111 siding permitted.

**PREVIOUS ANALYSIS:** Each of the proposed buildings will contain a mixture of at least three materials on the exterior walls.

The assisted living/memory care facility has been designed to include smooth fiber cement panel reveal siding, cedar wood lap siding or cedar wood panel, and a simulated-wood fiber cement lap siding. Each facade contains three different siding materials (Exhibit A).

Each of the retail, commercial, and restaurant buildings has been designed to include a mixture of smooth face masonry block, split face masonry block, hardi panel siding, and wood veneer. At least three of these materials is proposed on each building elevation (Exhibit A)

**UPDATED ANALYSIS:** The applicant has provided Architectural Plans (Exhibit H) and Architectural Perspective Renderings (Exhibit I) with details on the proposed multi-family building. The building design will include a mixture of fiber cement lap siding, fiber cement panel siding, and corrugated vertical metal siding. At least three materials are proposed on each building elevation.

**FINDING:** The existing and proposed buildings provide a sufficient mixture of exterior materials to receive three (3) points.

Design Criteria	Possible Points				
	0	1	2	3	4
Roof Form <sup>2</sup>	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

<sup>2</sup>Pictures and/or artistic renderings must be submitted for review by the Planning Commission if metal roofs are proposed.

**PREVIOUS ANALYSIS:** As shown on Exhibit A (Attachment J Sheets A7.4 and A7.5), the roof for the assisted living/memory care facility contains shed and flat (with parapet) sections. The shed roof over portions of each wing is oriented in different directions in

order to provide articulation and visual interest across the entire structure. None of the existing building adjacent to the site utilize this design.

Each of the retail buildings is designed to include a flat roof with stepped parapet and/or cornice. Buildings “A,” “C,” and “E” also include “shed roof” sections along the parapet walls to emulate the roof design of the assisted living/memory care facility (Exhibit A, Attachment J, Sheets A1.2 through A6.2). These designs are distinctive from existing buildings adjacent to the site.

**UPDATED ANALYSIS:** The proposed multi-family building will feature a sloped roof with a pitch of 4:12. Multiple roof slopes at 4:12 are proposed to break up the appearance of a large single roof. The roof is also distinct from the existing and adjacent buildings within the commercial center.

**FINDING:** The roof form of the existing and proposed buildings is sufficient to receive two (2) points.

Design Criteria	Possible Points				
	0	1	2	3	4
Glazing <sup>3</sup>	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)

<sup>3</sup> Two (2) points if there is only one street-facing side and it is >20% glazing with inactive windows.

**PREVIOUS ANALYSIS:** The assisted living/memory care facility and each of the retail, commercial, and restaurant buildings will have inactive windows along one or more street-facing elevations. The glazing proposed along the elevation of the assisted living/memory care facility that faces SW Edy Road is 22 percent of the total area (Exhibit A, Attachment J, Sheets A7.4 and A7.5). The total street-facing glazing for all retail, commercial, and restaurant buildings equates to 21 percent of the corresponding façade area (Exhibit A, Attachment J, Sheets A1.2 through A6.2).

**UPDATED ANALYSIS:** The proposed multi-family building is located interior to the side and does not abut a public street. No change in points will occur as a result of new building.

**FINDING:** The existing and proposed glazing is sufficient to receive one (1) point.

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

**PREVIOUS ANALYSIS:** Each of the proposed buildings will have multiple “bays” formed by façade articulation or differentiation of exterior wall materials (Exhibit A, Attachment J). However, some “bays” are more than 30 feet in length.

**UPDATED ANALYSIS:** The proposed multi-family will be located interior to the site and does not face a public street. No change in points will occur as a result of new building.

**FINDING:** The fenestration of street-facing elevations on existing and proposed buildings is sufficient to receive one (1) 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

**PREVIOUS ANALYSIS:** Canopies are proposed at the entrance to assisted living/memory care facility and at each of the retail, commercial, and restaurant buildings. A set of benches will be located just east of the main entrance to the assisted

*living/memory care facility, near the bocce court. Outdoor patios are proposed immediately adjacent to the entrance for Buildings “B,” “C,” “D,” “E,” and “F”. A portion of the patio that is proposed between Buildings “E” and “F” will be covered by canopies that extend along the corresponding elevations. Tables and chairs will be provided at this patio and those near Buildings “B,” “C,” and “D” for use by patrons and others visiting the shopping center.*

**UPDATED ANALYSIS:** The applicant’s narrative states the entrances to the multi-family building will be protected with a canopy and bike parking will be located nearby, qualifying the design for 3 points. However, bike parking is not identified as a pedestrian amenity in the standard above. Examples include benches, tables, and chairs. Bike racks are required as part of the development and do not provide a resting, leisure, or recreation space for pedestrians. The development therefore only qualifies for one (1) point.

**FINDING:** Based on the entrance articulation and pedestrian amenities provided for the existing and proposed building, the development is eligible to receive one (1) point.

Design Criteria	Possible Points				
	0	1	2	3	4
Structure Size to discourage "big box" style development <sup>4</sup>	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

<sup>4</sup> If multiple buildings are proposed, average the building sizes in the development.

**PREVIOUS ANALYSIS:** *As noted above, the proposed assisted living/memory care facility is roughly 143,400 square feet, while the total gross floor area of the retail, commercial, and restaurant buildings is approximately 46,000 square feet, resulting in 190,000 square feet of new floor area. Divided evenly among the seven buildings, this equates to an average gross floor area of approximately 27,000 square feet (27,142 square feet).*

**UPDATED ANALYSIS:** The applicant’s narrative states that the “big box” style development standard should only count the ground floor footprint of each building because big box stores are generally one-story in height with a large ground floor. However, the standard refers to the “structure size” and does not specifically state that only the ground floor area should be counted. Large multi-story buildings have a significant impact on the overall appearance of a neighborhood and commercial development and the entire floor area should be counted. In addition, the original

findings for the Cedar Creek Plaza development took into account the entire size of the buildings including the upper floors.

Therefore, the existing and proposed building sizes are as follows:

Assisted Living building	143,400 SF
Multi-family building	71,926 SF
Retail, restaurant, fitness buildings (combined)	47,678 SF
<b>TOTAL</b>	<b>263,004 SF</b>

263,004 / 9 buildings = 29,223 SF per building

**FINDING:** Based on the existing and proposed building size, the development is eligible to receive three (3) points.

Building Design (21 Total Points Possible; Minimum 12 Points Required).

Based on the analysis and findings above, 11 points have been granted for this category, requiring an additional one (1) point to meet the minimum. A Condition of Approval is provided at the end of the matrix findings.

Design Criteria	Possible Points				
	0	1	2	3	4
<b>Building Location and Orientation (6 Total Points Possible; Minimum 3 Points Required)</b>					
<b>Location<sup>5</sup></b>	<b>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)</b>	<b>Building(s) located flush to right-of-way on at least one side (with the exception of required setbacks, easements or visual corridors)</b>	<b>Buildings flush to all possible right-of-way (with the exception of required setbacks, easements or visual corridors) (i.e. "built to the corner")</b>	<b>N/A</b>	<b>N/A</b>

<sup>5</sup> If multiple buildings are proposed in one development, one point is awarded if one or more buildings are located adjacent to one or more rights-of-way and two points are awarded if there is at least one building adjacent to each right-of-way.

**PREVIOUS ANALYSIS:** As shown on Exhibit A (Attachment E, Sheets C2.1 and A1.0), after accounting for the corresponding setbacks and Visual Corridors, the proposed development will include at least one new building that is flush to either the frontages along SW Edy Road or SW Pacific Highway.

**UPDATED ANALYSIS:** The proposed multi-family building will be located at the rear of the commercial center and no changes to the points will result.

**FINDING:** The existing and proposed building locations are sufficient to receive two (2) points.

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		

**PREVIOUS ANALYSIS:** Primary pedestrian walkways are proposed from SW Edy Road and SW Pacific Highway that will provide direct connections with the main entrance of the assisted living/memory care facility and each of the retail, commercial, and restaurant buildings (Exhibits A, Attachments E and I).

**UPDATED ANALYSIS:** The proposed multi-family building will be located at the rear of the commercial center and will provide pedestrian connections to the existing on-site circulation system. No changes are proposed to the existing walkways connecting SW Edy Rd. and Hwy 99W to the main entrances of the buildings.

**FINDING:** The existing and proposed building orientation is sufficient to receive two (2) points.



Design Criteria	Possible Points				
	0	1	2	3	4
Secondary Public Entrance <sup>6</sup>	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

<sup>6</sup> If primary entrance is oriented to the pedestrian, the project is automatically given these points without need for a second entrance.

**PREVIOUS ANALYSIS:** N/A

**UPDATED ANALYSIS:** The development originally received two (2) points for this standard based on satisfying the building orientation standard immediately above. No changes are proposed to the pedestrian circulation system and the site qualifies for two (2) points.

**FINDING:** Based on satisfying the building orientation standard above, the site is eligible to receive two (2) points.

Building Location and Orientation (6 Total Points Possible; Minimum 3 Points Required).
Based on the analysis and findings above, 6 points have been granted for this category, meeting the minimum requirement.

Design Criteria	Possible Points				
	0	1	2	3	4
<b>Parking and Loading Areas (13 Total Points Possible; Minimum 7 Points Required)</b>					
Location of Parking	Greater than 50 percent of required parking is located between any building	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

	<b>and a public street</b>				
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**PREVIOUS ANALYSIS:** As shown on Exhibit A (Attachment E, Sheets C2.1 and A1.0), all vehicular parking spaces required for the proposed development are located internal to the site. With the exception of Building “A,” all of the buildings front on either SW Edy Road or SW Pacific Highway and are not separated from these streets by vehicular parking areas.

It is anticipated that Building “A” will be occupied by a “fitness” use, which will require a minimum of 61 parking spaces. The proposed development will contain a total of 526 parking spaces. Thus, the 61 spaces proposed between Building “A” and SW Pacific Highway equates to approximately 11 percent of the total number of spaces proposed.

**UPDATED ANALYSIS:** The proposed multi-family building will be located at the rear of the site and require 123 parking stalls. Using the approach outlined in the analysis above, a total of 184 or 30.4% of the 605 stalls provided will be located between a building and a public street

**FINDING:** Based on the location of parking, the development is eligible to receive one (1) point.

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

**PREVIOUS ANALYSIS:** Only one loading area is proposed within the project, and it will be located along the west elevation of the assisted living/memory care facility. As shown on Exhibit A, Attachments E and I, it will be screened from view along SW Edy Road by the building.

**UPDATED ANALYSIS:** The applicant is proposing a new loading area located near the west corner of the multi-family building. The loading area will be located behind the building when viewed from Hwy 99W and Edy Rd. and will not be visible from any public street.

**FINDING:** The existing and proposing loading areas are eligible 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

**PREVIOUS ANALYSIS:** As noted above, a total of 526 parking spaces are proposed within the project area, including retention of the 175 existing spaces associated with the Providence Medical Office. Across the site, a "landscaped" island is provided at least once seven spaces on average (526 spaces, divided by 76 distinct parking rows). This includes existing parking rows with up to 14 spaces associated with the Providence Medical Office that will not be modified through development of the site as proposed.

**UPDATED ANALYSIS:** A total of 90 new parking stalls is proposed on Lot 2 for a total of 605 stalls within the Cedar Creek Plaza development. 11 new landscape islands will be provided on Lot 2 within the parking lot for a total of 87 in the Cedar Creek Plaza development.

605 / 87 = average of 6.95 parking stalls per landscape island.

**FINDING:** Based on the number of parking lot stalls and landscape islands, the development is eligible for three (3) points for this standard.

Design Criteria	Possible Points				
	0	1	2	3	4
Number of Parking Spaces <sup>7</sup>	>120%	101—120%	100%	<100% (i.e. joint use or multiple reduction) (1 bonus)	N/A

<sup>7</sup> Percent of minimum required.

**PREVIOUS ANALYSIS:** A detailed analysis of the parking demand generated by the proposed mixture of uses is provided below. It assumes occupancy of the existing and proposed buildings with a mixture of the following.

- Fitness (Building "A") – 15,736 square feet
- Retail (Buildings "B," "C," and "F") – 19,122 square feet
- Restaurant (Building "E") – 4,945 square feet
- Drive-thru Restaurant (Buildings "D" and "C") – 6,330 square feet

- Medical Office (Providence) – 42,000 square feet
- Assisted Living/Memory Care – 143,400 square feet

After making adjustments allowed through Section 16.94.010.C.2, the minimum parking requirement of the site is 447 spaces. A total of 526 spaces is proposed, which equates to 118 percent of the allowable minimum.

**UPDATED ANALYSIS:** The proposed multi-family building will be located in an existing mixed-use center. The original and revised findings for the development utilize the parking reduction method under SZCDC § 16.94.010(C)(2) in order to share parking across the entire development and reduce the number of parking stalls provided. With the new multi-family building, the required number of stalls without the permitted reduction is 656 stalls. The applicant is proposing a total of 605 stalls which equates to less than 100%.

**FINDING:** Based on the number of parking stalls provided the development is eligible to receive three (3) points.

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

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

**UPDATED ANALYSIS:** No pervious parking lot paving is proposed.

**FINDING:** The development is eligible to receive zero (0) points for this standard.

Parking and Loading Areas (13 Total Points Possible; Minimum 7 Points Required).
Based on the analysis and findings above, 9 points have been granted for this category, meeting the minimum requirement.

Design Criteria	Possible Points				
	0	1	2	3	4
<b>Landscaping (24 Total Point Possible, Minimum 14 Points Required)</b>					

<b>Tree Retention<sup>8</sup></b>	<b>Less than 50% of existing trees on-site retained</b>	<b>51—60% of existing trees on-site retained</b>	<b>61—70% of existing trees on-site retained</b>	<b>71—80% of existing trees on-site retained</b>	<b>81—100% of existing trees on-site retained</b>
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<sup>8</sup> **Based on tree inventory submitted with development application.**

**PREVIOUS ANALYSIS:** As shown on the submitted tree survey and arborist report, a total of 255 trees are located within the boundaries of the site. The applicant proposes to retain 62 of these existing trees, or roughly 24 percent of the total.

**UPDATED ANALYSIS:** The original tree survey and arborist report included Lot 2 and the calculations will not change as a result of the proposed multi-family building. Approximately 24% of the original tree inventory has been retained as part of the development.

**FINDING:** Based on the tree retention standard above the site is eligible to receive zero (0) points.

<b>Design Criteria</b>	<b>Possible Points</b>				
	<b>0</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>
<b>Mitigation Trees<sup>9</sup></b>	<b>Trees mitigated off-site or fee- in-lieu</b>	<b>25—50% of trees mitigated on-site</b>	<b>51—75% of trees mitigated on-site</b>	<b>76—100% of trees mitigated on-site</b>	<b>N/A</b>

<sup>9</sup> **When no mitigation is required, the project receives zero points.**

**PREVIOUS ANALYSIS:** As shown on Exhibit A Attachment I, the applicants propose to install a total of 200 trees within the portions of the site related to the existing Providence Medical Office building and retail, commercial, and restaurant uses. Another 83 trees will be installed in the portions of the site associated with the assisted living/memory care facility, for a total of 345 existing and proposed trees. This equates to 134 percent of the existing trees that are proposed for removal.

**UPDATED ANALYSIS:** The applicant’s narrative states a total of 193 trees were removed and 279 trees were installed during the original site development. The narrative also indicates 51 new trees are proposed with the application, however, the plans (Exhibit G – Sheet L3.00) show only 30 new trees are proposed.

Total commercial center trees removed after development of Lot 2	193
Total commercial center trees planted after development of Lot 2	309

309 trees planted / 193 trees removed = 160% mitigation rate

**FINDING:** Based on the number of trees mitigated for the entire development, the site is eligible to receive three (3) points for this standard.

Design Criteria	Possible Points				
	0	1	2	3	4
Landscaping Trees <sup>10</sup>	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

<sup>10</sup> *In addition to mitigated trees on-site, does not include Water Quality Facility Plantings.*

**PREVIOUS ANALYSIS:** As shown on Exhibit A, Attachment I, a total of 70,444 square feet of the site associated with the existing Providence Medical Office building and areas proposed for development with retail, commercial, and restaurant uses will contain various forms of landscaping. Another 47,789 square feet of landscaping is proposed within portions of the site associated with the assisted living/memory care facility (Exhibit A Attachment I). Thus, 118,233 square feet of the site will contain landscaping.

**UPDATED ANALYSIS:** The applicant’s narrative states a total of 4,591 SF of new landscaping will be provided on Lot 2, for a total of 122,824 SF within the entire commercial center.

A total of 62 trees have been preserved on the site and a total of 309 trees will be planted within the entire commercial center upon development of Lot 2, for a total of 371 on-site trees.

122,824 / 500 SF = 246 trees (needed for 1 tree per every 500 SF landscaping)

122,824 / 250 SF = 491 trees (need for 2 trees per every 500 SF landscaping)

The development will provide 371 on-site trees which is between 1 and 2 trees per every 500 SF of landscaping.

**FINDING:** Based on the amount of site landscaping provided per tree, the development is eligible to receive one (1) points for this standard.

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

**PREVIOUS ANALYSIS:** As shown on Exhibit A, Attachment I, none of the proposed or existing landscaped areas that will be retained is less than 100 square feet in size.

**UPDATED ANALYSIS:** With the exception of parking lot islands, a new landscape area will be planted between the northern wall of the building and the property line. The landscape area is over 100 SF in size.

**FINDING:** Based on the size of the landscaped areas, the development is eligible to receive two (2) points for this standard.

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

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

**UPDATED ANALYSIS:** The applicant's narrative indicates less than 25% of the planted trees will have a trunk diameter of greater than 3 in.

**FINDING:** Based on the size of the trees provided, the development is eligible to receive zero (0) points for this standard.

Design Criteria	Possible Points				
	0	1	2	3	4
Amount of Grass <sup>11,12</sup>	>75% of landscaped areas	50—75% of landscaped areas	25—49% of landscaped areas	<25% of landscaped areas	N/A

<sup>11</sup> *Shrubs and drought resistant ground cover are better.*

**<sup>12</sup> Schools automatically receive the full 3 points and are not penalized for amount of grass.**

**PREVIOUS ANALYSIS:** Turf is proposed over an area of approximately 28,500 square feet of the site that will contain landscaping (Exhibit A, Attachment I). This equates to 24 percent based on a total landscaped area of 118,233 square feet.

**UPDATED ANALYSIS:** No new grass is proposed as part of the development of Lot 2. The total site landscaping is 122,824 and the amount of existing grass is 28,500 SF or approximately 23.2%.

**FINDING:** Based on the amount of grass provided relative to the overall landscape area, the development is eligible to receive three (3) points for this standard.

Design Criteria	Possible Points				
	0	1	2	3	4
Total Amount of Site Landscaping <sup>13</sup>	<10% of gross site	10—15% of gross site	16—20% of gross site	21—25% of gross site	>25% of gross site

**<sup>13</sup> Includes visual corridor.**

**PREVIOUS ANALYSIS:** As shown on Exhibit A Attachment I, a total of 118,233 square feet of the site will be improved with landscaping. Given a gross site area of 501,540 square feet, approximately 24 percent of the gross site area will be improved with landscaping.

**UPDATED ANALYSIS:** The applicant’s narrative states the gross site area is 501,540 SF, however, this number was derived from the original approval and does not include Lot 2. The combined site area of the entire Cedar Creek Plaza development including Lot 2 is 13.17-acres or 573,685. The total landscaped area for the commercial center including Lot 2 is 122,824 SF.

$$122,824 \text{ SF landscaping} / 573,685 \text{ site area} = 21.4\%$$

**FINDING:** Based on the percentage of landscaping provided, the development is eligible to receive three (3) points for this standard.



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

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

**UPDATED ANALYSIS:** An automatic irrigation system was installed with the original site development and will be extended throughout Lot 2.

**FINDING:** Based on the type of irrigation provided, the development is eligible to receive 2 points based on this standard as conditioned below.

**CONDITION OF APPROVAL G1:** Prior to final occupancy, all landscaping on Lot 2 shall be served by an automatic irrigation system.

Landscaping (24 Total Points Possible; Minimum 14 Points Required).

Based on the analysis and findings above, 14 points have been granted for this category, meeting the minimum requirement.

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

**PREVIOUS ANALYSIS:** As shown on Exhibit A, Attachment J, rooftop equipment will be fully screened by either a parapet wall or additional materials that match the architecture and finish of each building.

**UPDATED ANALYSIS:** The applicant's narrative states rooftop equipment will be fully screened by either the building or additional materials that match the architecture and finish of each building. Detailed building plans showing rooftop equipment and screening has not been provided.

**FINDING:** Based on the proposed rooftop screening of equipment, the development is eligible to receive three (3) points for this standard, as conditioned below.

**CONDITION OF APPROVAL E1:** Prior to issuance of building permits, the applicant shall provide plans that demonstrate how all rooftop equipment will be screened by materials matching the proposed building’s architecture and finish.

**CONDITION OF APPROVAL G2:** Prior to final occupancy, all rooftop equipment shall be screened by materials matching the proposed building’s architecture and finish.

Design Criteria	Possible Points				
	0	1	2	3	4
Fences and Walls <sup>14</sup>	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

<sup>14</sup> Including retaining walls.

**PREVIOUS ANALYSIS:** As shown on Exhibit A, Attachments E and I, fencing proposed along the west and south boundaries of the site will be constructed of wood slats.

**UPDATED ANALYSIS:** The applicant’s narrative states all fencing will be constructed of wood slats.

**FINDING:** Based on the proposed fences and walls, the development is eligible to receive zero (0) points for this standard.

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

**PREVIOUS ANALYSIS:** Although pedestrian amenities are proposed internal to the site, there will not be at least one per building.

**UPDATED ANALYSIS:** Pedestrian amenities are proposed internal to the site, however, their will not be at least one per building.

**FINDING:** Based on the on-site pedestrian amenities, the development is eligible to receive zero (0) points for this standard.

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

**PREVIOUS ANALYSIS:** A total of four outdoor patios are proposed within the portion of the site that will contain a mixture of retail, commercial, and restaurant uses. The patio proposed adjacent to Building “B” is approximately 195 square feet in area, while the patios adjacent to Buildings “C” and “D” are approximately 260 square feet and 325 square feet, respectively. The patio proposed between Buildings “E” and “F” will be 540 square feet, exclusive of the walkways that access to it. These amenities will be available for public use and comprise a total area of more than 1,000 square feet (Exhibit A, Attachment E, Sheet C2.1).

**UPDATED ANALYSIS:** The Cedar Creek Plaza development has over 1,000 SF of open space for public use as described in the findings above. The amount of open space will not decrease below 1,000 SF as a result of the proposed multi-family building.

**FINDING:** Based on the amount of open space provided for public use, the development is eligible to receive three (3) points for this standard.

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

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

**UPDATED ANALYSIS:** The applicant is not proposing a green building certification for the new multi-family building.

**FINDING:** The development is eligible to receive zero (0) points for this standard.

Miscellaneous (10 Total Points Possible; Minimum 5 Points Required).

Based on the analysis and findings above, 6 points have been granted for this category, meeting the minimum requirement.

**SUMMARY OF FINDINGS:** With development of Lot 2, the Cedar Creek Plaza development is eligible to receive 46 points out of a total of 74 possible. The minimum number of points required under the Building Design category has not been met but is conditioned to be met as shown below.

Design Category	Points Possible	Minimum Points Required	Points Received
Building Design	21	12	<b>11</b>
Building Location and Orientation	6	3	<b>6</b>
Parking and Loading Areas	13	7	<b>9</b>
Landscaping	24	14	<b>14</b>
Miscellaneous	10	5	<b>6</b>
<b>TOTAL</b>	<b>74</b>	<b>41</b>	<b>46</b>

Therefore, SZCDC § 16.90.020(D)(6) is met as conditioned below.

**CONDITION OF APPROVAL B1:** Prior to final site plan approval, the applicant shall revise the plans to receive one (1) additional point under the Building Design category of the Commercial Design Review Matrix for a minimum of 12 points. Additional points are available in the materials, glazing, fenestration, entrance articulation, and structure size sub-categories.

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:** No new driveways are proposed with the development.

**FINDING:** This standard does not apply.

**E. Approvals**

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

**F. Time Limits**

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

**ANALYSIS:** The Major Modification application meets or is conditioned to meet the Site Plan Review approval criteria. The approval shall expire after two (2) years unless construction on the site has begun, as determined by the City.

**FINDINGS:** This criterion is met as conditioned below.

**CONDITION OF APPROVAL A4:** The Major Modification land use approval shall be void after two (2) years unless construction on the site has begun, as determined by the City.

**Chapter 16.92 – LANDSCAPING**

**16.92.010-Landscaping Plan Required**

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

**ANALYSIS:** New landscaping is proposed as part of the site development on Lot 2. The remaining Cedar Creek Plaza has existing landscaping that was reviewed and approved as part of the original land use decision. The applicant submitted a new Landscape Plan

(Exhibit G – Sheet L3.00) that shows perimeter, parking lot, and site landscaping for Lot 2.

Compliance with the specific landscaping standards is discussed below. All areas of the lot not occupied by structures, roads, and walkways will be landscaped.

**FINDING:** This criterion is met.

### **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:** The Landscape Plans (Exhibit G – Sheets L3.00) proposes a variety of native and ornamental ground cover, shrubs, and trees for the site. The planting

schedule provides details on the size of each planting which meets the intent of the standards above.

**FINDING:** These standards are met as conditioned below.

**CONDITION OF APPROVAL B2:** Prior to final site plan approval, the applicant shall provide final landscaping plans for Lot 2 in conformance with SZCDC § 16.92.

**CONDITION OF APPROVAL G3:** Prior to final occupancy, all site landscaping for Lot 2 shall be installed according to the final approved landscape plans.

**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 Landscape Plans (Exhibit G – Sheet L2.0) provide plant material and preparation details as required by the standard above.

**FINDING:** These standards are 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:** A small grove of six (6) mature Douglas Fir trees are located at the northern corner of the Lot 2. The original site plan approval (SP 16-10 / CUP 16-06 / VAR 17-01) proposed removing the trees with preservation dependent on field verification of the tree trunk location. The trees have not been removed and the updated Landscape Plans (Exhibit G – Sheet L1.00) indicate five (5) of the trees will be preserved while tree “T16” will be removed. No wetlands, floodplains, or other significant natural features are present on the site.

**FINDINGS:** This criterion is met by Condition of Approval A11.

**FINDING:** These standards have been 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:** As shown on the Landscape Plan, all non-building locations will include landscaping consistent with this section. Impervious paving is not counted as part of the required landscaping and no artificial plants are proposed.

**FINDING:** These standards have been met.

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

**A. Perimeter Screening and Buffering**

- 1. **Perimeter Screening Separating Residential Zones:**  
A minimum six-foot high sight-obscuring wooden fence, decorative masonry wall, or evergreen screen, shall be required along property lines separating single and two-family



**uses from multi- family uses, and along property lines separating residential zones from commercial, institutional/public or industrial zones subject to the provisions of Chapter 16.48.020 (Fences, Walls and Hedges).**

**ANALYSIS:** The proposed building is located in an existing shopping center and is zoned Retail Commercial. The site abuts a residential zone (HDR-PUD) along its west property line. A 6 ft. tall wooden fence has already been constructed along the shared property line and will remain as part of the development.

**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.**
- 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:** A new parking and drive aisle is proposed at the rear of Lot 2 along the west property line and a 10 ft. wide landscape strip is required. The required landscaping including trees, shrubs, and ground cover was planted as part of the original development of the shopping center, however, some of the vegetation is dead or in poor condition (Exhibit CC & DD – Staff Photos). The applicant is required to re-install the landscaping according the approved plans (Exhibit G – Sheet L2.1) or an alternative that meets the standard above. The applicant also proposes to retain five of the existing mature Douglas fir trees at the northern corner of Lot 2. New trees will also be planted along the property line where the landscaping is impacted by development.

**FINDING:** This standard is met as conditioned below.

**CONDITION OF APPROVAL G4:** Prior to final occupancy, the existing 10 ft. wide landscaping buffer separating Lot 2 from the HDR-PUD zone shall be re-planted

according to the plans in Exhibit G – Sheet L2.1 or an alternative plan that meets the requirements of SZCDC § 16.92.030(A)(2).

**B. Parking Area Landscaping**

**1. Purpose**

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

**2. Definitions**

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

b. **Canopy Factor**

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

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

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

**3. Required Landscaping**

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

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

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

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

(1) Any combination of the following is required:

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

- (ii) One (1) medium tree is required per three (3) parking spaces; or
  - (iii) One (1) small tree is required per two (2) parking spaces.
  - (iv) At least five (5) percent of the required trees must be evergreen.
- (2) Street trees may be included in the calculation for the number of required trees in the parking area.
- b. Shrubs:
  - (1) Two (2) shrubs are required per each space.
  - (2) For spaces where the front two (2) feet of parking spaces have been landscaped instead of paved, the standard requires one (1) shrub per space. Shrubs may be evergreen or deciduous.
- c. Ground cover plants:
  - (1) Any remainder in the parking area must be planted with ground cover plants.
  - (2) The plants selected must be spaced to cover the area within three (3) years. Mulch does not count as ground cover.

**ANALYSIS:** The applicant has provided a detailed parking lot landscaping plan included as Exhibit G – Sheet L3.00. A total of 90 new parking stalls are proposed which requires an additional 4,050 SF landscaping and either 22 large size trees, 30 medium size trees, or 45 small trees. The narrative (Exhibit S) provides a summary of parking lot landscaping for the Cedar Creek Plaza development.

The plans indicate 6,861 SF of landscaping including 16 medium trees and 15 large trees are proposed as parking lot landscaping on Lot 2. The large tree is identified as a Marshall’s Seedless Green Ash with a mature height of 75 ft. and a canopy spread of 100 ft. The stated canopy spread of the tree appears to be incorrect. The Portland Plant List (2016) indicates seedless green ash trees grow to a height of approximately 50 ft. with a spread of approximately 40 ft. The applicant’s narrative also uses a 40 ft. spread for the seedless ash tree under the findings for SZCDC § 16.142.070(D)(3).

The plans indicate shrubs and groundcover at the required quantities will be provided within the parking lot landscaping.

**FINDING:** This standard is met as conditioned below.

**CONDITION OF APPROVAL B3:** Prior to final site plan approval, the applicant shall provide final landscaping plans that demonstrate compliance with the tree requirements for parking lot landscaping on Lot 2.

**5. Individual Landscape Islands Requirements**

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

**ANALYSIS:** The Civil Plans (Exhibit F) and Landscape Plan (Exhibit G) show the proposed dimensions and planting schedule for individual landscape islands for Lot 2. A minimum of 90 SF landscaping and one tree are proposed for each island. No more than 10 contiguous parking stalls are proposed without a landscape island.

**FINDING:** These standards are met.

**6. Landscaping at Points of Access**

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

**ANALYSIS:** As discussed in Section 16.58.010 above, the development will occur interior to the shopping center and the clear vision area requirements were met as part of the original approval and site development.

**FINDING:** This standard is met.

**6. Exceptions**

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**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:** A new trash enclosure is proposed along the west boundary of the site adjacent to the residential zone. The applicant's narrative states the enclosure will be constructed of cement block (CMU) walls and will also be screened from the residential neighborhood by landscaping and the 6 ft. tall wooden fence. The plans do not provide details on the proposed mechanical equipment for the building; however, the narrative states mechanical equipment will be screened from view from all public streets and adjacent residential neighborhoods.

**FINDING:** This standard is met as conditioned below.

**CONDITION OF APPROVAL E2:** Prior to Issuance of Building Permits, the applicant shall provide plans that demonstrate how all mechanical equipment will be screened from view of public streets and the adjacent residential zones.

**CONDITION OF APPROVAL G5:** Prior to Issuance of Occupancy, all mechanical equipment, outdoor storage, and service and delivery areas shall be screened from view of public streets and the adjacent residential zones.

**D. Visual Corridors**

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

**ANALYSIS:** Visual corridors along SW Edy Rd. and Hwy 99W were required as part of the original land use approval and have been installed.

**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 storm water management requirements. Plant materials must be installed to current nursery industry standards. Plant materials must be properly supported to ensure survival. Support devices such as guy wires or stakes must not interfere with vehicular or pedestrian movement.

**B. Maintenance and Mitigation of Landscaped Areas**

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

**C. Irrigation**

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

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

**ANALYSIS:** The Landscape Plans (Exhibit G) provide installation and maintenance details for the new landscaping. The narrative also states an automatic irrigation system is proposed for the landscaping.

**FINDING:** These standards are met by Condition of Approval G1.

## 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.

#### 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:** The applicant has provided a scaled parking plan (Exhibit F – Sheet C1.00) that shows the proposed parking for Lot 2. No parking or loading spaces will be deferred.

**FINDING:** These criteria are 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:** The applicant is proposing to reduce the number of required parking stalls by utilizing the method permitted in SZCDC § 16.94.010(C)(2) below. A reduction to number of parking stalls based on the combined peaked method described above is not proposed.

**FINDING:** This standard does not apply.

- 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:** The proposed residential building will be located in an existing mixed-use development with multiple commercial uses including assisted living, medical office, fitness, retail shopping, and restaurants. The applicant has provided a revised parking table in the narrative (Exhibit S) for the commercial center that includes updated floor areas for each existing building and the proposed multi-family building. The amount of



parking required for the assisted living use was not reduced because it does not have a specific minimum ratio identified in the development code.

**FINDING:** This standard is met.

**D. Prohibited Uses**

**Required parking, loading and maneuvering areas shall not be used for long-term storage or sale of vehicles or other materials, and shall not be rented, leased or assigned to any person or organization not using or occupying the building or use served.**

**ANALYSIS:** The plans do not indicate parking and loading areas will be used for the long-term storage of materials.

**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 applicant is proposing to meet the minimum parking requirements by sharing parking across the entire Cedar Creek Plaza development consisting of nine separate lots (Exhibit EE – Property Ownership Map). As shown in the findings for the minimum parking requirements (SZCDC § 16.94.020(A)), with the proposed multi-family building the commercial center will require a minimum of 581 parking stalls. The applicant is proposing 605 stalls total in the commercial center upon development of the multi-family building and Lot 2.

The standard above requires parking stalls for residential uses to be located on the same lot or development as the residential use. The standard above also requires commercial uses to provide evidence in the form of deeds, leases, or similar instruments to share vehicle parking on private property. The proposed building is multi-family and the existing development is commercial. The parking will be shared between the multi-family and commercial uses, therefore subsections both (1) and (2) above apply. In addition to the standard above, SZCDC § 16.90.020(D)(3) requires the applicant to provide covenants, agreements, or other specific documents “to assure an acceptable method of ownership, management, and maintenance of structures, landscaping, and other on-site features.”

While the applicant is proposing to share parking across the entire commercial center, evidence has not been provided showing the legal right to use all of the parking needed to meet the minimum requirements. The development is comprised of nine (9) separate lots with seven (7) different owners (Exhibit EE – Property Ownership Map). The proposed parking plan requires a shared parking agreement or other legally binding document demonstrating the right to utilize the parking facilities across the entire Cedar Creek Plaza development in a manner sufficient to meet the minimum parking requirements. The applicant has submitted two sets of Covenants, Conditions, and Restrictions (CC&R’s) that outline the existing parking agreements for the commercial center but do not support the proposed approach to shared parking in the application. The first set of CC&R’s (Exhibit P – Washington County Document 2017-059133) is for

the original Cedar Creek Plaza development covering Tax Lots 2S130DA00700, 800 and 900. The second set of CC&R's (Exhibit P – Washington County Document 2019-026258) covers the seven lots created from a subdivision of Tax Lot 900.

The original CC&R's (Exhibit P - Doc 2017-059133) identifies three (3) different owners with fee title to three different parcels within the commercial center. The parcels are identified as the "Providence Tract", "Rembold Tract", and "Deacon Tract". The proposed multi-family building would be located on the Deacon tract. Section 2.1 of the CC&Rs states that "guests, patrons, and invitees" to the three tracts are permitted to use parking on other tracts while owners, residents, tenants, employees, contractors, and agents are required to park on the individual tract with which they are associated. SZCDC § 16.94.020 establishes separate parking stall requirements for residents and for visitors which are applicable to a multi-family building. The proposed approach to allow the residents of the multi-family building to park on Rembold (Ackerly) and Providence tracts is not supported by the CC&Rs.

The second set of CC&Rs (Exhibit P – Doc 2019-026258) address the parking agreement for the seven (7) smaller lots created and sold from the Deacon tract subdivision (Cedar Creek Plaza subdivision) and include Tax Lots 2S130DA 2100, 2200, 2300, 2400, 2500, 2600, and 2700. Section 4.2 of the CC&R's provides each owner in the subdivision the right to designate up to four (4) parking stalls in front of their building for the exclusive use by an occupant of the building. Lot 1 (Tax Lot 2S1310DA2100) which is currently occupied by Planet Fitness also has the right to use fifteen (15) parking spaces for their exclusive use through the duration of their lease, after which they will be allotted four (4) stalls like each of the other owners. Therefore, under the current CC&Rs up to 39 parking stalls within the Deacon tract are reserved for exclusive use by individual owners or their tenants and are not eligible to be shared amongst the other commercial center users. In addition, 65 stalls on the "Rembold" tract are numbered and some are marked as "reserved" which indicates they are only available for use by the Ackerly residents or their guests (Exhibit FF – Staff Photo).

Therefore, based on the number of parking stalls reserved for the exclusive use of each owner within the Deacon tract and those reserved for Ackerly residents, a total of 104 parking stalls within the commercial center are not available to be shared.

The application also does not demonstrate that the minimum parking requirements can be met on the Deacon tract alone. Based on the as-built plans submitted by the applicant (Exhibit E – Sheet C2.1A) the Deacon tract contains 240 existing parking stalls. An additional 90 stalls will be provided on Lot 2 for a total of 330 parking stalls on the Deacon tract. Based on the existing and proposed square footage of each use provided by the applicant, a total of 381 parking stalls would be required to meet the parking requirements on the Deacon tract alone. This includes the permitted reduction in parking stalls based on the parking being located in a mixed-use development.

Deacon Tract Parking Summary					
Use	Floor Area / Units	Minimum parking ratio	Minimum required stalls	Adjusted Per Criteria in SZCDC § 16.94.010(C)(2)	Parking stalls provided
Multifamily Housing	71,926 SF / 84-units	See above	123	123 (100%)	
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	9,782 SF	15.3 / 1,000 SF	150	120 (80%)	
Drive-Thru Restaurant	2,250 SF	9.9 / 1,000 SF	22	18 (80%)	
<b>Total</b>		-	<b>445</b>	<b>381</b>	<b>330</b>

The standard above (SZCDC § 16.94.010(E)) and SZCDC § 16.94.020(A) below have not been met because the applicant has not demonstrated the legal right to use all of the parking needed to meet the minimum parking requirements as proposed in the application. The applicant has also not demonstrated the minimum parking requirements can be met on the Deacon tract alone. Condition of Approval B4 below requires the applicant to provide legal evidence of the right to use the commercial center parking on other lots as proposed or provide an alternative parking plan that meets the minimum parking requirements.

**FINDING:** These standards have not been met but can be met as conditioned below.

**CONDITION OF APPROVAL B4:** Prior to final site plan approval and issuance of building permits, the applicant shall provide evidence in the form of a recorded deed, lease, easement, or similar written and notarized letter or instrument that shows a legal right to use sufficient parking in the Cedar Creek Plaza development (9 lots total as of the Notice of Decision) to meet the minimum parking requirements. As an alternative,

the parking plan can be revised to show conformance with the minimum parking requirements and applicable standards and criteria of the Sherwood Zoning and Community Development Code. Based on the revised proposal, the applicant shall obtain approval of a Major or Minor Modification if required pursuant to SZCDC § 16.90.030.

**F. Marking**

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

**ANALYSIS:** The applicant has provided Civil Plans (Exhibit F – Sheet C1.00) that shows marking details for the proposed parking, loading, and maneuvering areas on Lot 2.

**FINDING:** This standard is met as conditioned below.

**CONDITION OF APPROVAL G6:** Prior to Receiving Occupancy, all parking, loading or maneuvering areas including ADA and loading stalls shall be clearly marked and signed. All interior drives and access aisles shall be clearly marked and signed to show the direction of flow and maintain vehicular and pedestrian safety.

**G. Surface and Drainage**

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

**ANALYSIS:** The new parking area on Lot 2 will be improved with asphalt. The applicant has provided preliminary stormwater management plans (Exhibit G - C3.00) that show how the parking area will be drained.

**FINDING:** These standards are met.

**H. Repairs**

**Parking and loading areas shall be kept clean and in good repair. Breaks in paved surfaces shall be repaired. Broken or splintered**

**wheel stops shall be replaced. Painted parking space boundaries and directional symbols shall be maintained in a readable condition.**

**ANALYSIS:** The property owner will be responsible for the proper maintenance of the parking and loading areas. Violations are subject to City code compliance action.

**FINDING:** This standard is met.

**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:** The applicant has provided plans that provide details and information at an adequate level to determine compliance with the parking and loading standards.

**FINDING:** This standard is met.

**J. Parking Districts**

**The City may establish a parking district (i.e., permits or signage) in residential areas in order to protect residential areas from spillover parking generated by adjacent commercial, employment or mixed-use areas, or other uses that generate a high demand for parking. The district request shall be made to the City Manager, who will forward a recommendation to the City Council for a decision. Structured parking and on-street parking are exempt from the parking space maximums in Section 16.94.020.A.**

**ANALYSIS:** No parking districts or structured parking is proposed.

**FINDING:** This standard is not applicable.

**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)**

<b>Use</b>	<b>Minimum Parking Standard</b>	<b>Maximum Permitted Parking Zone A<sup>1</sup></b>	<b>Maximum Permitted Parking Zone B<sup>2</sup></b>
<b>Nursing home</b>	<b>None</b>	<b>None</b>	<b>None</b>
<b>Multi-family<sup>4</sup></b>	<b>1 per unit under 500 SF 1.25 per 1 bdr 1.5 per 2 bdr 1.75 per 3 bdr</b>	<b>None</b>	<b>None</b>
<b>General office</b>	<b>2.7</b>	<b>3.4</b>	<b>4.1</b>
<b>General retail or personal service</b>	<b>4.1</b>	<b>5.1</b>	<b>6.2</b>
<b>Sports club / recreational facility</b>	<b>4.3</b>	<b>5.4</b>	<b>6.5</b>
<b>Fast food drive-thru</b>	<b>9.9</b>	<b>12.4</b>	<b>14.9</b>

Eating or drinking establishment	15.3	19.1	23.0
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<sup>1</sup> 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.

<sup>2</sup> 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.

<sup>3</sup> 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.

<sup>4</sup> 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:** The applicant’s narrative includes an updated parking table for the commercial center. The parking table indicates 7 studio apartments are proposed requiring one (1) parking stall each. However, some of the studio apartments are over 500 SF per the architectural plans. The City’s parking standard table (SZCDC § 16.94.020 – Table 1) requires a minimum of one (1) stall for “units under 500 SF”. Of the 84-units proposed, a total of 4 units will be under 500 SF. An updated parking table for the multi-family building is therefore provided below.

<b>Proposed Multi-family Building Parking Requirements</b>			
<b>Unit Type</b>	<b># Units</b>	<b>Minimum parking ratio</b>	<b>Minimum required stalls</b>
Studio Under 500 SF	4	1.00	4
1-Bedroom	67	1.25	83.75



2-Bedroom	13	1.50	19.50
Visitor parking (15% of subtotal)			16.08
<b>Total</b>	<b>84</b>		<b>123.33 or 123</b>

Utilizing the criteria above for reducing the number of parking stalls in a mixed-use center, the minimum number of required parking stalls for the entire Cedar Creek Plaza center is provided in the table below.

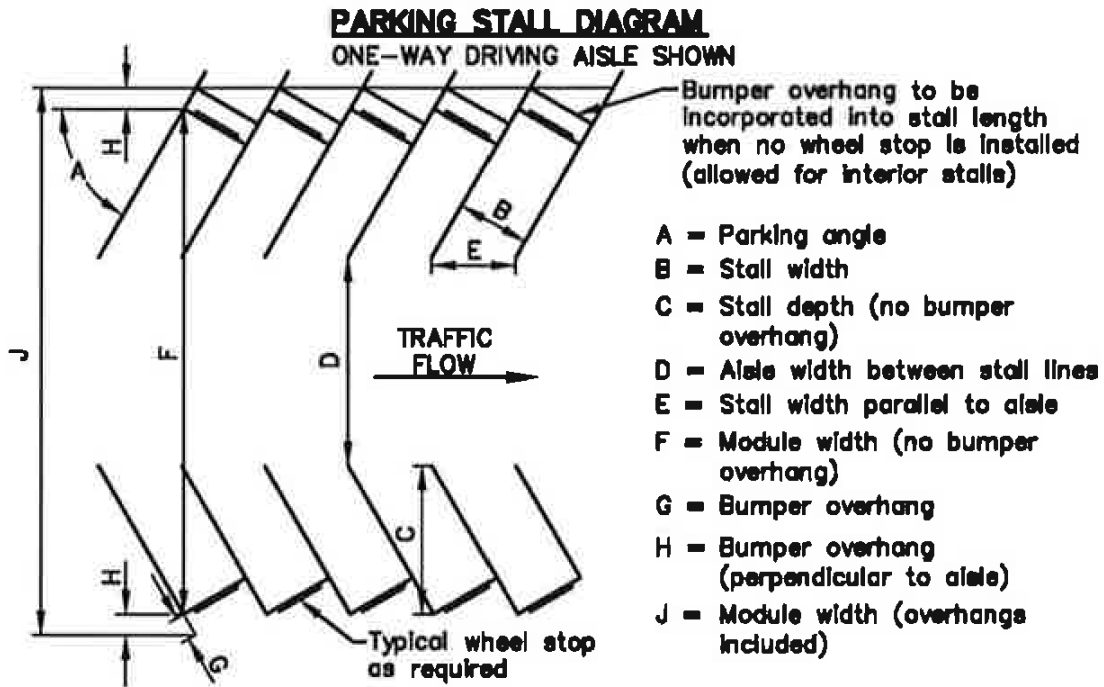
<b>Parking Requirements for the Entire Cedar Creek Plaza Center</b>					
<b>Use</b>	<b>Floor Area / Units</b>	<b>Minimum parking ratio</b>	<b>Minimum required stalls</b>	<b>Adjusted Per Criteria in SZCDC § 16.94.010(C)(2)</b>	<b>Parking stalls provided</b>
Assisted Living (Nursing home)	143,400 SF	N/A	98	98 (100% - no minimum ratio)	
Multifamily Housing	71,926 SF / 84-units	See above	123	123 (100%)	
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	9,782 SF	15.3 / 1,000 SF	150	120 (80%)	
Drive-Thru Restaurant	2,250 SF	9.9 / 1,000 SF	22	18 (80%)	

<b>Total</b>	<b>305,004 SF</b>	<b>-</b>	<b>656</b>	<b>581</b>	<b>605</b>
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Utilizing the shared approach proposed in the application, a minimum of 581 stalls is required for the commercial center and a total of 605 parking stalls will be provided upon development of Lot 2. However, as described in the findings for SZCDC § 16.94.010(E), the applicant has not demonstrated the right to utilize parking on properties other than the Deacon tract for resident parking required by the proposed multi-family building. The applicant has also not demonstrated that the minimum parking requirements can be met on the Deacon tract alone.

**FINDING:** This standard has not been met but can be satisfied by Condition of Approval B4.

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



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

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

**3. Wheel Stops**

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

**ANALYSIS:** The Civil Plans (Sheet F – Sheet C1.00) show the proposed dimensions for the new parking lot to be constructed on Lot 2 in conformance with the standards

above. The applicant is proposing to use 3 ft. of landscape and hardscape instead of wheel stops. The plans propose to concentrate the ADA parking stalls at the west entrance to the building. The final ADA parking stall requirements are reviewed as part of the building permit review process and changes may be required.

**FINDING:** These standards are met as conditioned below.

**CONDITION OF APPROVAL B5:** Prior to final site plan approval, the plans shall show the final location of all required ADA stalls. All parking stalls and drive aisles on Lot 2 shall meet the dimensional standards of SZCDC § 16.94.020(B).

**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 as part of the development.

**FINDING:** This standard does not apply.

\*\*\*

**C. Bicycle Parking Facilities**

**1. General Provisions**

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

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

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

**2. Location and Design.**

**a. General Provisions**

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

**b. Short-term Bicycle Parking**

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

- (2) Locate inside or outside the building within thirty (30) feet of the main entrance to the building or at least as close as the nearest vehicle parking space, whichever is closer.

**Table 4: Minimum Required Bicycle Parking Spaces**

Use Categories	Minimum Required Spaces
Household living	Multi-dwelling – 2 or 1 per 10 auto spaces.

**ANALYSIS:** The proposed multi-family building is required to provide 123 parking stalls and therefore 12 bicycle stalls. A minimum of 3 stalls shall be long-term.

**FINDING:** This standard is met as conditioned below.

**CONDITION OF APPROVAL G7:** Prior to Receiving Occupancy, bicycle parking shall be installed in accordance with the Final Site Plan approval.

**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 applicant is proposing a 250 SF loading area at the western corner of the building, near the rear entrance. While the building is greater than 50,000 SF in

gross floor area, the loading stall area required by the standard above is intended to serve large commercial buildings with full size delivery trucks. The proposed multi-family building will require smaller moving vehicles for up to a 2-bedroom unit. Therefore a 750 SF loading area would not be appropriate for the proposed use.

**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:** The proposed loading area abuts an on-site concrete walkway near the west corner of the building for convenient access to the rear entrance. The loading area is adjacent to on-site parking and is required to be marked as a loading zone.

**FINDING:** This standard is met as conditioned below.

**CONDITION OF APPROVAL G8:** Prior to occupancy, the loading area shall be painted and signed as a designated loading area.

**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:** No exceptions are requested.

**FINDING:** This standard is met.

**Chapter 16.96 - ONSITE CIRCULATION**

**16.92.010 – On-Site Pedestrian and Bicycle Circulation**

**A. Purpose**

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

**B. Maintenance**

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

**C. Joint Access**

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

**D. Connection to Streets**

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

**ANALYSIS:** The Civil Plans (Exhibit F – Sheet C1.00) shows the proposed on-site pedestrian circulation system for Lot 2. The pedestrian pathways will be constructed of concrete and connect to the existing system within the Cedar Creek Plaza development. The commercial center has three (3) existing pedestrian connection points between the site and the abutting rights-of-way (Hwy 99W, SW Edy Rd., and SW Maderia Terrace).

**FINDING:** These standards are met.

**E. Maintenance of Required Improvements**



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

**ANALYSIS:** Maintenance of the required circulation improvements will be addressed after construction. Any issues related to maintenance will fall under Code Compliance.

**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:** This standard refers to vehicle access. The commercial center has frontage along Hwy 99W and has received previous approval for a right-in only driveway along the highway. The driveway has been constructed and is operational.

**FINDING:** These standards do not apply.

**G. Service Drives**

**Service drives shall be provided pursuant to Section 16.94.030.**

**ANALYSIS:** No service drives are proposed.

**FINDING:** These standards are met.

## **16.96.030 - Minimum Non-Residential Standards**

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

### **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:** There Civil Plans (Exhibit F – Sheet C0.50 - C1.00) show the existing and proposed sidewalk system for Lot 2. The sidewalks will be constructed of concrete and be a minimum of 4 ft. wide. The applicant is proposing a pet play and relief area near the northern corner of Lot 2 with benches and landscaping. The proposed development does not include a pedestrian sidewalk connecting the building entrances to this area. It

is anticipated the pet relief area will generate a high number of pedestrian trips to and from the building.

**FINDING:** This standard is met as conditioned below.

**CONDITION OF APPROVAL B6:** Prior to final site plan approval, revise the plans to provide a minimum 4 ft. wide sidewalk connecting one or more of the building entrances to the pet play and relief area.

## **Chapter 16.98 - ONSITE STORAGE**

### **16.98.020 Solid Waste and Recycling Storage**

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

**ANALYSIS:** The trash enclosure for the new building is proposed at the rear of the site along the southwest property line with convenient access for collection vehicles. The nearest wall of the enclosure is approximately 12 ft. from the southwest property line. The applicant's narrative states the enclosure will be constructed with concrete and be screened from view by the existing vegetation and wood fence. A detail on the trash enclosure has not been provided.

**FINDING:** This standard is met as conditioned below.

**CONDITION OF APPROVAL B7:** Prior to Final Site Plan approval, provide elevation details for the new trash enclosure.

**CONDITION OF APPROVAL G9:** Prior to Receiving Occupancy, all solid waste and recycling storage areas shall be located out of public view and screened by a 6 ft. high sight-obscuring fence or masonry wall.

## **Chapter 16.106 - TRANSPORTATION FACILITIES**

### **16.106.020 - Required Improvements**

#### **A. Generally**

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

and/or complete acceptable improvements prior to issuance of occupancy permits. Right-of-way requirements are based on functional classification of the street network as established in the Transportation System Plan, Figure 17.

**B. Existing Streets**

Except as otherwise provided, when a development abuts an existing street, the improvements requirement shall apply to that portion of the street right-of-way located between the centerline of the right-of-way and the property line of the lot proposed for development. In no event shall a required street improvement for an existing street exceed a pavement width of thirty (30) feet.

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**16.106.080 - Traffic Impact Analysis (TIA)**

**A. Purpose**

The purpose of this section is to implement Sections 660-012-0045(2)(b) and -0045(2)(e) of the State Transportation Planning Rule (TPR), which require the City to adopt performance standards and a process to apply conditions to land use proposals in order to minimize impacts on and protect transportation facilities. This section establishes requirements for when a traffic impact analysis (TIA) must be prepared and submitted; the analysis methods and content involved in a TIA; criteria used to review the TIA; and authority to attach conditions of approval to minimize the impacts of the proposal on transportation facilities.

This section refers to the TSP for performance standards for transportation facilities as well as for projects that may need to be constructed as mitigation measures for a proposal's projected impacts. This section also relies on the City's Engineering Design Manual to provide street design standards and construction specifications for improvements and projects that may be constructed as part of the proposal and mitigation measures approved for the proposal.

**ANALYSIS:** The original land use application for Cedar Creek Plaza development (SP 16-10 / CUP 16-06 / VAR 17-01) included a Transportation Impact Analysis (TIA) for the entire commercial center including Lot 2. The TIA assumed that Lot 2 would be developed with a 94-room hotel generating 768 daily trips including 718 external trips (on or off the site) and 50 internal trips (within the commercial site). The applicant has provided a Trip Update Letter (Exhibit L) that shows the daily trips generated by the 84-unit multi-family building is 456, including 402 external trips and 54 internal trips. At build-out of Lot 2, the proposed 84-unit residential building will result in a reduction of 312 daily trips compared to the 94-room hotel.

Agency comments provided by the Oregon Department of Transportation (Exhibit X), Washington County Land Use & Transportation (Exhibit V), and the City of Sherwood Engineering (Exhibit T) concur with the trip generation report provided by the applicant. Therefore, no transportation improvements or traffic mitigation measures are required.

**FINDING:** This criterion is met.

## **Chapter 16.108 – IMPROVEMENT PLAN REVIEW**

### **16.108.010 – Preparation and Submission**

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

#### **A. Review Fee**

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

#### **B. Engineering Agreement**

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

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

**ANALYSIS:** Work on public facilities requires an Engineering Compliance Agreement issued by the City of Sherwood Engineering Department.

**FINDING:** This criterion is met as conditioned below.

**CONDITION OF APPROVAL C1:** Prior to Approval of the Engineering Public Improvement Plans or Issuance of Building Permits, an Engineering Compliance Agreement shall be obtained from the City of Sherwood Engineering Department.

**CONDITION OF APPROVAL G10:** Prior to Receiving Occupancy, the subject development shall receive Final Acceptance of Public Improvements.

#### **Chapter 16.110 – SANITARY SEWERS**

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

**ANALYSIS:** The City of Sherwood Engineering Comments (Exhibit T) state “The subject property has an existing sanitary sewer lateral stubbed into the property. Since all needed public sanitary sewer facilities were installed with the original development, no extension of the public sanitary sewer system is required.”

**FINDING:** This standard is met as conditioned below.

**CONDITION OF APPROVAL E3:** Prior to Issuance of a Plumbing Permit, any private sanitary sewer piping shall be installed in conformance with the current Oregon Plumbing Specialty Code.

#### **Chapter 16.112– WATER SUPPLY**

##### **16.112.010 Required Improvements**

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

**ANALYSIS:** The City of Sherwood Engineering Comments (Exhibit T) indicate state” The subject property has an existing water service line stubbed into the property of adequate size to provide fire and domestic water service. Per Municipal Code Section 13.05.030, the domestic water service for a multi-family building is required to have approved backflow protection.”

**FINDING:** This standard is met as conditioned below.

**CONDITION OF APPROVAL C2:** Prior to Approval of the Engineering Public Improvement Plans, the developer shall design for the installation of backflow protection

on the domestic water service meeting the approval of the City of Sherwood Public Works Department.

**CONDITION OF APPROVAL C3:** Prior to Approval of the Engineering Public Improvement Plans, if on-site fire protection is to be installed, the proposed development shall design for the installation of backflow protection meeting Sherwood Engineering Department standards.

**CONDITION OF APPROVAL E4:** Prior to Issuance of a Plumbing Permit, any private water piping shall be installed in conformance with the current Oregon Plumbing Specialty Code.

**CONDITION OF APPROVAL F1:** Prior to Final Acceptance of the Constructed 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.

#### **Chapter 16.114 – STORM WATER**

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

**ANALYSIS:** The City of Sherwood Engineering Comments (Exhibit T) state “The subject property has an existing storm sewer lateral stubbed into the property. Since all needed public storm sewer facilities were installed with the original development, no extension of the public storm sewer system is required. Water quality treatment and hydromodification/detention facilities were not installed for the subject parcel as part of the original development and will need to be designed and installed to meet Clean Water Services standards. Detention is required due to discharging into ODOT right-of-way.

City policy requires that prior to grading, a permit is obtained from the Building Department for all grading on the private portion of the site. The proposed disturbance area for the subject development is greater than 1 acre in area, therefore, a DEQ NPDES 1200-CN permit is required for this project.

A Clean Water Services Service Provider Letter has already been obtained for the proposed development.”

**FINDING:** This standard is met as conditioned below.

**CONDITION OF APPROVAL C4:** Prior to Approval of Engineering Public Improvement Plans, the proposed development shall design to provide on-site water quality treatment/hydro-modification/detention facilities in accordance with city and Clean Water Services standards unless otherwise approved by the city and Clean Water Services.

**CONDITION OF APPROVAL F2:** Prior to Acceptance of Public Improvements, private water quality/hydro-modification/detention facilities shall have a recorded Private Storm Water Facility Access and Maintenance Covenant. An Operation and Maintenance Plan for all private water quality/hydro-modification facilities is also required to be submitted to the Sherwood Engineering Department.

**CONDITION OF APPROVAL E5:** Prior to Issuance of a Plumbing Permit, any private storm sewer piping shall be installed in conformance with the current Oregon Plumbing Specialty Code.

**CONDITION OF APPROVAL C5:** Prior to Approval of the Engineering Public Improvement Plans, a Storm Water Connection Permit Authorization shall be obtained.

**CONDITION OF APPROVAL D1:** Prior to Issuance of a Grading Permit, the subject development shall obtain a DEQ NPCES 1200-CN permit.

## **Chapter 16.116 - FIRE PROTECTION**

### **16.116.010 Required Improvements**

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

#### **A. Capacity**

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

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

**Standards published by the Insurance Services Office, entitled "Guide for Determination of Required Fire Flows" shall determine the capacity of facilities required to furnish an adequate fire flow. Fire protection facilities shall be adequate to convey quantities of water, as determined by ISO standards, to any outlet in the system, at no less than twenty (20) pounds per square inch residual pressure.**



Water supply for fire protection purposes shall be restricted to that available from the City water system. The location of hydrants shall be taken into account in determining whether an adequate water supply exists.

**C. Access to Facilities**

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

**D. Hydrants**

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

**ANALYSIS:** Fire protection and emergency services are provided by Tualatin Valley Fire and Rescue (TVFR). Tom Mooney, Deputy Fire Marshall, provided a review letter dated May 7, 2021 (Exhibit W) outlining fire protection requirements for the project. A condition of approval requiring compliance with the Fire Marshall's letter is included below.

**FINDING:** This standard is met as conditioned below.

**CONDITION OF APPROVAL G11:** Prior to final occupancy, the applicant shall obtain approval from TVF&R in accordance with the Fire Marshall's letter dated May 21, 2021 and all applicable Fire Code regulations.

## **Chapter 16.118 - PUBLIC AND PRIVATE UTILITIES**

### **16.118.010 Purpose**

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

### **16.118.020 Standard**

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

#### **16.118.030 - Underground Facilities**

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

#### **16.118.040 - Exceptions**

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

**ANALYSIS:** The City of Sherwood Engineering comments state “Public utility easements were already dedicated along all street frontages as part of the original development. Sherwood Broadband vaults and conduits were already installed along all street frontages as part of the original development.”

The applicant has provided plans (Exhibit F) that shows utilities will be located underground.

**FINDING:** These standards are met.

## **Chapter 16.142 Parks, Trees and Open Space**

### **16.142.020 - Multi-Family Developments**

#### **A. Standards**

**Except as otherwise provided, recreation and open space areas shall be provided in new multi-family residential developments to the following standards (townhome development requirements for open space dedication can be found in Chapter 16.44.B.8- Townhome Standards):**

**1. Open Space**

**A minimum of twenty percent (20%) of the site area shall be retained in common open space. Required yard parking or maneuvering areas may not be substituted for open space.**

**2. Recreation Facilities**

**A minimum of fifty percent (50%) of the required common open space shall be suitable for active recreational use. Recreational spaces shall be planted in grass or otherwise suitably improved. A minimum area of eight-hundred (800) square feet and a minimum width of fifteen (15) feet shall be provided.**

**3. Minimum Standards**

**Common open space and recreation areas and facilities shall be clearly shown on site development plans and shall be physically situated so as to be readily accessible to and usable by all residents of the development.**

**4. Terms of Conveyance**

**Rights and responsibilities attached to common open space and recreation areas and facilities shall be clearly specified in a legally binding document which leases or conveys title, including beneficial ownership to a home association, or other legal entity. The terms of such lease or other instrument of conveyance must include provisions suitable to the City for guaranteeing the continued use of such land and facilities for its intended purpose; continuity of property maintenance; and, when appropriate, the availability of funds required for such maintenance and adequate insurance protection.**

**ANALYSIS:** The proposed multi-family building is located in a mixed-use development in the Retail Commercial zone which includes over 1,000 SF of public open space

adjacent to certain commercial buildings. The standard above is intended to provide usable open space for standalone multi-family developments.

**FINDINGS:** This standard does not apply.

#### **16.142.070 Trees on Property Subject to Certain Land Use Applications**

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

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

##### **B. Applicability**

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

##### **C. Inventory**

1. To assist the City in making its determinations on the retention of trees and woodlands, land use applications including Type II - IV development shall include a tree and woodland inventory and report. The report shall be prepared by a qualified professional and must contain the following information:
  - a. Tree size (in DBH and canopy area)
  - b. Tree species
  - c. The condition of the tree with notes as applicable explaining the assessment
  - d. The location of the tree on the site
  - e. The location of the tree relative to the planned improvements
  - f. Assessment of whether the tree must be removed to accommodate the development
  - g. Recommendations on measures that must be taken to preserve trees during the construction that are not proposed to be removed.

2. In addition to the general requirements of this Section, the tree and woodland inventory's mapping and report shall also include, but is not limited to, the specific information outlined in the appropriate land use application materials packet.
  3. Definitions for the inventory purposes of this Section
    - a. A tree is a living woody plant having a trunk diameter as specified below at Diameter at Breast Height (DBH). Trees planted for commercial agricultural purposes, and/or those subject to farm forest deferral, such as nut and fruit orchards and Christmas tree farms, are excluded from this definition and from regulation under this Section, as are any living woody plants under six (6) inches at DBH. All trees six (6) inches or greater shall be inventoried.
    - b. A woodland is a biological community dominated by trees covering a land area of 20,000 square feet or greater at a density of at least fifty (50) trees per every 20,000 square feet with at least fifty percent (50%) of those trees of any species having a six (6) inches or greater at DBH. Woodlands planted for commercial agricultural purposes and/or subject to farm forest deferral, such as nut and fruit orchards and Christmas tree farms, are excluded from this definition, and from regulation under this Section.
    - c. A large stature tree is over 20 feet tall and wide with a minimum trunk diameter of 30 inches at DBH.
- D. Retention requirements**
1. Trees may be considered for removal to accommodate the development including buildings, parking, walkways, grading etc., provided the development satisfies of D.2 or D.3, below.

**ANALYSIS:** A small grove of six (6) mature Douglas Fir trees are located at the western corner of the Lot 2. The original site plan approval (SP 16-10 / CUP ) proposed removing the trees with preservation dependent on field verification of the tree trunk location. The trees have not been removed and the updated Landscape Plans (Exhibit G – Sheet L1.00) indicate five (5) of the trees will be preserved while tree “T16” will be removed. The five trees now shown as being preserved will provide a valuable natural buffer between the mixed-use center including the proposed multi-family building and the existing residential development to the west. The five trees are required to be protected through site development per Condition of Approval A11.

**FINDING:** These standards are met by Condition of Approval A11.

**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  $\pi r^2$  to calculate the expected square footage of each tree. The expected mature canopy is counted for each tree even if there is an overlap of multiple tree canopies.

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

	Residential (single family & two family developments)	Old Town & Infill developments	Commercial, Industrial, Institutional Public and Multi-family
<b>Canopy Requirement</b>	40%	N/A	30%
<b>Counted Toward the Canopy Requirement</b>			
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
<p><b>Mature Canopy in Square Feet Equation <math>\pi r^2</math> or <math>(3.14159 * \text{radius}^2)</math> (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.</b></p>			
<p><b>Canopy Calculation Example: Pin Oak</b>  <b>Mature canopy = 35'</b>  <b><math>(3.14159 * 17.52) = 962</math> square feet</b></p>			

**ANALYSIS:** The applicant’s narrative includes a table with updated canopy coverage calculations and an overall percentage for the Cedar Creek Plaza development at

38.8%. However, the calculations do not include Lot 2 as part of the net site area. The entire Cedar Creek Plaza development is 13.17-acres or 573,685 SF.

With development of Lot 2 the new canopy coverage for the entire Cedar Creek Plaza center will be 195,012 SF or approximately 34% of the net development site.

**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:** The five Douglas Fir trees now shown as being preserved will provide a valuable natural buffer between the mixed-use center including the proposed multi-family building and the existing residential development to the west. The five trees are required to be protected through site development per Condition of Approval A11.

**FINDING:** These standards are met by Condition of Approval A11.

## **Chapter 16.146 - Noise**

### **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.**

### **16.146.030 – Exceptions**

**This Chapter does not apply to noise making devices which are maintained and utilized solely as warning or emergency signals, or to noise caused by automobiles, trucks, trains, aircraft, and other similar vehicles when said vehicles are properly maintained and operated and are using properly designated rights-of-way, travel ways, flight paths or other routes. This Chapter also does not apply to noise produced by humans or animals. Nothing in this Chapter shall preclude the City from abating any noise problem as per applicable City nuisance and public safety ordinances.**

**ANALYSIS:** The proposed multi-family building will be located on a vacant lot within the existing Cedar Creek Plaza commercial center. The commercial development abuts a residential zone to the west and conformance with this standard was met with the original land use approval. Additional noises that will occur as a result of the multi-family building include noise commonly generated by vehicles, humans, and pets. The new noises that will result from the multi-family building are not anticipated to exceed the standards contained in OAR 340-35-035. In addition, the noise chapter above does not apply to noise produced by humans or animals. Any future municipal code violations related to noise can be addressed by City Code Compliance.

**FINDING:** This standard is met.



## **Chapter 16.148 - Vibrations**

### **16.148.010 - Vibrations**

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

**ANALYSIS:** The proposed multi-family building will be located on a vacant lot within the existing Cedar Creek Plaza commercial center. Conformance with this standard was met with the original land use approval. No additional vibrations are expected to result from the multi-family building that exceed the standard in this section.

**FINDING:** This standard is met.

## **Chapter 16.150 - Air Quality**

### **16.150.010 – Air Quality**

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

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

**ANALYSIS:** The proposed multi-family building will be located on a vacant lot within the existing Cedar Creek Plaza commercial center. Conformance with this standard was met with the original land use approval. The proposed multi-family building is not expected to require a state air quality discharge permit.

**FINDING:** This standard is met.

## **Chapter 16.152 - Odors**

### **16.152.010 - Odors**

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

**ANALYSIS:** The proposed multi-family building will be located on a vacant lot within the existing Cedar Creek Plaza commercial center. Conformance with this standard was met with the original land use approval. The proposed multi-family building is not expected to produce odors that are discernable beyond the boundaries of the site.

A new trash enclosure will be located at the western portion of the site in the parking area. The trash enclosure will be built with concrete masonry walls to Pride Disposal standards and be buffered from the residential neighborhood by a 6 ft. tall wooden fence and more than 10 ft. of landscaping.

**FINDING:** This standard is met.

## **Chapter 16.154 - Heat and Glare**

### **16.154.010 – Heat and Glare**

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

**ANALYSIS:** The proposed multi-family building will be located on a vacant lot within the existing Cedar Creek Plaza commercial center. The development is adjacent to a residential zone to the west and conformance with this section is required. The applicant has not provided an exterior lighting plan.

**FINDING:** This standard is met as conditioned below.

**CONDITION OF APPROVAL B8:** Prior to final site plan approval, the applicant shall provide an exterior lighting plan showing off-site light and glare will not exceed 0.5 foot candle.

## **Chapter 16.156 - Energy Conservation**

### **16.156.020 Standards**

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

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

**ANALYSIS:** The applicant's narrative states "The building has been sited and designed to have a south-facing building wall to take advantage of winter sunlight. The site proposes a mixture of deciduous and evergreen trees to provide cool summer breezes and moderate prevailing winter winds.

The proposed building is placed on the site in a manner that would allow utilization of roof mounted solar energy systems. However, the longest axis of the site is generally oriented north- south, which limits the placement of buildings in a manner such that each can benefit from unobstructed solar exposure on the south wall, while also orienting buildings and placing them near the abutting streets. Nevertheless, the entire south/southwest wall will have unrestricted solar exposure. Given the site's dimensions, street frontages, and factors influencing viable vehicular circulation through the site, the proposed plan affords solar exposure to the greatest possible number of buildings.

Based on available weather data from the National Oceanic and Atmospheric Administration (NOAA), the prevailing wind patterns in southwest portion of metropolitan Portland during summer are from the northwest. In winter, they're predominantly from the south. The proposed multi-family housing building will have operable windows and balconies along its north elevation that will permit residents, guests, and employees to cool interior spaces by allowing northwest breezes to enter the building. Trees placed along the perimeter of the site and within the parking area will provide ample shading at maturity. In the winter, trees planted along the south and west boundaries of the site and within the proposed parking areas will buffer winds from the south."

**FINDING:** This standard is met.

#### IV. CONDITIONS OF APPROVAL

Based upon review of the applicant's submittal, review of the applicable code, and agency comments, staff finds that the proposed site plan does not fully comply with the standards but can be conditioned to comply. **Therefore, the application LU 2021-009 MM is approved subject to the following conditions of approval:**

##### **A. General Conditions**

1. Compliance with the Conditions of Approval is the responsibility of the developer or its successor in interest.
2. The development shall substantially comply with the submitted preliminary plans and narrative except as indicated in the conditions of the Notice of Decision. Changes to the plans including building size and location, parking, and landscaping, and other changes to the plans impacting compliance with applicable criteria may require a new development application and approval.
3. The developer is responsible for all costs associated with any remaining public facility improvements and shall assure the construction of all public streets and utilities within and adjacent to the plat as required by these conditions of approval, to the plans, standards, and specifications of the City of Sherwood.
4. The Major Modification land use approval shall be void after two (2) years unless construction on the site has begun, as determined by the City.
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. All new utilities to be installed for the development of the subject property shall be underground.
8. Retaining walls within public easements or the public right-of-way shall require engineering approval.
9. The developer shall comply with the CWS Pre-Screening Site Assessment dated March 22, 2021 (File #21-000710), the CWS memorandum dated August 31, 2021 and all CWS Design and Construction Standards (R&O 19-5).
10. The applicant shall obtain all required building permits for any carports and accessory structures on Lot 2.
11. The existing grove of mature Douglas Fir trees at the northern corner of Lot 2, identified on the plans as trees T14, T15, T17, T18, and T19 shall be protected and preserved through site development as shown in Exhibit G – Sheet L1.00).

##### **B. Prior to Final Site Plan Approval**

1. Prior to final site plan approval, the applicant shall revise the plans to receive one (1) additional point under the Building Design category of the Commercial Design Review Matrix for a minimum of 12 points. Additional points are available in the materials, glazing, fenestration, entrance articulation, and structure size categories.
2. Prior to final site plan approval, the applicant shall provide final landscaping plans for Lot 2 in conformance with landscape standards.
3. Prior to final site plan approval, the applicant shall provide final landscaping plans that demonstrate compliance with the tree requirements for parking lot landscaping on Lot 2.
4. Prior to final site plan approval and issuance of building permits, the applicant shall provide evidence in the form of a recorded deed, lease, easement, or similar written and notarized letter or instrument that shows a legal right to use sufficient parking in the Cedar Creek Plaza development (9 lots total as of the Notice of Decision) to meet the minimum parking requirements. As an alternative, the parking plan can be revised to show conformance with the minimum parking requirements and applicable standards and criteria of the Sherwood Zoning and Community Development Code. Based on the revised proposal, the applicant shall obtain approval of a Major or Minor Modification if required pursuant to SZCDC § 16.90.030.
5. Prior to final site plan approval, the plans shall show the final location of all required ADA stalls. All parking stalls and drive aisles on Lot 2 shall meet the dimensional standards of SZCDC § 16.94.020(B).
6. Prior to final site plan approval, revise the plans to provide a minimum 4 ft. wide sidewalk connecting one or more of the building entrances to the pet play and relief area.
7. Prior to Final Site Plan approval, provide elevation details for the new trash enclosure.
8. Prior to final site plan approval, the applicant shall provide an exterior lighting plan showing off-site light and glare will not exceed 0.5 foot candle.

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

1. Prior to Approval of the Engineering Public Improvement Plans or Issuance of Building Permits, an Engineering Compliance Agreement shall be obtained from the City of Sherwood Engineering Department.
2. Prior to Approval of the Engineering Public Improvement Plans, the developer shall design for the installation of backflow protection on the domestic water service meeting the approval of the City of Sherwood Public Works Department.
3. Prior to Approval of the Engineering Public Improvement Plans, if on-site fire protection is to be installed, the proposed development shall design for the installation of backflow protection meeting Sherwood Engineering Department standards.

4. Prior to Approval of Engineering Public Improvement Plans, the proposed development shall design to provide on-site water quality treatment/hydro-modification/detention facilities in accordance with city and Clean Water Services standards unless otherwise approved by the city and Clean Water Services.
5. Prior to Approval of the Engineering Public Improvement Plans, a Storm Water Connection Permit Authorization shall be obtained.

**D. Prior to Issuance of a Grading Permit**

1. Prior to Issuance of a Grading Permit, the subject development shall obtain approval of a site erosion control plan from the Sherwood Engineering Department.
2. Prior to Issuance of a Grading Permit, the subject development shall obtain a DEQ NPCES 1200-CN permit.

**E. Prior to Issuance of Building Permits**

1. Prior to issuance of building permits, the applicant shall provide plans that demonstrate how all rooftop equipment will be screened by materials matching the buildings architecture and finish.
2. Prior to Issuance of Building Permits, the applicant shall provide plans that demonstrate how all mechanical equipment will be screened from view of public streets and the adjacent residential zone.
3. Prior to Issuance of a Plumbing Permit, any private sanitary sewer piping shall be installed in conformance with the current Oregon Plumbing Specialty Code.
4. Prior to Issuance of a Plumbing Permit, any private water piping shall be installed in conformance with the current Oregon Plumbing Specialty Code.
5. Prior to Issuance of a Plumbing Permit, any private storm sewer piping shall be installed in conformance with the current Oregon Plumbing Specialty Code.

**F. Prior to Acceptance of Public Improvements**

1. Prior to Final Acceptance of the Constructed 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.
2. Prior to Acceptance of Public Improvements, private water quality/hydro-modification/detention facilities shall have a recorded Private Storm Water Facility Access and Maintenance Covenant. An Operation and Maintenance Plan for all private water quality/hydro-modification facilities is also required to be submitted to the Sherwood Engineering Department.

**G. Prior to Receiving Occupancy**

1. Prior to final occupancy, all landscaping on Lot 2 shall be served by an automatic irrigation system.

2. Prior to receiving final, all rooftop equipment shall be screened by materials matching the buildings architecture and finish.
3. Prior to final occupancy, all site landscaping for Lot 2 shall be installed according to the final approved landscape plans.
4. Prior to final occupancy, the existing 10 ft. wide landscaping buffer separating Lot 2 from the HDR-PUD zone shall be re-planted according to the plans on Exhibit G – Sheet L2.1, or an alternative plan that meets the requirements of SZCDC § 16.92.030(A)(2).
5. Prior to final occupancy, all mechanical equipment, outdoor storage, and service and delivery areas shall be screened from view of public streets and the adjacent residential zone.
6. Prior to Receiving Occupancy, all parking, loading or maneuvering areas including ADA and loading stalls shall be clearly marked and signed. All interior drives and access aisles shall be clearly marked and signed to show the direction of flow and maintain vehicular and pedestrian safety.
7. Prior to Receiving Occupancy, bicycle parking shall be installed in accordance with the Final Site Plan approval.
8. Prior to occupancy, the loading area shall be painted and signed as a designated loading area.
9. Prior to Receiving Occupancy, all solid waste and recycling storage areas shall be located out of public view and screened by a 6 ft. high sight-obscuring fence or masonry wall.
10. Prior to Receiving Occupancy, the subject development shall receive Final Acceptance of Public Improvements.
11. Prior to Receiving Occupancy, obtain approval from TVF&R in accordance with the Fire Marshall's letter dated May 21, 2021 and all applicable Fire Code regulations.

**V. EXHIBITS\***

- A. Tax Map
- B. Aerial-Vicinity Map
- C. Zoning Map
- D. Survey
- E. As-Built Plans
- F. Civil Plans
- G. Landscape Plans
- H. Architectural Plans
- I. Architectural Perspective Renderings
- J. Neighborhood Meeting Materials
- K. Geotech Report
  1. Geotech Report Addendum
- L. Trip Update Letter

- M.** Arborist Report and Tree Survey
- N.** Service Provider Letter (Clean Water Services)
- O.** Stormwater Report and Calculations
- P.** Covenants, Conditions, and Restrictions (CC&Rs)
- Q.** Title Reports
- R.** Signed Land Use Application Forms
- S.** Applicant Narrative
- T.** City of Sherwood Engineering Department Comments
- U.** City of Sherwood Police Department Comments
- V.** Washington County Land Use and Transportation Comments
- W.** Tualatin Valley Fire and Rescue Comments
- X.** Oregon Department of Transportation Comments
- Y.** Clean Water Services Comments
- Z.** Pride Disposal Comments
- AA.** ODOT Outdoor Advertising Sign Program Comments
- BB.** Cedar Creek Plaza Subdivision Plat
- CC.** Staff Photo – Site Perimeter Landscaping
- DD.** Staff Photo – Site Perimeter Landscaping
- EE.** Cedar Creek Plaza Property Ownership Map
- FF.** Staff Photo – Ackerly Reserved Parking
- GG.** Notice of Decision SP 16-10 / CUP 16-06 / VAR 17-01
- HH.** Notice of Decision LLA 17-02
- II.** Notice of Decision SUB 17-02

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



# Engineering Land Use Application Comments



*Home of the Tualatin River National Wildlife Refuge*

To: Eric Rutledge, Associate Planner  
 From: Craig Christensen P.E., Civil Engineer, Engineering Department  
 Project: Cedar Creek Plaza (LU 2021-019)  
 Date: August 31, 2021

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

## **Background Information**

The subject property is an undeveloped lot in a commercial subdivision that was previously developed under the name of Cedar Creek Plaza.

## **Transportation**

The subject property has no public street frontage. The site is interior to the Cedar Creek Plaza development. Access to the site is via a right in only from SW Pacific Highway and from the SW Edy Road/SW Borchers Drive intersection which has a traffic signal. All street frontage improvements along the Cedar Creek Plaza development were installed with the original development.

A traffic impact analysis performed by Mackenzie dated December 23, 2016 was performed with the original development with the trip analysis for the subject property being based upon a 94-unit hotel. A new trip analysis was submitted with the land use application for the subject development showing that the 84 dwelling unit complex proposed will generate less traffic than the 94-unit hotel in the original proposal. An analysis by the City of Sherwood engineering department concurred with the results of the submitted trip analysis. Therefore, no additional improvements to the public transportation system will be required unless dictated by ODOT.

## **Sanitary Sewer**

The subject property has an existing sanitary sewer lateral stubbed into the property.

Since all needed public sanitary sewer facilities were installed with the original development, no extension of the public sanitary sewer system is required.

**Condition:** Prior to Issuance of a Plumbing Permit, any private sanitary sewer piping shall be installed in conformance with the current Oregon Plumbing Specialty Code.

## **Storm Sewer**

The subject property has an existing storm sewer lateral stubbed into the property.

Since all needed public storm sewer facilities were installed with the original development, no extension of the public storm sewer system is required.

Water quality treatment and hydromodification/detention facilities were not installed for the subject parcel as part of the original development and will need to be designed and installed to

meet Clean Water Services standards. Detention is required due to discharging into ODOT right-of-way.

**Condition:** Prior to Approval of Engineering Public Improvement Plans, the proposed development shall design to provide on-site water quality treatment/hydro-modification/detention facilities in accordance with city and Clean Water Services standards unless otherwise approved by the city and Clean Water Services.

**Condition:** Prior to Acceptance of Public Improvements, private water quality/hydro-modification/detention facilities shall have a recorded Private Storm Water Facility Access and Maintenance Covenant. An Operation and Maintenance Plan for all private water quality/hydro-modification facilities is also required to be submitted to the Sherwood Engineering Department.

**Condition:** Prior to Issuance of a Plumbing Permit, any private storm sewer piping shall be installed in conformance with the current Oregon Plumbing Specialty Code.

### **Water**

The subject property has an existing water service line stubbed into the property of adequate size to provide fire and domestic water service.

Per Municipal Code Section 13.05.030, the domestic water service for a multi-family building is required to have approved backflow protection.

**Condition:** Prior to Approval of the Engineering Public Improvement Plans, the developer shall design for the installation of backflow protection on the domestic water service meeting the approval of the City of Sherwood Public Works Department.

**Condition:** Prior to Approval of the Engineering Public Improvement Plans, if on-site fire protection is to be installed, the proposed development shall design for the installation of backflow protection meeting Sherwood Engineering Department standards.

**Condition:** Prior to Issuance of a Plumbing Permit, any private water piping shall be installed in conformance with the current Oregon Plumbing Specialty Code.

**Condition:** Prior to Final Acceptance of the Constructed 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.

### **Grading and Erosion Control**

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

The proposed disturbance area for the subject development is greater than 1 acre in area therefore a DEQ NPDES 1200-CN permit is required for this project.

**Condition:** Prior to Issuance of a Grading Permit, the subject development shall obtain a DEQ NPDES 1200-CN permit.

### **Other Engineering Issues**

A Clean Water Services Service Provider Letter has already been obtained for the proposed development.

Public utility easements were already dedicated along all street frontages as part of the original development.

Sherwood Broadband vaults and conduits were already installed along all street frontages as part of the original development.

**Condition:** Prior to Approval of the Engineering Public Improvement Plans, a Storm Water Connection Permit Authorization shall be obtained.

**Condition:** Prior to Approval of the Engineering Public Improvement Plans or Issuance of Building Permits, an Engineering Compliance Agreement shall be obtained from the City of Sherwood Engineering Department.

**Condition:** Prior to Occupancy, the subject development shall receive Final Acceptance of Public Improvements.

**From:** [Jeff Groth](#)  
**To:** [Eric Rutledge](#)  
**Cc:** [Ty Hanlon](#); [Jon Carlson](#)  
**Subject:** RE: LU 2021-009 Cedar Creek Plaza Multifamily Building (Modification to Approved Site Plan)  
**Date:** Tuesday, August 17, 2021 11:12:26 AM  
**Attachments:** [image002.jpg](#)

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Hi Eric,

I have several concerns for this from a public safety perspective;

- The nature of transient residents creates parking issues and difficulty managing them as we have seen in other areas of the city
- The interface between this proposed property and the existing neighborhoods to the west will likely create issues including privacy and noise
- This will have a negative impact on traffic, congesting the already busy intersection of Edy/Borchers, since most of the residents will be driving, as compared to the residents of the next door assisted living units where most of the residents don't drive

As a result of the above it is predictable that this development will increase police services and response.

Thx-JG

Chief Jeff Groth  
 Sherwood PD  
 (503) 625-5523  
[grothj@sherwoodoregon.gov](mailto:grothj@sherwoodoregon.gov)

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**From:** Eric Rutledge <[RutledgeE@SherwoodOregon.gov](mailto:RutledgeE@SherwoodOregon.gov)>  
**Sent:** Monday, August 16, 2021 4:45 PM  
**To:** Eric Rutledge <[RutledgeE@SherwoodOregon.gov](mailto:RutledgeE@SherwoodOregon.gov)>  
**Subject:** LU 2021-009 Cedar Creek Plaza Multifamily Building (Modification to Approved Site Plan)

Hi Agency Partners:

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

- **Proposal:** The applicant is proposing a Major Modification to an Approved Site Plan for a new 3-story, 84-unit multi-family building located in the Cedar Creek Plaza Shopping Center. The building will be located on an existing vacant lot within the commercial center, identified Tax Lot 2S130DA02200. The units will be for rent and include 10 studio, 63 one-bedroom, and 11 two-bedroom units. Amenities including an outdoor pet area, central courtyard, covered patio, and bike storage are proposed. Access to the site is proposed from the existing driveways along SW Edy Rd. and Hwy 99W. The original Site Plan approval for the Cedar Creek Plaza Shopping Center was issued under Land Use Case File SP 16-10 / CUP 16-06 / VAR 17-01.
- **Location:** 16864 SW Edy Rd., Sherwood OR 97140

- **Comment Deadline:** Monday August 30, 2021 for consideration in the staff report
- **Hearing Date:** Virtual Hearing before the Sherwood Planning Commission on Tuesday September 14, 2021 at 7pm. Agencies impacted by the proposal are welcome to attend online, however, all testimony must be submitted in writing prior to the hearing. All hearings can be viewed at <https://www.youtube.com/user/CityofSherwood>
- **Applicable code criteria:** SZCDC Chapter 16.12 Residential Land Use Districts; Chapter 16.22 Commercial Land Use Districts; Chapter 16.31 Industrial Land Use Districts; Chapter 16.50 Accessory Structures, Architectural Features and Decks; Chapter 16.58 Clear Vision and Fence Standards; Chapter 16.60 Yard Requirements; 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 15.154 Heat and Glare; Chapter 16.156 Energy Conservation
- **Application materials**  
**(dropbox):** <https://www.dropbox.com/sh/vx3v4vtvqxm2x32/AAAx3Nlj39yAzTMnhXcPeJpUa?dl=0>

Eric Rutledge  
City of Sherwood  
Associate Planner  
[rutledgee@sherwoodoregon.gov](mailto:rutledgee@sherwoodoregon.gov)  
Desk 503.625.4242  
Work Cell 971.979.2315



**From:** [Naomi Vogel](#)  
**To:** [Eric Rutledge](#)  
**Subject:** RE: [EXTERNAL] LU 2021-009 Cedar Creek Plaza Multifamily Building (Modification to Approved Site Plan)  
**Date:** Friday, August 27, 2021 3:08:41 PM  
**Attachments:** [image002.jpg](#)

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

Hi Eric,

No comments to add on our end. The County concurs with the trip generation memo.

Thank you,

**Naomi Vogel** | Associate Planner

503-846-7639

[Naomi\\_Vogel@co.washington.or.us](mailto:Naomi_Vogel@co.washington.or.us)

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**From:** Eric Rutledge <[RutledgeE@SherwoodOregon.gov](mailto:RutledgeE@SherwoodOregon.gov)>

**Sent:** Monday, August 16, 2021 4:45 PM

**To:** Eric Rutledge <[RutledgeE@SherwoodOregon.gov](mailto:RutledgeE@SherwoodOregon.gov)>

**Subject:** [EXTERNAL] LU 2021-009 Cedar Creek Plaza Multifamily Building (Modification to Approved Site Plan)

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- **Application materials**  
**(dropbox):** <https://www.dropbox.com/sh/vx3v4vtvqxm2x32/AAAx3Nlj39yAzTMnhXcPeJpUa?dl=0>

Eric Rutledge  
City of Sherwood  
Associate Planner  
[rutledgee@sherwoodoregon.gov](mailto:rutledgee@sherwoodoregon.gov)  
Desk 503.625.4242  
Work Cell 971.979.2315



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May 7, 2021

Eric Rutledge  
Associate Planner  
City of Sherwood  
22560 SW Pine Street  
Sherwood, Oregon 97140

**Re: Cedar Creek Plaza Multifamily  
Tax Lot I.D: 2S130DA02200**

Dear Eric,

Thank you for the opportunity to review the proposed site plan surrounding the above-named development project. These notes are provided regarding the plans received May 6, 2021 and are based on the current New Construction Guide. There may be more or less requirements needed based upon the final project design, however, Tualatin Valley Fire & Rescue will endorse this proposal predicated on the following criteria and conditions of approval.

## **FIRE APPARATUS ACCESS:**

1. **FIRE APPARATUS ACCESS ROADS:** Access roads shall be provided for every facility, building, or portion of a building hereafter constructed or moved into or within the jurisdiction. **Exception:** Approved agricultural and equine structures complying with ORS 455.315 are not required to have fire apparatus access roads (see New Construction Guide Appendix C). Access roads are not required to be modified for commercial buildings that undergo a change in occupancy, change in use, or conversion from agricultural or equine exempt to non-exempt unless there is a change to the structure's square footage or building footprint. (OFC 503.1.1)
2. **FIRE ACCESS ROAD DISTANCE FROM BUILDINGS:** The access shall extend to within 150 feet of all portions of the exterior wall of the first story of the building as measured by an approved route around the exterior of the building or facility. (OFC 503.1.1)
3. **ADDITIONAL ACCESS ROADS – COMMERCIAL/INDUSTRIAL HEIGHT:** Buildings exceeding 30 feet in height or three stories in height shall have at least two separate means of fire apparatus access. (D104.1)
4. **ADDITIONAL ACCESS ROADS – COMMERCIAL/INDUSTRIAL SQUARE FOOTAGE:** Buildings or facilities having a gross building area of more than 62,000 square feet shall have at least two approved separate means of fire apparatus access. Exception: Projects having a gross building area of up to 124,000 square feet that have a single approved fire apparatus access road when all buildings are equipped throughout with approved automatic sprinkler systems. (OFC D104.2)
5. **AERIAL FIRE APPARATUS ROADS:** Buildings with a vertical distance between the grade plane and the highest roof surface that exceeds 30 feet in height shall be provided with a fire apparatus access road constructed for use by aerial apparatus with an unobstructed driving surface width of not less than 26 feet. For the purposes of this section, the highest roof surface shall be determined by measurement to the eave of a pitched roof, the intersection of the roof to



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

6. **AERIAL APPARATUS OPERATIONS:** At least one of the required aerial access routes shall be located within a minimum of 15 feet and a maximum of 30 feet from the building and shall be positioned parallel to one entire side of the building. The side of the building on which the aerial access road is positioned shall be approved by the Fire Marshal. Overhead utility and power lines shall not be located over the aerial access road or between the aerial access road and the building. (D105.3, D105.4)
  7. **MULTIPLE ACCESS ROADS SEPARATION:** Where two access roads are required, they shall be placed a distance apart equal to not less than one half of the length of the maximum overall diagonal dimension of the area to be served (as identified by the Fire Marshal), measured in a straight line between accesses. (OFC D104.3)
  8. **FIRE APPARATUS ACCESS ROAD WIDTH AND VERTICAL CLEARANCE:** Fire apparatus access roads shall have an unobstructed driving surface width of not less than 20 feet (26 feet adjacent to fire hydrants (OFC D103.1)) and an unobstructed vertical clearance of not less than 13 feet 6 inches. (OFC 503.2.1 & D103.1)
  9. **NO PARKING SIGNS:** Where fire apparatus roadways are not of sufficient width to accommodate parked vehicles and 20 feet of unobstructed driving surface, "No Parking" signs shall be installed on one or both sides of the roadway and in turnarounds as needed. Signs shall read "NO PARKING - FIRE LANE" and shall be installed with a clear space above grade level of 7 feet. Signs shall be 12 inches wide by 18 inches high and shall have red letters on a white reflective background. (OFC D103.6)
  10. **NO PARKING:** Parking on emergency access roads shall be as follows (OFC D103.6.1-2):
    1. 20-26 feet road width – no parking on either side of roadway
    2. 26-32 feet road width – parking is allowed on one side
    3. Greater than 32 feet road width – parking is not restricted

**Note:** For specific widths and parking allowances, contact the local municipality.
  11. **PAINTED CURBS:** Where required, fire apparatus access roadway curbs shall be painted red (or as approved) and marked "NO PARKING FIRE LANE" at 25 foot intervals. Lettering shall have a stroke of not less than one inch wide by six inches high. Lettering shall be white on red background (or as approved). (OFC 503.3)
- Paint curbing along south and west drive aisle red and mark No Parking Fire Lane. See attached C1.00 sheet.**
12. **FIRE APPARATUS ACCESS ROADS WITH FIRE HYDRANTS:** Where a fire hydrant is located on a fire apparatus access road, the minimum road width shall be 26 feet and shall extend 20 feet before and after the point of the hydrant. (OFC D103.1)
  13. **SURFACE AND LOAD CAPACITIES:** Fire apparatus access roads shall be of an all-weather surface that is easily distinguishable from the surrounding area and is capable of supporting not less than 12,500 pounds point load (wheel load) and 75,000 pounds live load (gross vehicle weight). Documentation from a registered engineer that the final construction is in accordance with approved plans or the requirements of the Fire Code may be requested. (OFC 503.2.3)
  14. **TURNING RADIUS:** The inside turning radius and outside turning radius shall not be less than 28 feet and 48 feet respectively, measured from the same center point. (OFC 503.2.4 & D103.3)
  15. **ACCESS ROAD GRADE:** Fire apparatus access roadway grades shall not exceed 15%. Alternate methods and materials may be available at the discretion of the Fire Marshal (for grade exceeding 15%).

16. **ANGLE OF APPROACH/GRADE FOR INTERSECTIONS:** Intersections shall be level (maximum 5%) with the exception of crowning for water run-off. (OFC 503.2.7 & D103.2)
17. **AERIAL APPARATUS OPERATING GRADES:** Portions of aerial apparatus roads that will be used for aerial operations shall be as flat as possible. Front to rear and side to side maximum slope shall not exceed 10%.
18. **ACCESS DURING CONSTRUCTION:** Approved fire apparatus access roadways shall be installed and operational prior to any combustible construction or storage of combustible materials on the site. Temporary address signage shall also be provided during construction. (OFC 3310.1)
19. **TRAFFIC CALMING DEVICES:** Shall be prohibited on fire access routes unless approved by the Fire Marshal. (OFC 503.4.1). Traffic calming measures linked here: <http://www.tvfr.com/DocumentCenter/View/1578>

## FIREFIGHTING WATER SUPPLIES:

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

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

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

**An assumption of a Type V-B was made. At 70,000 sq ft of a Type V-B would require a fire flow of 7,250gpm. With fire sprinklers a 75% reduction is applied. This would require a minimum fire flow of 1,813GPM plus the fire sprinkler demand.**

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

**Provide documentation of a fire flow test or modeling.**

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

## FIRE HYDRANTS:

23. **FIRE HYDRANTS – COMMERCIAL BUILDINGS:** Where a portion of the building is more than 400 feet from a hydrant on a fire apparatus access road, as measured in an approved route around the exterior of the building, on-site fire hydrants and mains shall be provided. (OFC 507.5.1)
  - This distance may be increased to 600 feet for buildings equipped throughout with an approved automatic sprinkler system.
  - The number and distribution of fire hydrants required for commercial structure(s) is based on Table C105.1, following any fire-flow reductions allowed by section B105.3.1. Additional fire hydrants may be required due to spacing and/or section 507.5 of the Oregon Fire Code.
24. **FIRE HYDRANT(S) PLACEMENT:** (OFC C104)
  - Existing hydrants in the area may be used to meet the required number of hydrants as approved. Hydrants that are up to 600 feet away from the nearest point of a subject building that is protected with fire sprinklers may contribute to the required number of hydrants. (OFC 507.5.1)

- Hydrants that are separated from the subject building by railroad tracks shall not contribute to the required number of hydrants unless approved by the Fire Marshal.
  - Hydrants that are separated from the subject building by divided highways or freeways shall not contribute to the required number of hydrants. Heavily traveled collector streets may be considered when approved by the Fire Marshal.
  - Hydrants that are accessible only by a bridge shall be acceptable to contribute to the required number of hydrants only if approved by the Fire Marshal.
25. **PRIVATE FIRE HYDRANT IDENTIFICATION:** Private fire hydrants shall be painted red in color. Exception: Private fire hydrants within the City of Tualatin shall be yellow in color. (OFC 507)
26. **FIRE HYDRANT DISTANCE FROM AN ACCESS ROAD:** Fire hydrants shall be located not more than 15 feet from an approved fire apparatus access roadway unless approved by the Fire Marshal. (OFC C102.1)
27. **REFLECTIVE HYDRANT MARKERS:** Fire hydrant locations shall be identified by the installation of blue reflective markers. They shall be located adjacent and to the side of the center line of the access roadway that the fire hydrant is located on. In the case that there is no center line, then assume a center line and place the reflectors accordingly. (OFC 507)
28. **PHYSICAL PROTECTION:** Where fire hydrants are subject to impact by a motor vehicle, guard posts, bollards or other approved means of protection shall be provided. (OFC 507.5.6 & OFC 312)
29. **CLEAR SPACE AROUND FIRE HYDRANTS:** A 3 foot clear space shall be provided around the circumference of fire hydrants. (OFC 507.5.5)
30. **FIRE DEPARTMENT CONNECTION (FDC) LOCATIONS:** FDCs shall be located within 100 feet of a fire hydrant (or as approved). Hydrants and FDC's shall be located on the same side of the fire apparatus access roadway or drive aisle, fully visible, and recognizable from the street or nearest point of the fire department vehicle access or as otherwise approved. (OFC 912.2.1 & NFPA 13)
- Fire department connections (FDCs) shall normally be located remotely and outside of the fall-line of the building when required. FDCs may be mounted on the building they serve, when approved.
  - FDCs shall be plumbed on the system side of the check valve when sprinklers are served by underground lines also serving private fire hydrants.

## BUILDING ACCESS AND FIRE SERVICE FEATURES

31. **EMERGENCY RESPONDER RADIO COVERAGE:** In new buildings where the design reduces the level of radio coverage for public safety communications systems below minimum performance levels, a distributed antenna system, signal booster, or other method approved by TVF&R and Washington County Consolidated Communications Agency shall be provided. (OFC 510)
- Emergency responder radio system testing and/or system installation is required for this building. Please contact me (using my contact info below) for further information including an alternate means of compliance that is available. If the alternate method is preferred, it must be requested from TVF&R prior to issuance of building permit.
  - Testing shall take place after the installation of all roofing systems; exterior walls, glazing and siding/cladding; and all permanent interior walls, partitions, ceilings, and glazing.

**The building exceeds 50,000 sq ft and will need to meet this requirement. During the pre-app it was indicated that the building would be prepped for a DAS and installed if required. Please indicate if you will be testing or using the fee in lieu. Please note that our dispatch network is being upgraded**

**to a digital system and will affect any testing and installations in this building. Fee in lieu application is provided.**

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

**A Knox box will be required.**

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

**Label room to fire protection equipment as indicated above.**

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

**Provide visible address numbers from the Edy Rd and 99W sides of the building.**

35. **FIRE EXTINGUISHERS**: Portable fire extinguishers shall be selected, installed and maintained in accordance with section 906.2 and NFPA 10. (OFC 906.2)

**Indicate on floor plans, location of fire extinguisher cabinets. A minimum of a 2A:10B:C fire extinguishers are required.**

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

Sincerely,

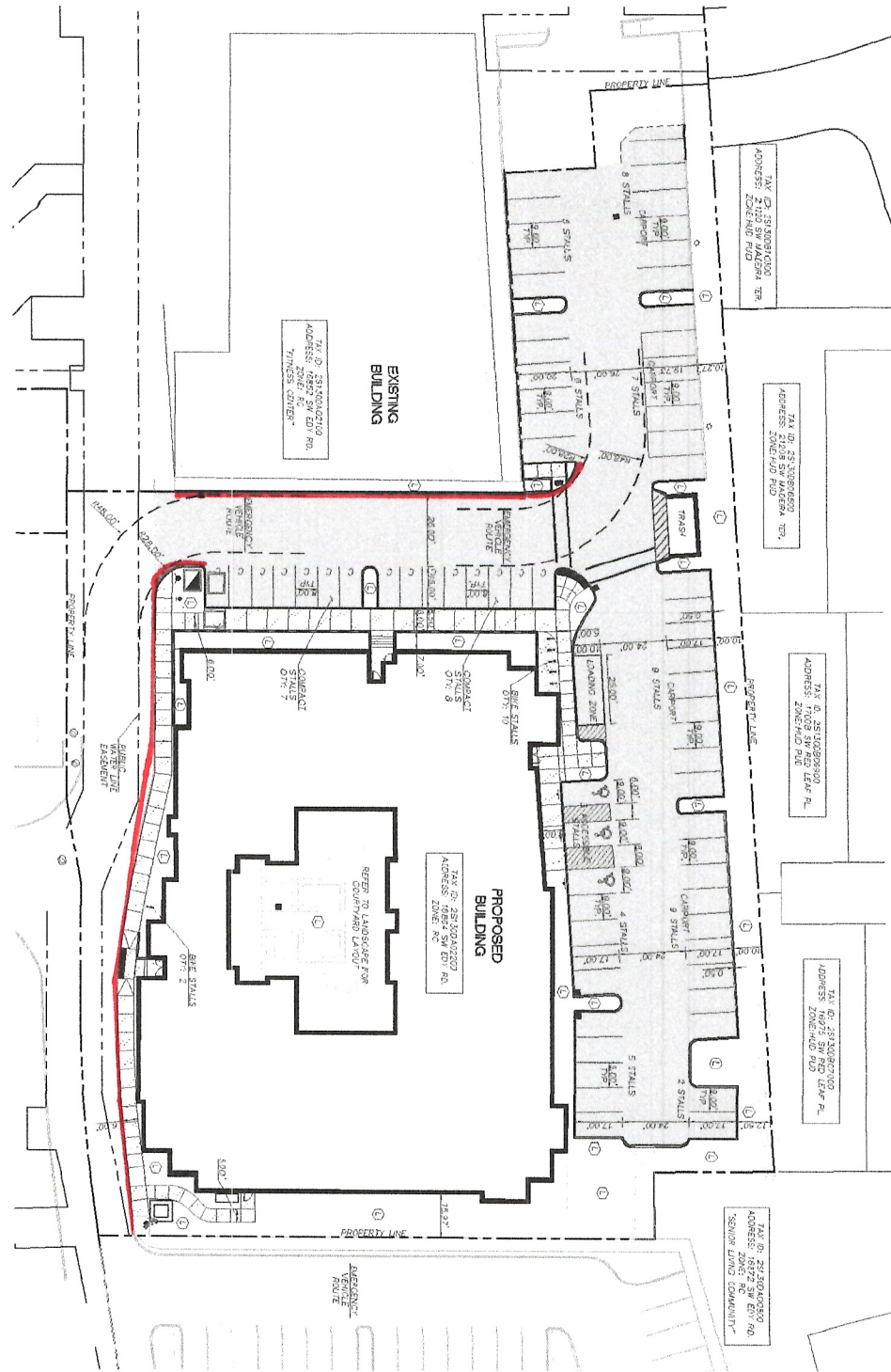
*Tom Mooney*

Tom Mooney  
Deputy Fire Marshal II

Thomas.mooney@tvfr.com

Cc: File  
City of Sherwood

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



1 LAYOUT AND PAVING PLAN

**FIRE LANES**

SHEET LEGEND	
NEW	DESCRIPTION
[Symbol]	ASPHALT PAVEMENT
[Symbol]	CONCRETE SIDEWALK
[Symbol]	STANDARD CURB
[Symbol]	LANDSCAPING

NEW PARKING TABLE	
DESCRIPTION	COUNT
STANDARD PARKING STALLS	29
COMPACT PARKING STALLS	15
ACCESSIBLE PARKING STALLS	3
TOTAL NEW PLANNED PARKING STALLS	47
EXISTING STALLS	12
CONCORD ZONE	1

**PROJECT** **TRUE**

**GRAPHIC SCALE**  
 1" = 20' 0"

**Hummer Design Group, Inc.**  
 1100 NE Oregon Street, Suite 200  
 Portland, OR 97232  
 Phone: 503.297.8791



**TUALATIN VALLEY FIRE & RESCUE**  
**MOBILE EMERGENCY RESPONDER RADIO COVERAGE (MERRC) APPLICATION**

Exhibit W

*This application is to be used when requesting approval for participation in the TVF&R MERRC program in lieu of providing an in-building OFC 510 emergency responder radio coverage system*

**North Division**

11945 SW 70<sup>th</sup> Avenue  
 Tigard, OR 97223  
 Phone: 503-649-8577

**South Division**

8445 SW Elligsen Road  
 Wilsonville, OR 97070  
 Phone: 503-259-1500

**Building Information**

*(Separate Application Required for Each Building)*

Business/ Building Name: \_\_\_\_\_

Proposed Use of Building: \_\_\_\_\_

Address: \_\_\_\_\_

City/County: \_\_\_\_\_

Building Permit # \_\_\_\_\_

**Applicant Contact Information**

Contact Person: \_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

**MERRC FEE:**

**Approved Fee Schedule** (as of 11/2015)

First 0 - 50,000 sq.ft. = \$0.50 per sq.ft.

Additional sq.ft. from 50,001 - 100,001 = \$0.30 per sq.ft.

For each sq.ft. over 100,000 = \$0.10 per sq.ft.

**Example fee for 300,000 sf building:**

First 50,000 sq.ft. x \$0.50 = \$25,000 +

50,001 to 100,001 sq.ft. x \$0.30 = \$15,000 +

100,002 to 300,000 sq.ft. x \$ 0.10 = \$19,999

TOTAL = \$59,999

Total Square Footage: \_\_\_\_\_

\_\_\_\_\_ SF x \$0.50 =

\_\_\_\_\_ SF x \$0.30 =

\_\_\_\_\_ SF x \$0.10 =

TOTAL MERRC FEE: \$ \_\_\_\_\_

As an authorized representative for the above referenced building, I hereby request the building be permanently approved under the TVF&R Mobile Emergency Responder Radio Coverage program as having an approved method of compliance with Oregon Fire Code Section 510 and TVF&R Resolution 2015-09. If the application is accepted, I understand that full payment of the calculated MERRC fee is required prior to completing the approval process. For construction projects under a building permit, payment must be received prior to plan review completion, unless otherwise approved by the Fire Marshal.

\_\_\_\_\_  
 Name & Title of Authorized Representative

\_\_\_\_\_  
 Signature

\_\_\_\_\_  
 Date

**For Fire Marshal's Office Use Only**

**This section is for APPLICATION APPROVAL ONLY.**

Application Approved by Fire Marshal: YES or NO

Reviewer Name: \_\_\_\_\_

Reviewer Signature \_\_\_\_\_

Date: \_\_\_\_\_

Comments:

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**This section is for FINAL APPROVAL ONLY.**

Payment Total: \_\_\_\_\_

Received By: \_\_\_\_\_

Date: \_\_\_\_\_

Comments:

\_\_\_\_\_  
 \_\_\_\_\_

*Provide a signed, approved final copy to applicant.*



# Oregon

Kate Brown, Governor

## Department of Transportation

Region 1 Headquarters  
123 NW Flanders Street  
Portland, Oregon 97209  
(503) 731.8200  
FAX (503) 731.8259

May 21, 2021

ODOT #11986

## ODOT Response

<b>Project Name:</b> Cedar Creek Multifamily - Lot 2	<b>Jurisdiction Case #:</b> LU; PAC-2021-00, COS: 1922221
<b>Jurisdiction:</b> City of Sherwood	<b>State Highway:</b> OR 99W
<b>Site Address:</b> 16864 SW Edy Rd, Sherwood, OR 97140	<b>Legal Description:</b> 02S 01W 30DA <b>Tax Lot(s):</b> 02200

The site of this proposed land use action is adjacent to OR 99W. ODOT has permitting authority for this facility and an interest in ensuring that this proposed land use is compatible with its safe and efficient operation.

- ODOT has determined there will be no significant impacts to state highway facilities and no additional state review is required.

### COMMENTS/FINDINGS

The applicant is proposing to replace a 94 room hotel previously approved for the site with an 84 unit apartment complex. ODOT has reviewed the trip generation memo submitted by the applicant and concurs with the determination that the new development will be a reduction in trips. Therefore, the existing ODOT permit for the access does not need to be updated.

**Please send a copy of the Notice of Decision including conditions of approval to:**

ODOT Region 1 Planning  
Development Review  
123 NW Flanders St  
Portland, OR 97209

[ODOT\\_R1\\_DevRev@odot.state.or.us](mailto:ODOT_R1_DevRev@odot.state.or.us)

Development Review Planner: Marah Danielson	503.731.8258, marah.b.danielson@odot.state.or.us
Traffic Contact: John Russell	John.RUSSELL@odot.state.or.us

**MEMORANDUM**

**Date:** August 31, 2021

**To:** Eric Rutledge, Associate Planner, City of Sherwood

**From:** Jackie Sue Humphreys, Clean Water Services (CWS)

**Subject:** Cedar Creek Plaza Multi-Family Building, LU 2021-009, 2S130DA02200

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

**PRIOR TO ANY WORK ON THE SITE**

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

- a. Detailed plans prepared in accordance with Chapter 2, Section 2.04.
- b. Detailed grading and erosion control plan. An Erosion Control Permit will be required. Area of Disturbance must be clearly identified on submitted construction plans. If site area and any offsite improvements required for this development exceed one-acre of disturbance, project will require a 1200-CN Erosion Control Permit.
- c. Detailed plans showing the development having direct access by gravity to public storm and sanitary sewer.
- d. Provisions for water quality in accordance with the requirements of the above named design standards. Water Quality is required for all new development and redevelopment areas per R&O 19-5, Section 4.04. Access shall be provided for maintenance of facility per R&O 19-5, Section 4.07.6.
- e. If use of an existing offsite or regional Water Quality Facility is proposed, it must be clearly identified on plans, showing its location, condition, capacity to treat this site and, any additional improvements and/or upgrades that may be needed to utilize that facility.



- f. If private lot LIDA systems proposed, must comply with the current CWS Design and Construction Standards. A private maintenance agreement, for the proposed private lot LIDA systems, needs to be provided to the City for review and acceptance.
- g. Show all existing and proposed easements on plans. Any required storm sewer, sanitary sewer, and water quality related easements must be granted to the City.
- h. Application may require additional permitting and plan review from CWS Source Control Program. For any questions or additional information, please contact Source Control at (503) 681-5175.
- i. Any proposed offsite construction activities will require an update or amendment to the current Service Provider Letter for this project.

## CONCLUSION

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



August 30, 2021

Eric Rutledge  
Associate Planner  
City of Sherwood  
22560 SW Pine St  
Sherwood, OR 97140

Re: Cedar Creek Plaza Multifamily Building

We have reviewed the site plan for the above-mentioned project. The site plan shows one enclosure on the property measuring 10' deep and 22' wide, which allows for straight on access.

The other details on the site plan are not shown. These requirements will need to be met to ensure our access:

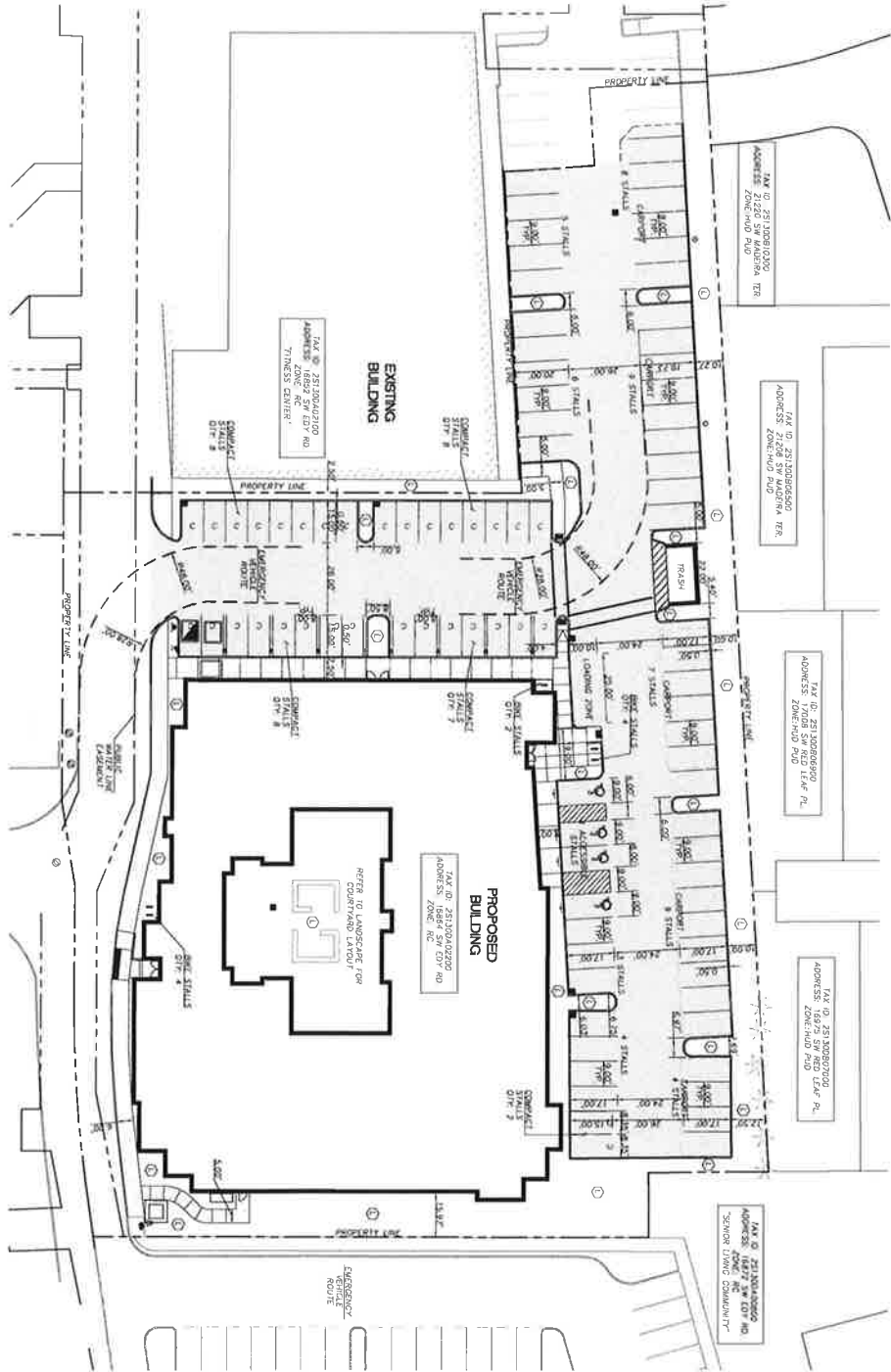
- The gates need to be hinged in front of the enclosure walls to allow for the full 10' width. This will also allow for the 120 degree opening angle that is required.
- No center post at the gate access point.
- The gates need cane bolts and holes put in place for the gates to be locked in the open and closed position. The holes for the gates to be held open need to be at the full 120 degree opening angle.

Any future modifications to the attached plan will need to be approved by us prior to any construction being done.

If you have any questions, feel free to contact me.

Sincerely,

Kristen Tabscott  
Pride Disposal Co.  
(503) 625-6177



1 LAYOUT AND PARKING PLAN

SHEET LEGEND	
[Symbol]	ASPHALT PAVEMENT
[Symbol]	CONCRETE SIDEWALK
[Symbol]	STANDARD CURB
[Symbol]	LANDSCAPING

NEW PARKING TABLE	
STANDARD PARKING STALLS	50
COMPACT PARKING STALLS	31
ACCESSIBLE PARKING STALLS	3
TOTAL NEW ALLOTMENT PARKING STALLS	84
EXISTING STALLS	10
LOADING ZONE	1
TOTAL EXISTING PARKING STALLS	2

**PROJECT TRUE**

GRAPHIC SCALE  
 1 inch = 20 ft.

Hamilton Group, Inc.  
 10000 W. 12th Ave.  
 Suite 100  
 Denver, CO 80202

**CITY OF SHERWOOD  
Staff Report and Notice of Decision**

**May 9, 2017  
SP 16-10/CUP 16-06/VAR 17-01  
Cedar Creek Plaza**

Pre-App. Meeting:	March 28, 2016
App. Submitted:	December 23, 2016
App. Complete:	February 27, 2017
120-Day Deadline:	June 26, 2017
Hearing Date:	May 9, 2017
Appeal Deadline:	May 30, 2017

The Sherwood Planning Commission held a public hearing on May 9, 2017 for the Cedar Creek Plaza project. The Commission opened the public record and took testimony on the subject site plan, conditional use permit and variance application at the public meeting.

Seven citizens testified at the hearing and expressed concerns about a number of issues. The most prevalent concern was the access from SW Madeira Terrace. They expressed concern that closing the access on SW Madeira Terrace to the housing development to the west of the site would impact their community by increasing traffic on Houston Drive and impacting kids playing in the streets and getting to their bus stop. The City Engineer explained the many reasons why the access must be closed, including spacing issues (between intersections), the angle of the approach in which the street approaches SW Edy Road, the original requirements to add a gate (which was never constructed), the fact that the property is not a street, it is an easement, and many other safety reasons why the access must be closed to vehicle traffic.

Another concern expressed by the public was the increase in traffic and the current complications and issues with the traffic patterns in the areas surrounding the SW Edy Road and SW Boarchers Drive. The Applicant's traffic engineer walked the Commission through the traffic study and explained that the intersections would function better after the project than they do today based on the proposed mitigation/improvements. The Commission also asked several questions about the traffic study.

There were concerns raised by the public and the Commission about a right-in only option on the entry from Pacific Highway (99W). The public and the Commission expressed that the project and the community would be better served with a right-in-right-out access on the Highway. The applicant explained that the cost and the uncertainty of the increased ODOT improvements requirements would make the project less probable.

The Commission discussed the proposal and the impact the development would have on the surrounding area. They discussed the rear elevations of the commercial structures which were less articulated than the parking-facing elevations. The applicant provided new renderings of the elevations with full growth plantings which helped address the Commission's concerns. Some of the Commission also expressed concerns with the Assisted Living Facility elevations, stating that they did not blend with Sherwood.

The Commission decided collectively that the applicant had met the criteria with conditions of approval.

After consideration of the application, testimony, and the agency comments, the Planning Commission voted unanimously (4-0 vote, three Commissioners not present) to approve the applications. The Planning Commission decision is based on the findings of fact and the conditions of approval contained in this notice, the applicant's materials (including renderings shown during the hearing), testimony, and the staff report including exhibits.



**Jean Simson, Sherwood Planning Commission Chair**

**Proposal:** The proposed project consists of three applications, a Site Plan (SP 16-10) a Conditional Use Permit (CUP 16-06) and a Variance (VAR 17-01). The Site Plan proposes seven new buildings on a 13.17 acre site (3 lots), with three owners. More specifically the Site Plan proposes approximately 46,000 square feet of retail, restaurant, and other commercial uses; an approximately 143,400-square-foot assisted living/memory care facility; and reconfiguration of the parking area for an existing 42,000- square-foot medical office building that will now share the mixed use center with the other tenants. The Site plan proposes to develop the site in three phases, the first is the revised parking area for existing Providence Medical Building, the second is the assisted living building, the third is the commercial portion. The Conditional Use Permit proposes to permit a fitness "health club" use in Building A and the assisted living/memory care use in the proposed building. The Variance proposes to allow a visual corridor buffer of less than 25 feet in width, partially using the Right of Way along SW Pacific Highway.

## I. BACKGROUND

### A. Applicant/Owner:

Deacon Development  
901 NE Glisan Street, Suite 100  
Portland, OR 97232

Pfeifer Family LP  
12324 SE Verlie Street  
Happy Valley, OR 97086

### Owner's Representative:

Eric Adams  
Mackenzie  
1515 SE Water Ave. Suite #100  
Portland, OR 97213

B. Location: South-west corner of SW Edy Road and SW Pacific Highway (99).

C. Address: 16770 SW Edy Road & 21305 SW Pacific Highway Sherwood, OR 97140

D. Parcel Sizes: Tax Lots 00700 is 2.97 acres, 00800 is 4.51 acres, and 00900 is 5.69 acres for a total of 13.17 acres (which includes the existing Providence Medical Building and associated parking).

E. Existing Development and Site Characteristics: Tax Lot 900 is currently undeveloped and contains remnant site improvements from a former mobile home park. Tax Lot 900 is a part of the larger site that is the subject of this Site Plan Review and Conditional Use Permit application (SP16-10 and CUP 16-06). Tax Lot 800 features a single family home (intended

to be removed) and vacant space. Tax Lot 700 features a three story medical office building with parking and drainage improvements.

Access to the parcels is provided from SW Pacific Highway and SW Edy Road. The site transitions from being generally flat in the north/northeast to gradually sloping toward the south/southwest. Several large deciduous and evergreen trees are spread throughout the property. There are no mapped resources on the site, and there are no wetlands or riparian features on the property.

- F. Site History:** The medical building was approved as file number SP 04-04 and constructed in 2005, the mobile home park has been abandoned and vacant since 2007 based on aerial images.
- G. Zoning Classification and Comprehensive Plan Designation:** The existing zoning is Retail Commercial (RC). Per section 16.22, the purpose of the RC zone is to provide areas for general retail and service uses that neither require larger parcels of land, nor produce excessive environmental impacts.
- H. Adjacent Zoning and Land Use:** The property to the north is zoned Retail Commercial (RC) and Medium Density Residential High (MDRH), to the southeast is General Commercial (GC), to the west is High Density Residential with a Planned Unit Development Overlay (HDR-PUD) and General Commercial (GC).
- I. Review Type:** According to Section 16.72.010.A3a, Conditional Uses require a Type III review with a Hearings Officer decision. An appeal would be heard by the Planning Commission. Site plan applications with development under 15,000 square feet, are considered a Type II staff level decision, from 15,000-40,000 are Type IV, thus requiring Planning Commission review. This application is over the 40,000 square foot threshold, thus a hearing before the Planning Commission is required. An appeal would be heard by the Sherwood City Council. The Variance is a class A Variance, which is processed with a Type IV process as well, which requires a hearing before the Planning Commission with appeals going to the City Council.
- J. Public Notice and Hearing:** Notice of the application was mailed to property owners within 1,000 feet, posted on the property and distributed in five locations throughout the City on April 14, 2017 in accordance with § 16.72.020 of the Sherwood Zoning and Development Code (SZDC). The notice was published in the Times on April 6, 2017, and April 20, 2017 (a newspaper of general circulation) in accordance with § 16.72.020 of the SZDC.
- K. Review Criteria:** Sherwood Zoning and Community Development Code: §16.82 (Conditional Uses), §16.90 (Site Plan Review), § 16.80 (Variances), §16.22 (Commercial Land Use Districts), §16.58 (Clear Vision and Fence), § 16.70 (Procedures for Processing Development Permits), §16.92 (Landscaping), §16.94 (Off-Street Parking and Loading), §16.96 (On-Site Circulation), §16.98 On-Site Storage, Division V.I Public Infrastructure-§16.106 (Transportation Facilities), §16.110 (Sanitary Sewers), §16.112 (Water), §16.114 (Storm), §16.116 (Fire Protection), §16.118 (Public and Private Utilities), Division VIII. Environmental Resources, § Flood Plain Overlay, § 16.138 Mineral Resources, § 16.40 Solid Waste, §16.142 (Parks, Trees, and Open Spaces), § 16.144 Wetland, Habitat & Natural

Areas, §16.146 (Noise), §16.148 (Vibrations), §16.150 (Air Quality), §16.152 (Odors), §16.154 (Heat and Glare), and §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 18, 2017. Staff has received one comment as of the date of this report, which was provided to the Planning Commission on May 9<sup>th</sup>. See Exhibit J.

## III. AGENCY COMMENTS

Staff sent e-notice to affected agencies on March 10, 2017 for the SP and the CUP, and on March 22, 2017 for the Variance. The following is a summary of the comments received. Copies of full comments are included in the record unless otherwise noted.

Tualatin Valley Fire and Rescue (TVF&R): Tom Mooney, Deputy Fire Marshall, provided detailed site design requirements. The applicant has been conditioned to comply with all requirements. The Department submitted two separate letters, one for the commercial center and the other for the assisted living facility. Both are included together as **Exhibit C**.

Pride Disposal: Ms. Kristin Leichner of Pride Disposal Company submitted a letter dated March 30<sup>th</sup>. She requested that a number of conditions of approval related to the final design of the enclosures be added to the staff report. All have been added. The letter is attached as **Exhibit D**.

The Oregon Department of Transportation (ODOT): A letter dated April 24, 2017 was submitted to the City that outlined a number of requirements from ODOT related to proposed development impact mitigations on ODOT facilities. The requirements presented by ODOT fall under ODOT's jurisdictional authority and are proportional to the development's impacts on ODOT right-of-way. These ODOT requirements will be incorporated into the Notice of Decision in their entirety.

The applicant will have to comply with the ODOT requirements in order to eventually build the development as the development directly impacts ODOT right-of-way on Highway 99W (SW Pacific Highway), and SW Edy Road from Highway 99W up to and including the intersection with SW Borchers Drive. The letter from ODOT is attached as **Exhibit F**.

Clean Water Services: A CWS letter requested that conditions of approval be added to the project, all of which have been added as individual conditions at the end of this report. These included a requirement for a connection permit, erosion control plan, sewer plans, water quality plans and easement locations. Their letter is attached as **Exhibit G**.

Sherwood Engineering Department: The Sherwood Engineering Department has provided comments that are included in this report and attached as **Exhibits H and I** (for the SP/CUP and the VAR respectively).

The Department of Fish and Wildlife indicated they had no comments. Washington County, Kinder Morgan Energy, METRO, NW Natural Gas and Portland General Electric did not respond or provided no comments to the request for agency comments by the date of this report.

#### IV. REQUIRED FINDINGS

The required findings for the site plan, conditional use permit, and variance requests 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. A proposed condition of approval has been added to address adequate connection to Sherwood Broadband.

**FINDING:** This standard is not met but can be met with the following condition of approval.

**CONDITION OF APPROVAL:** Prior to grant of occupancy for any buildings, Sherwood Broadband utilities (vaults and conduits) shall be installed along the subject property's frontage per requirements set forth in City Ordinance 2005-017 and City Resolution 2005-074 in accordance with the phasing plan approved by the Sherwood Engineering Department.

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:** The only natural features that have been documented at the site are existing trees. Please see below for findings in response to standards that address tree preservation and mitigation; in particular, standards from Division VIII.

**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:** The subject property is boarded by SW Edy Road (collector) to the north and northeast. Currently there are four access points along SW Edy Road serving the subject property (Providence Health main driveway at SW Borchers Road, Providence Health north driveway, SW Madeira Terrace emergency access and a secondary driveway to the existing home next to the medical building). The proposed [preliminary plan shows that the current Providence Health driveway at SW Borchers Road will act as the main access from SW Edy Road for the entire site. This additional traffic accessing SW Edy Road at its intersection with SW Borchers Drive creates the need for a traffic signal at this intersection. Due to the addition of this signal, the configuration of SW Edy Road in this area will need to be modified to accommodate traffic through this section of SW Edy Road. Sherwood Engineering standards for a collector road include 14-foot wide median/turn lanes, 11-foot wide driving lanes, a 6-foot wide bike lane, a 5-foot wide landscape strip and a 6-foot wide sidewalk. In areas where curb-tight sidewalk is approved, the sidewalk shall be 8 feet wide.

The applicants have submitted a Traffic Impact Analysis that demonstrates, to the satisfaction of the Engineering Department, the anticipated effect of the proposed development on the surrounding transportation system (Exhibit A). The analysis has been prepared consistent with provisions contained in Section 16.106.080 and all appropriate recommendations have been turned to conditions of approval from the Engineering Department.

**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:** As designed, not every building of the proposed development will be oriented consistent with the above standard or have “significant articulation.” Hence, the applicant is seeking approval through the Commercial Design Review Matrix. This is permitted as an alternative. 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:** Each of the proposed buildings will contain a mixture of at least three materials on the exterior walls.

The assisted living/memory care facility has been designed to include smooth fiber cement panel reveal siding, cedar wood lap siding or cedar wood panel, and a simulated-wood fiber cement lap siding. Each facade contains three different siding materials (Exhibit A).

Each of the retail, commercial, and restaurant buildings has been designed to include a mixture of smooth face masonry block, split face masonry block, hardi panel siding, and wood veneer. At least three of these materials is proposed on each building elevation (Exhibit A)

**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 Exhibit A (Attachment J Sheets A7.4 and A7.5), the roof for the assisted living/memory care facility contains shed and flat (with parapet) sections. The shed roof over portions of each wing is oriented in different directions in order to provide articulation and visual interest across the entire structure. None of the existing building adjacent to the site utilize this design.

Each of the retail buildings is designed to include a flat roof with stepped parapet and/or cornice. Buildings "A," "C," and "E" also include "shed roof" sections along the parapet walls to emulate the roof design of the assisted living/memory care facility (Exhibit A, Attachment J, Sheets A1.2 through A6.2). These designs are distinctive from existing buildings adjacent to the site.

**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 assisted living/memory care facility and each of the retail, commercial, and restaurant buildings will have inactive windows along one or more street-facing elevations. The glazing proposed along the elevation of the assisted living/memory care facility that faces SW Edy Road is 22 percent of the total area (Exhibit A, Attachment J, Sheets A7.4 and A7.5). The total street-facing glazing for all retail, commercial, and restaurant buildings equates to 21 percent of the corresponding façade area (Exhibit A, Attachment J, Sheets A1.2 through A6.2).

**FINDING:** Based on this, the percentage of glazing proposed on at least one street-facing elevation is sufficient to receive one (1) point.

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 (Exhibit A, Attachment J). However, some "bays" are more than 30 feet in length.

**FINDING:** Based on this, the length and frequency of "bays" on street-facing elevations is sufficient to receive one (1) 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:** Canopies are proposed at the entrance to assisted living/memory care facility and at each of the retail, commercial, and restaurant buildings. A set of benches will be located just east of the main entrance to the assisted living/memory care facility, near the bocce court. Outdoor patios are proposed immediately adjacent to the entrance for Buildings "B," "C," "D," "E," and "F". A portion of the patio that is proposed between Buildings "E" and "F" will be covered by canopies that extend along the corresponding elevations. Tables and chairs will be provided at this patio and those near Buildings "B," "C," and "D" for use by patrons and others visiting the shopping center.

**FINDING:** Based on this, the proposed extent of entrance articulation is sufficient to receive three (3) points.

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 assisted living/memory care facility is roughly 143,400 square feet, while the total gross floor area of the retail, commercial, and restaurant buildings is approximately 46,000 square feet, resulting in 190,000 square feet of new floor area. Divided evenly among the seven buildings, this equates to an average gross floor area of approximately 27,000 square feet (27,142 square feet).

**FINDING:** Based on this, the average building floor area is sufficient to receive three (3) points.

Design Criteria	Possible Points				
	0	1	2	3	4
<b>BUILDING DESIGN – TOTAL POINTS: 13 out of 21 (Minimum of 12 Points Required)</b>					
<b>Building Location and Orientation (6 Total Points Possible; Minimum 3 Points Required)</b>					
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:** As shown on Exhibit A (Attachment E, Sheets C2.1 and A1.0), after accounting for the corresponding setbacks and Visual Corridors, the proposed development will include at least one new building that is flush to either the frontages along SW Edy Road or SW Pacific Highway.

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

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:** Primary pedestrian walkways are proposed from SW Edy Road and SW Pacific Highway that will provide direct connections with the main entrance of the assisted living/memory care facility and each of the retail, commercial, and restaurant buildings (Exhibits A, Attachments E and I).

**FINDING:** Based on this, the proposed orientation of 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

**FINDING:** Based on the language of footnote “6,” by satisfying the requirement of providing direct, pedestrian-oriented connections, the proposed development qualifies for an additional two (2) points.

Design Criteria	Possible Points				
	0	1	2	3	4
<b>BUILDING LOCATION AND ORIENTATION – TOTAL POINTS: 6 out of 6 (Minimum of 3 Points Required)</b>					
<b>Parking and Loading Areas (13 Total Points Possible; Minimum 7 Points Required)</b>					
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:** As shown on Exhibit A (Attachment E, Sheets C2.1 and A1.0), all vehicular parking spaces required for the proposed development are located internal to the site. With the exception of Building “A,” all of the buildings front on either SW Edy Road or SW Pacific Highway and are not separated from these streets by vehicular parking areas.

It is anticipated that Building “A” will be occupied by a “fitness” use, which will require a minimum of 61 parking spaces. The proposed development will contain a total of 526 parking spaces. Thus, the 61 spaces proposed between Building “A” and SW Pacific Highway equates to approximately 11 percent of the total number of spaces proposed.

**FINDING:** Based on this, the percentage of parking proposed between any building and a public street fronting the site is sufficient to receive two (2) 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:** Only one loading area is proposed within the project, and it will be located along the west elevation of the assisted living/memory care facility. As shown on Exhibit A, Attachments E and I, it will be screened from view along SW Edy Road by the building.

**FINDING:** Based on this, the location of proposed loading areas 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:** As noted above, a total of 526 parking spaces are proposed within the project area, including retention of the 175 existing spaces associated with the Providence Medical

Office. Across the site, a “landscaped” island is provided at least once seven spaces on average (526 spaces, divided by 76 distinct parking rows). This includes existing parking rows with up to 14 spaces associated with the Providence Medical Office that will not be modified through development of the site as proposed.

**FINDING:** Based on this, the frequency of a landscaped island within the proposed parking area is sufficient to receive three (3) points.

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:** A detailed analysis of the parking demand generated by the proposed mixture of uses is provided below. It assumes occupancy of the existing and proposed buildings with a mixture of the following.

- Fitness (Building “A”) – 15,736 square feet
- Retail (Buildings “B,” “C,” and “F”) – 19,122 square feet
- Restaurant (Building “E”) – 4,945 square feet
- Drive-thru Restaurant (Buildings “D” and “C”) – 6,330 square feet
- Medical Office (Providence) – 42,000 square feet
- Assisted Living/Memory Care – 143,400 square feet

After making adjustments allowed through Section 16.94.010.C.2, the minimum parking requirement of the site is 447 spaces. A total of 526 spaces is proposed, which equates to 118 percent of the allowable minimum.

**FINDING:** Based on this, the number of parking spaces proposed is sufficient to receive one (1) 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.

Design Criteria	Possible Points				
	0	1	2	3	4
<b>PARKING AND LOADING AREAS – TOTAL POINTS: 8 out of 13 (Minimum of 7 Points Required)</b>					
<b>Landscaping (24 Total Point Possible, Minimum 14 Points Required)</b>					
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:** As shown on the submitted tree survey and arborist report, a total of 255 trees are located within the boundaries of the site. The applicant proposes to retain 62 of these existing trees, or roughly 24 percent of the total.

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

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:** As shown on Exhibit A Attachment I, the applicants propose to install a total of 200 trees within the portions of the site related to the existing Providence Medical Office building and retail, commercial, and restaurant uses. Another 83 trees will be installed in the portions of the site associated with the assisted living/memory care facility, for a total of 345 existing and proposed trees. This equates to 134 percent of the existing trees that are proposed for removal.

**FINDING:** Based on this, the number of trees proposed in mitigation for existing trees that will be removed is sufficient to receive three (3) points.

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:** As shown on Exhibit A, Attachment I, a total of 70,444 square feet of the site associated with the existing Providence Medical Office building and areas proposed for development with retail, commercial, and restaurant uses will contain various forms of landscaping. Another 47,789 square feet of landscaping is proposed within portions of the site associated with the assisted living/memory care facility (Exhibit A Attachment I). Thus, 118,233 square feet of the site will contain landscaping.

**FINDING:** Given the 345 existing and proposed trees that will be located within the boundaries of the site, this results in a ratio of approximately 1.5 trees per every 500 square feet of proposed and existing landscaping. The project is eligible for one (1) point 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, Attachment I, none of the proposed or existing landscaped areas that will be retained is 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:** Turf is proposed over an area of approximately 28,500 square feet of the site that will contain landscaping (Exhibit A, Attachment I). This equates to 24 percent based on a total landscaped area of 118,233 square feet.

**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 Exhibit A Attachment I, a total of 118,233 square feet of the site will be improved with landscaping. Given a gross site area of 501,540 square feet, approximately 24 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 three (3) 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.

Design Criteria	Possible Points				
	0	1	2	3	4
<b>LANDSCAPING – TOTAL POINTS: 14 out of 24 (Minimum of 14 Points Required)</b>					
<b>Miscellaneous (10 Total Points Possible; Minimum 5 Points Required)</b>					
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 Exhibit A, Attachment J, 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:** As shown on Exhibit A, Attachments E and I, fencing proposed along the west and south boundaries of the site will be constructed of wood slats.

**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:** Although pedestrian amenities are proposed internal to the site, there will not be at least one per building.

**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

**ANALYSIS:** A total of four outdoor patios are proposed within the portion of the site that will contain a mixture of retail, commercial, and restaurant uses. The patio proposed adjacent to Building “B” is approximately 195 square feet in area, while the patios adjacent to Buildings “C” and “D” are approximately 260 square feet and 325 square feet, respectively. The patio proposed between Buildings “E” and “F” will be 540 square feet, exclusive of the walkways that access to it. These amenities will be available for public use and comprise a total area of more than 1,000 square feet (Exhibit A, Attachment E, Sheet C2.1).

**FINDING:** Based on these findings, the square footage of open space provided for public use is sufficient to receive three (3) 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.

**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	13
Building Location and	6	3	6
Parking and Loading Areas	13	7	8
Landscaping	24	14	14
Miscellaneous	10	5	6
<b>TOTAL</b>	<b>74</b>	<b>41</b>	<b>47</b>

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:** Access to the site is proposed at two existing driveways along SW Edy Road, as well as relocated driveway along SW Pacific Highway. Both of the driveways that provide access from SW Edy road are more than 24 feet wide, and each aligns with an existing street – either SW Borchers Drive or SW Cherry Orchards Street – located on the north side of SW Edy Road.

**FINDING:** This standard is met.

## Chapter 16.82 – CONDITIONAL USES

### 16.82.010 Generally

- A. **Authorization.** Uses permitted in zoning districts as conditional uses may be established, enlarged, or altered by authorization of the Commission in accordance with the standards and procedures established in this Chapter. If the site or other conditions are found to be inappropriate for the use requested, the Commission or Hearings Officer (cited below as Hearing Authority) may deny the conditional use.
- B. **Changes in Conditional Uses.** Changes in use or expansion of a legal non-conforming use, structure or site, or alteration of structures or uses classified as conditional uses, that either existed prior to the effective date of this Code or were established pursuant to this Chapter shall require the filing of a new application for review conforming to the requirements of this Chapter if the proposed changes would increase the size, square footage, seating capacity or parking of existing permitted improvements by twenty percent (20%) or more.
- C. **Application and Fee.** An application for a Conditional Use Permit (CUP) shall be filed with the City and accompanied by the appropriate fee pursuant to Section 16.74.010. The applicant is responsible for submitting a complete application which addresses all criteria of this Chapter and other applicable sections of this Code.

**ANALYSIS:** The applicants request approval of a Conditional Use permit to allow two specific uses within the Site Plan application site- an assisted living/memory care use, and a health club (i.e., fitness) use, as shown on Exhibit A, Attachment E (Sheets C2.1, C2.2, and A1.0). Pursuant to an interpretation of similar uses by the City of Sherwood, the proposed assisted living/memory care facility is considered an “institutional and residential care facility” pursuant to Section 16.88.040.A.1(5) (Exhibit A, Attachment N). Residential care facilities require approval of a Conditional Use Permit in the Retail Commercial (RC) zone. Section 16.22.020 specifies that “Health Clubs” larger than 5,000 square feet must be approved as a Conditional Use. Pursuant to the analysis contained herein, the site is appropriate for the uses requested. The proposed fitness and assisted living/memory care facilities are not a change or expansion of an existing conditional use at the site.

**FINDING:** The criterion cited above is therefore met.

- C. **Use Criteria.** No conditional use shall be granted unless each of the following is found:
  - 1. **All public facilities and services to the proposed use, including but not limited to sanitary sewers, water, transportation facilities, and services, storm drains, electrical distribution, park and open space and public safety are adequate; or that the construction of improvements needed to provide adequate services and facilities is guaranteed by binding agreement between the applicant and the City.**

**ANALYSIS:** Public facilities and services for the proposed fitness and assisted living memory care facility, including sanitary sewers, water, transportation facilities and services, storm drains, electrical distribution, park and open space, and public safety, will be adequate as proposed, as previously discussed. The site will be served by City of

Sherwood water, sewer, and stormwater services extended by the applicant, as necessary, and Portland General Electric. Street frontages, including roadway width, curb/gutter, landscaping, sidewalks, and bike lanes will be improved consistent with the collector street standards applicable to SW Edy Road and principal arterial standards applicable to SW Pacific Highway (pursuant to the requirements of ODOT) as a requirement of building permit approval.

Recreational open space needs of the assisted living/memory care facility residents will be provided for via the vegetable garden and outdoor patio area on-site. The site is located within a half-mile of Pioneer Park and Langer Park. Adverse impacts to existing City parks and open spaces are not anticipated as a result of the modest increase in residents.

The Sherwood Police Department is located across SW Edy Road. Based on the proposed uses, minimal demand on police services is anticipated. Consistency with the standards for public facilities and services per Division VI – Public Infrastructure and Division VIII – Environmental Resources of Title 16 SZCDC is analyzed above, under Part 1 – Site Plan Review of this narrative.

**FINDING:** Most of the Conditions of Approval relate to, and assure construction and acceptance of, public improvements including streets, storm water, water, sanitary sewer and other utilities. Each of these conditions will be discussed in more detail throughout this staff report, and all are required to assure full compliance with this criteria.

**2. Proposed use conforms to other standards of the applicable zone and is compatible with abutting land uses in regard to noise generation and public safety.**

**ANALYSIS:** The proposed fitness and assisted living and memory care facilities are consistent with the setbacks, height, site planning, landscaping, on-site circulation, and other development standards applicable to the use and the RC zone (see more info below). While no off-street parking and loading requirements are specified for the assisted living and memory care facility use, “[t]he 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” pursuant to Section 16.94.020.A. Based on the analysis submitted (Exhibit A, Attachment R), the applicant surveyed comparable assisted living and memory care facilities, and determined that the proposed 98 parking spaces are sufficient to accommodate the parking needs of residents, employees, and visitors of the facility.

A total of 61 vehicle parking spaces are proposed within the immediate vicinity of the fitness use (i.e., Building “A”). Based on the minimum parking demand ratio of 4.1 spaces per 1,000 square feet of floor area, the proposed 15,728-square-foot fitness use requires at least 65 spaces. As discussed in the next section, a total of 526 spaces are proposed throughout the project, and all spaces will be available for shared use as a result of recording a reciprocal access and parking agreement, which is conditioned prior to occupancy permits (see proposed condition of approval below). Thus, sufficient parking will be available to satisfy the proposed fitness use. Consistency with all other development standards applicable to the RC zone per Chapters 16.22 SZCDC and

Division V – Community Design of Title 16 SZCDC is analyzed above, under Part 1 – Site Plan Review of this narrative.

Although the proposed assisted living/memory care facility is anticipated to generate noise that occasionally exceeds what is typical to residential uses (such as deliveries, larger trash trucks using dumpsters, larger landscape crews performing landscape maintenance, etc.), noises associated with the facility are not anticipated to adversely impact the abutting single-family residences and townhomes to the west. As explained in the analysis for Noise Sensitive Uses below, the noise levels will not exceed the standards contained in State Rules (OAR- 340-35-035). Noise from activities inside the facility is not anticipated to be more intense than commercial uses permitted outright in the RC zone, such as professional offices, retail, and restaurants, nor perceptible off-site. Noise from the comings and goings of employees and visitors will be limited, as the main entrance from SW Edy Road is substantially separated and buffered from the abutting residential neighborhood by the proposed three-story building. Additionally, the main entrance from the parking lot is located such that the proposed building will buffer the abutting residential uses to the west. Emergency vehicles will enter and exit the site from the existing driveway on SW Edy Road across from SW Borchers Drive, which is over 400 feet away from the residential property to the west. Emergency vehicles are anticipated to travel between the site and off-site medical facilities via SW Edy Road, a collector street, and SW Pacific Highway only, away from the abutting residential neighborhood to the west. Outdoor activity spaces are limited to the vegetable garden abutting the townhomes to the west and the outdoor patio area northeast of the vegetable garden. Vegetable gardening is passive recreation, and use of the outdoor patio area will be generally occur during daylight hours. Hence, the outdoor activity spaces are anticipated to generate noise typical to residential uses and are compatible with the abutting residential neighborhood to the west. Noises associated with the facility are, therefore, not anticipated to adversely impact abutting residential uses to the west.

As shown on Exhibit A, Attachment E (Sheet C2.1) and J (Sheets A1.1 and A1.2), the proposed fitness use will be separated from the residential neighborhood to the west by a distance of roughly 90 feet. The main customer entrance is oriented toward SW Pacific Highway. Secondary entrances required for minimum egress and access to a proposed refuse enclosure are located along the west elevation of the building. Customers will be required to use the main entrance, except for emergency situations. Thus, noise related to people arriving to and departing from the fitness use will be focused on the east side of the building, away from the existing residential neighborhood. Other noise sources associated with the use could include amplified music played within the structure during fitness classes; however, concrete block walls will form the exterior of the building on the west, north, and south elevations, and heavy insulation will be provided in the roof assembly. These materials are anticipated to substantially mitigate the transmission of noise outside the building given the minimal openings and lack of windows along three sides of the building.

The proposed assisted living/memory care facility, which is staffed at all times, is not anticipated to be a public safety concern or otherwise demand increased police response and is therefore compatible with the abutting residential uses to the west. Similarly, the fitness use will be staffed by employees during hours of operation. Typically, health clubs are not considered a nuisance or generator of criminal behavior to a greater degree than

other comparable uses that are allowed outright in the RC zone (i.e., movie theaters and indoor mini-golf facilities).

The fitness and assisted living/memory care facilities are also expected to be compatible with other uses in the project for the following reasons:

- The proposed placement of the assisted living/memory care facility in the northwest portion of the site will distance it from retail and restaurant uses that are more likely to have heavier use during evening hours when residents would desire lower ambient noise levels.
- For similar reasons, adjacency of the existing medical office building, which experiences peak use during normal business hours, will also provide a comparatively quiet "neighbor" for the assisted living/memory care facility.
- Residents of the assisted living facility and their guests will likely appreciate the convenience of walking to the nearby restaurants, medical services, and fitness facility.
- Customers of the fitness facility are also likely to dine at the proposed restaurants, or combine trips the fitness facility with errands to retail uses intended for Buildings "B" and "C."

**FINDING:** Based on this analysis, this criterion can be met with the following condition.

**CONDITION OF APPROVAL:** Prior to occupancy permits for the first structure in the project, the applicant shall record a reciprocal access, parking and maintenance agreement prior to the occupancy of any new structure within the project.

3. **The granting of the proposal will provide for a facility or use that meets the overall needs of the community and achievement of the goals and/or policies of the Comprehensive Plan, the adopted City of Sherwood Transportation System Plan and this Code.**

**ANALYSIS:** The proposed assisted living/memory care facility meets the overall needs of the community through consistency with the following Comprehensive Plan goals and policies:

*Growth Management Policy – Policy 7 - All new development must have access to adequate urban public sewer and water service.*

As discussed in more detail in the next section of this staff report, the site will be served by all public facilities necessary to facilitate development of the proposed uses. New public water, sanitary sewer, and stormwater drainage lines will be extended to and through the site, as necessary, to comply with the City of Sherwood development standards and corresponding facilities master plans.

*Land Use – Residential Policy 1: Residential areas will be developed in a manner which will insure that the integrity of the community is preserved and strengthened.*

Although the proposed assisted living/memory care facility is not located in a residential zone, consideration has been given to the existing residential properties it abuts to the west. As analyzed above in the Site Plan Review Section of this staff report, the project is consistent with the development standards applicable to the

RC zone pursuant to Chapters 16.22 and Division V – Community Design of the Sherwood Code, which includes standards for setbacks, height, and landscaping abutting or in the vicinity of residential zones.

To further ensure that the proposed facility is compatible with the scale of the existing single-family residences and townhomes in the abutting residential zones, the closest part of the building is approximately 32 feet from the property lines to the west, which exceeds the minimum setback by 12 feet, and is sited so that none of the building façades are exactly parallel with abutting residences. The façade closest to the abutting townhomes is approximately 28 feet in length. By contrast, the longest façade is approximately 142 feet along SW Edy Road, which provides more than 80 feet of separation from the existing single-family residences across the road.

The facility is designed and sited to minimize the impact of noise levels from employees and visitors and emergency vehicle traffic on the adjacent abutting residences. While residences across SW Edy Road may experience an increase in noise associated with emergency vehicle traffic to or from the proposed assisted living facility, it will be consistent with the existing background traffic noise already generated along on SW Edy Road, a collector street, as well as the existing Sherwood Police Department located at the corner of SW Edy Road and SW Borchers Drive.

Additionally, the location of the main parking lot entrance and the height of the proposed three-story building and proposed landscaping also buffers abutting residences and residences across SW Edy Road from the flashing lights of emergency vehicles on-site.

*Land Use – Residential Policy 2: The City will insure that an adequate distribution of housing styles and tenures are available.*

The proposed assisted living/memory care facility provides housing for residents who require a range of services available on a 24-hour basis to facilitate independent living and residents who have been diagnosed with Alzheimer's and other dementias. The facility adds to the housing options available for residents who are elderly or require supervision, two demographics identified by the City of Sherwood Comprehensive Plan with an increased need for housing, and therefore contributes to an adequate distribution of housing styles and tenures.

*Land Use – Residential Policy 3: The City will insure the availability of affordable housing and locational choice for all income groups.*

The applicant has indicated in their narrative that the proposed assisted living/memory care facility provides a more affordable housing alternative for elderly and Alzheimer's residents than in-home care.

*Land Use – Residential Policy 4: The City shall provide housing and special care opportunities for the elderly, disadvantaged and children.*

The City's approval of the Conditional Use Permit for the proposed assisted living/memory care facility would provide housing for elderly residents who require



a range of services available on a 24-hour basis to facilitate independent living and residents who have been diagnosed with Alzheimer's and other dementias.

*Land Use – Economic Development Strategy (EDS) Policy 1: Support existing businesses and recruit additional businesses that provide local family-wage jobs. Replace any employment land rezoned for other uses with other employment land.*

The proposed assisted living/memory care facility provides local family-wage healthcare jobs to approximately 85 to 90 full and part-time employees.

*Economic Development Policies and Strategies – Policy 3: Develop the infrastructure and services necessary to support economic development in Sherwood.*

*Strategy 3.2: Encourage the growth of a variety of restaurants and retail establishments that would cater to business people.*

The proposed fitness facility will be located immediately adjacent to an existing medical office building, the proposed assisted living facility, and other existing service industry uses that are located along the SW Pacific Highway corridor. The proximity of these uses in relation to the proposed fitness facility provides the opportunity to conveniently exercise during lunch hours or before or after work. The opportunity to patronize one of the proposed restaurants or other retail establishments anticipated within the project will add to that convenience.

*Land Use – Commercial Policy 1: Commercial activities will be located so as to most conveniently service customers.*

Including the proposed 15,000-square-foot fitness facility as part of the overall commercial center increases conveniences to customers, employees, residents, and guests of the other uses within the center. Overall, the mixture of uses proposed will enable people to concentrate several trips to one location rather than having to travel elsewhere. Further, residents of the nearby neighborhoods could benefit from having the fitness facility within walking distance of their homes, and the proposed network of on-site walkways will ensure safe and convenient travel to the fitness facility is possible from SW Edy Road.

*Land Use – Commercial Policy 2: Commercial uses will be developed so as to complement rather than detract from adjoining uses.*

As discussed within the above analysis for consistency with Land Use – Residential Policy 1, the proposed assisted living/memory care facility will complement abutting residential uses. A similar conclusion can be reached for the fitness facility due to its proximity and the resultant conveniences it could afford. Additionally, the proposed assisted living facility provides a patient base for the existing Providence Sherwood Medical Plaza and customer base for the proposed retail and restaurant uses co-located in the same commercial center.

*Land Use – Commercial Policy 3: Highway 99W is an appropriate location for commercial development at the highway's intersections with City arterial and major collector roadways.*

The proposed fitness and assisted living/memory care facilities are part of the mixed-use commercial center at the intersection of SW Pacific Highway and SW Edy Road, a collector street.

*Land Use – Community Design Policy 1: The City will seek to enhance community identity, foster civic pride, encourage community spirit, and stimulate social interaction through regulation of the physical design and visual appearance of new development.*

As discussed within the above analysis for consistency with Section 16.82.020.C.2 and Land Use – Residential Policy 1, the proposed assisted living/memory care facility will be consistent with all City regulations regarding physical design and visual appearance. The fitness facility has also been designed to comply with the development standards of the RC zone and contributes toward satisfying the required number of design criteria in the Commercial Design Review Matrix.

*Land Use – Community Design Policy 4: Promote creativity, innovation and flexibility in structural and site design.*

As discussed within the above analysis for consistency with Land Use – Residential Policy 1, the proposed assisted living/memory care facility accounts for the scale of the building relative to the abutting residences to the west. The proposed facility has a T-shaped footprint with its narrowest ends facing the abutting residences rather than a conventional rectangular footprint that gives less consideration to appropriate scale and transitions to abutting residential uses. Additionally, as shown on Exhibit A, Attachment J (Sheets A7.4 and A7.5), the proposed building is not more than three stories or 40 feet in height within 100 feet of the abutting residences, which is consistent with the maximum building height allowed in the RC zone.

Functional requirements of the fitness facility require the greatest amount of flexibility possible for arranging exercise equipment within the building. This is best accomplished by a rectilinear footprint, such as used for Building “A.” While its form is not “innovative,” the overall design is contextually appropriate given proximity of the residential neighborhood to the west. Design elements are focused on the east elevation, which will focus customer presence to that side of the building, thus decreasing the potential for noise impacts. Large banks of storefront windows and a mixture of exterior building materials proposed on the east elevation will enhance the overall appearance of the mixed-use center when viewed from SW Pacific Highway.

*Land Use – Community Policy 5: Stabilize and improve property values and increase tax revenues by the prevention of blighting influences including those resulting from noise, heat, glare, air, water and land pollution, traffic congestion, improper site and structure maintenance and incompatible land uses.*

The analysis in the next section of this staff report for consistency with Sections 16.82.020.C.1, 16.82.020.C.2, 16.82.020.C.4, 16.82.020.C.5, and 16.82.020.C.6 and Land Use – Residential Policy 1, potential blighting influences from noise, heat, glare, air, water and land pollution, traffic congestion, and incompatible land

uses are not anticipated. Overall, the development removed the blight from the now-vacant mobile home park.

*Transportation Goal 4: Develop complementary infrastructure for bicycles and pedestrian facilities to provide a diverse range of transportation choices for city residents.*

As discussed within the analysis for consistency with Section 16.82.020.C.1 and the standards for public facilities and services per Division VI – Public Infrastructure, sidewalk facilities on SW Pacific Highway and SW Edy Road will be constructed as part of the required street frontage improvements where sidewalks do not exist currently. The existing bike lane on SW Edy Road will be extended westward to the northwest corner of the property. Additionally, the project design accommodates all bicycle requirements of the Code. Lastly, as discussed in Section IV of the Staff Report, staff is proposing a condition of approval to require a pedestrian entrance to the site between the high density housing to the west and the project site.

*Community Facilities and Services – Objective 8: It shall be the policy of the City to seek the provision of a wide range of public facilities and services concurrent with urban growth. The City will make an effort to seek funding mechanisms to achieve concurrency.*

Pursuant to the analysis for consistency with Section 16.82.020.C.1 above, the public utilities and transportation facilities will be improved to serve the proposed fitness and assisted living/memory care facilities, consistent with City of Sherwood Transportation System Plan.

Additionally, the proposed fitness and assisted living/memory care facilities meet the overall needs of the community through consistency with Chapter 16.106 and the City of Sherwood's Engineering Design Manual, whose transportation standards implement the 2014 Sherwood Transportation System Plan. Consistency with transportation standards is analyzed above, under Part 1 – Site Plan Review of this narrative. As demonstrated through the submitted Traffic Impact Analysis, the proposed fitness and assisted living/memory care facilities can be accommodated at the subject site in light of the recommended transportation system improvements.

Further, the proposed assisted living/memory care facility meets the overall needs of the community through general consistency with the intent of the RC zone. While the proposed assisted living/memory care facility is not a retail or service use, it is part of and complements an RC-zoned commercial center that contains an existing medical services building and proposed retail, restaurant, and other commercial uses. Consistency with the specific development standards applicable to the RC zone is analyzed above, under Part 1 – Site Plan Review of this narrative. Consistency with Division VIII – Environmental Resources of SZCDC, is analyzed above, under Part 1 – Site Plan Review of this narrative.

**FINDING:** This criterion will therefore be met.

- 4. Surrounding property will not be adversely affected by the use, or that the adverse effects of the use on the surrounding uses, the neighborhood, or the City as a whole are sufficiently mitigated by the conditions proposed.**

**ANALYSIS:** Surrounding properties and uses, the neighborhood, and the City are not anticipated to be adversely affected by the proposed fitness and assisted living/memory care facilities. The proposed facilities meet all development standards applicable to the use and RC zone. Consistency with all development standards applicable to the RC zone per Chapters 16.22 and Division V – Community Design of Title 16 is analyzed below in the next section of this staff report. Public facilities and services are provided consistent with City requirements. Consistency with Division VIII – Environmental Resources of the SZCDC, is also analyzed in the next section of this staff report. Further, as discussed in Section IV below, the buildings have been designed and sited so that potential noise and glare impacts not explicitly addressed by Title 16 and attributed to facility residents and employees, employee and visitor traffic, and emergency vehicles are minimized.

**FINDING:** This criterion is met.

- 5. The impacts of the proposed use of the site can be accommodated considering size, shape, location, topography and natural features.**

**ANALYSIS:** As previously discussed, the potential impacts of the proposed use and the proposed building design and siting addressing those impacts can be accommodated by the site, per analysis in Section IV below.

**FINDING:** This criterion will therefore be met.

- 6. The use as proposed does not pose likely significant adverse impacts to sensitive wildlife species or the natural environment.**

**ANALYSIS:** The proposed fitness and assisted living/memory care facilities will not pose any significant adverse impacts to sensitive wildlife species or the natural environment. No sensitive wildlife species or habitat has been identified on-site, and the proposed facilities do not involve the use or storage of hazardous materials, toxic emissions, or otherwise pose a high risk to the natural environment. Consistency with Division VIII – Environmental Resources of Title 16, is analyzed in detail below.

**FINDING:** Based on the above analysis, this criterion will be met.

- 7. For wireless communication facilities, no Conditional Use Permit will be granted unless the following additional criteria is found:**
- a. The applicant demonstrates to the satisfaction of the City that the wireless communication facility cannot be located in an IP zone due to the coverage needs of the applicant.**
  - b. The proposed wireless communication facility is designed to accommodate co-location or it can be shown that the facility cannot feasibly accommodate co-location.**

- c. The applicant demonstrates a justification for the proposed height of the tower or antenna and an evaluation of alternative designs which might result in lower heights.
- d. The proposed wireless communication facility is not located within one-thousand (1,000) feet of an existing wireless facility or that the proposed wireless communication facility cannot feasibly be located on an existing wireless communication facility.
- e. The proposed wireless communication facility is located a minimum of three-hundred (300) feet from residentially zoned properties.

**ANALYSIS:** No wireless communication facilities are proposed.

**FINDING:** This criterion is not applicable.

8. The following additional criteria apply to transportation facilities and improvements subject to Conditional Use approval per Chapter 16.66. These are improvements and facilities that are (1) not designated in the adopted City of Sherwood Transportation System Plan (TSP), and are (2) not designed and constructed as part of an approved land use application.
- a. The project preserves or improves the safety and function of the facility through access management, traffic calming, or other design features.
  - b. The project includes provisions for bicycle and pedestrian access and circulation consistent with the Comprehensive Plan, the requirements of this Code, and the TSP.
  - c. Proposal inconsistent with TSP: If the City determines that the proposed use or activity or its design is inconsistent with the TSP, then the applicant is required to apply for and obtain a plan and/or zoning amendment prior to or in conjunction with Conditional Use Permit approval.
  - d. State transportation system facility or improvement projects: The Oregon Department of Transportation (ODOT) must provide a narrative statement with the application demonstrating compliance with all of the criteria and standards in Sections 16.82.020.C.1—6 and 8.a—8.d. Where applicable, an Environmental Impact Statement or Environmental Assessment may be used to address one or more of these criteria.

**ANALYSIS:** The proposed fitness and assisted living/memory care facilities are not a transportation facility subject to Conditional Use approval per the SZCDC.

**FINDING:** This criterion is therefore not applicable.

#### D. Additional Conditions

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

- 1. Mitigation of air, land, or water degradation, noise, glare, heat, vibration, or other conditions which may be injurious to public health, safety or welfare in accordance with environmental performance standards.

**ANALYSIS:** No air, land, water degradation, heat, vibration, or other condition related to the proposed fitness and assisted living/memory care facilities are anticipated to be injurious to public health, safety, or welfare. Potential noise and glare impacts to surrounding properties and neighborhoods are mitigated in part by the design of the project, including, but not limited to:

- Main entrances to the buildings will be buffered from abutting residential-zoned properties to the west by the building and/or sight-obscuring landscaping.
- Emergency vehicle lights will be buffered from view from abutting residential-zoned properties and residences across SW Edy Road by the building and/or sight-obscuring landscaping.
- The outdoor vegetable garden and patio for the assisted living/memory care facility will be utilized generally during daylight hours.
- Public and private stormwater facilities will be constructed pursuant with City of Sherwood standards to collect, treat, and detain run-off from the site.
- Neither use is typically associated with vibrations that would be disruptive for residents of the abutting neighborhoods.

**FINDING:** No additional mitigation is warranted.

**2. Provisions for improvement of public facilities including sanitary sewers, storm drainage, water lines, fire hydrants, street improvements, including curb and sidewalks, and other above and underground utilities.**

**ANALYSIS:** No public facilities impacts to surrounding properties and neighborhoods are anticipated. Improvement of public facilities is provided per the analysis of consistency with the standards for public facilities from the SZCDC. These include street, sidewalk, landscape, and utility improvements on SW Edy Road and Pacific Highway 99W.

**FINDING:** No additional public improvements are warranted.

**3. Increased required lot sizes, yard dimensions, street widths, and off-street parking and loading facilities.**

**ANALYSIS:** No impact is anticipated to require increased lot sizes or street widths. The proposed assisted living/memory care facility's scale and lack of minimum parking ratio specified by Section 16.94.020 Table 1 can be mitigated by the following proposed design elements:

- The minimum setback from abutting residential-zoned properties to the west will be 30'.
- The proposed building shall have a "T" footprint wherein the legs of the "T" shall not be parallel to the abutting residential-zoned properties to the west.
- The minimum number of on-site parking spaces required shall be 98 parking spaces per the submitted analysis of comparable assisted living/memory care facilities (Exhibit A, Attachment R).

**FINDING:** As noted above, the proposed fitness facility use has been designed to comply with all applicable development standards of the RC zone and other relevant provisions of the development code.

**4. Requirements for the location, number, type, size or area of vehicular access points, signs, lighting, landscaping, fencing or screening, building height and coverage, and building security.**

**ANALYSIS:** No impact is anticipated to require standards for vehicular access points, signs, lighting, fencing or screening, building height and coverage, or building security in addition to what is required by the SZCDC. The proposed fitness and assisted living/memory care facilities are consistent with the standards for the RC zone, proposed use, and public facilities and services per Chapter 16.22 and Division V – Community Design, Division VI – Public Infrastructure, and Division VIII – Environmental Resources of Title 16 analyzed below. Noise and lighting impacts are addressed by the proposed building and site design elements, consistent with Section 16.82.020.D.1.

**FINDING:** This criteria is met.

**5. Submittal of final site plans, land dedications or money-in-lieu of parks or other improvements, and suitable security guaranteeing conditional use requirements.**

**ANALYSIS:** The applicant will submit final site plans for the project as part of materials provided to the City of Sherwood prior to issuance of site development and building permits. Dedication of land needed for public street improvements and the provision of other necessary public infrastructure will be assured through review and approval of such plans, as required through an approval of the Site Plan Review request analyzed under Part I of this narrative.

**FINDING:** This criteria is not met but can be met as conditioned below.

**CONDITION OF APPROVAL:** A final site plan review is required prior to the issuance of any building permits.

**6. Limiting the number, size, location, height and lighting of signs.**

**ANALYSIS:** The proposed fitness and assisted living/memory care facilities are not anticipated to require signage that is more impactful than signage for uses permitted outright nor require signage in excess of the number, size, location, height, and lighting permitted outright in the RC zone. Following approval of the Site Plan Review and the subject Conditional Use review, the applicants must obtain signage permits from the City of Sherwood, the review and issuance of which will confirm compliance with the applicable signage standards for each use. Specifically because this CUP and SP propose to create a commercial center, all signage will follow signage rules for commercial centers. No signs are proposed with this application. All signs will be reviewed under separate permit consistent with the sign provisions of the SZCDC.

**FINDING:** This criteria is met.

**7. Requirements for the protection and preservation of existing trees, soils, vegetation, watercourses, habitat areas and drainage areas.**

**ANALYSIS:** Although 193 existing trees will be removed to facilitate development of the site as proposed, at least 283 new trees will be installed within the portion of the site proposed for development with these uses. At maturity, these trees are projected to obtain a tree canopy area that exceeds current conditions. Additional landscaping proposed within this portion of the overall site accounts for roughly 118,000 square feet, or approximately 24 percent of the property.

**FINDINGS:** No additional conditions are warranted.

**8. Requirements for design features which minimize potentially harmful environmental impacts such as noise, vibration, air pollution, glare, odor and dust.**

**ANALYSIS:** As previously discussed, no vibration, air pollution, odor, or dust impact is anticipated for the proposed fitness and assisted living/memory care facilities. Noise and lighting impacts are addressed through analysis of consistency with Section 16.82.020.D.1. As noted above and discussed in response to Sections 16.146, 16.148, 16.150, 16.152, and 16.154 that are presented in Part I of this application narrative, adverse impacts related to vibration, air pollution, odors, or dust are not anticipated in relation to the proposed uses.

**FINDINGS:** No additional conditions are warranted.



**16.84 - Variances****16.84.030 - Types of Variances****C. Class A Variances****1. Generally**

- a. **The Class A variance procedure may be used to modify a standard for three (3) or fewer lots, including lots yet to be created through a partition process.**
- b. **An applicant who proposes to vary a standard for lots yet to be created through a subdivision process may not utilize the Class A variance procedure. Approval of a Planned Unit Development shall be required to vary a standard for lots yet to be created through a subdivision process, where a specific code section does not otherwise permit exceptions.**
- c. **A Class A Variance shall not be approved that would vary the "permitted, conditional or prohibited uses" of a land use district.**

**ANALYSIS:** As shown on Exhibit A, Attachment E, Tax Lot 900 exists today. While a lot line adjustment application has been submitted and is under review, it is not effecting the need or extent of the visual corridor proposed to be modified through the variance application. The requested variance is limited to modification of the Visual Corridor standard which does not affect or alter the proposed uses.

**FINDING:** This standard is met.

**3. Approval Criteria: The City shall approve, approve with conditions, or deny an application for a Class A Variance based on the following criteria:**

- a. **The proposed variance will not be materially detrimental to the purposes of this Code, to any other applicable policies and standards, and to other properties in the same land use district or vicinity;**

**ANALYSIS:** The applicant proposes to reduce the 25 foot wide Visual Corridor buffer required along SW Pacific Highway to 12 feet wide on the property (Exhibit B, Attachment E) as required by SZCDC Section 16.142.040a. The code requires the visual corridor to be on private property for commercial developments. The applicant has indicated that the reduction will allow efficient placement of a new retail building along the corresponding frontage of the site, maintain a consistent setback to additional proposed buildings, and enable use of Building C for a wider variety of commercial businesses that rely on a functional drive through to serve customers. Although the width of the visual corridor on private property would be reduced to 12 feet, 10 feet of additional landscaping is proposed between the new sidewalk along SW Pacific Highway and the site within the public right of way abutting the site. Thus, the Visual Corridor buffer would be effectively reduced from 25 feet to 22 feet wide along this portion of the site. This reduces the visual corridor by 12%.

A similar Visual Corridor buffer treatment was approved immediately north of the site for the property that's currently development with the Coffee Cottage (SP 06-12/VAR 06-04), which allowed 14.5 feet of landscaping buffer to be placed between the property line and adjacent public sidewalk. The reduced buffer proposed for the

project site will occupy a length of approximately 75 feet, or roughly eight percent of the sites approximately 915 feet of frontage along SW Pacific Highway. The buffer will remain 25 feet in all other locations. North of Building C the buffer extends to 44 feet for 350 lineal feet of distance. Thus, the reduced buffer will be limited to a small portion of the sites total frontage and be placed near the middle of the site, in a portion of the project effected by a new deceleration lane requirement on Pacific Highway. This minimizes potential adverse impacts on adjacent commercial properties located to the east, north, and south of the site.

SZCDC Section 16.142.040.D limits buildings within the visual corridor. No structures will be within the required corridor; however, the code is silent on driveways and parking within the corridor. Typically, parking is not allowed in the setback in the RC zone.

Improvements proposed within 25 feet of the property line, the areas otherwise required for the Visual Corridor buffer, are limited to the drive-through lane associated with proposed Building C. No structures are proposed in the required buffer area. Landscaping will screen the drive-through and the grade is slightly higher than the street, thus reducing the visual impacts of the drive-through. Cars will be visible until the landscaping reached maturity, however, cars are also visible from other portions of the project site, this the proposed variance will not result in a development pattern or proximity of use that is comparable to what is allowed by the applicable development standards.

The applicant has intentionally placed a cluster of five evergreen trees (Hogan Cedar) which, based on a 15-wide canopy at maturity, are intended to form a dense screen along the portion of the site's frontage where a reduced Visual Corridor buffer is proposed (Exhibit B, Attachment F). Additional landscaping in this area will include contiguous plantings of small and medium stature shrubs to provide low-level screening. This selection and resultant density of landscaping complies with Section 16.142.040.E.

Based on the factors described above, a three-foot-wide reduction to the width of the Visual Corridor along SW Pacific Highway will not result in a materially detrimental impact on employees, customers, and guests who will be working at and visiting the site. The proposed strategic placement of landscaping will have an equal or better ability to buffer the site from potential aesthetic impacts generated by vehicles traveling along SW Pacific Highway, while also buffering pedestrians walking along the new public sidewalk from development-related activities occurring within the site.

The applicant has indicated that allowing reduction to the Visual Corridor buffer, as proposed, will also enable development of the site in an efficient manner that is compatible with surrounding land uses. For example, in addition to the coffee kiosk drive-through mentioned above, a drive-through for the Key Bank located immediately east of the site is within 20 feet of the adjacent public sidewalk, while the Kohl's building and another commercial building to the south of it are also within 20 feet of the sidewalk. As noted above, the site has been designed to maintain a consistent building setback along SW Pacific Highway, providing appropriate visibility of the buildings from the highway for customers, while also retaining an adequate separation from the pedestrian

environment that will extend along the site's frontage. Placement of Building C as proposed also allows the remainder of the site to be designed with an efficient vehicle circulation pattern that provides direct cross-aisle connections through the parking area, rather than having off-sets that could cause safety issues for motorists and pedestrians as they travel through the site. These characteristics are consistent with Commercial Land Use Policies 1, 2, and 3 of Chapter 4 of the Sherwood Comprehensive Plan II, which state the following.

Policy 1 – Commercial activities will be located so as to most conveniently service customers.

Policy 2 – Commercial uses will be developed so as to complement rather than detract from adjoining uses.

Policy 3 – Highway 99W is an appropriate location for commercial development at the highway's intersections with City arterial and major collector roadways.

The degree of flexibility sought by the proposed Variance also aligns with Community Design Policy 4, as referenced below, through applying a creative site design approach that effectively maintains the required separation between the public pedestrian space and new commercial buildings, as well as by providing an equal or greater width of landscaping to buffer and screen the site from the highway.

Policy 4 – Promote creativity, innovation and flexibility in structural and site design.

**FINDING:** Given the analysis, the proposed Variance is consistent with the criterion cited above.

- b. A hardship to development exists which is peculiar to the lot size or shape, topography, or other similar circumstances related to the property over which the applicant has no control, and which are not applicable to other properties in the vicinity (e.g., the same land use district);**

**ANALYSIS:** As shown on Exhibit B, Attachment E, the current east boundary of Tax Lot 900 – along SW Pacific Highway – includes a 10-foot offset that reduces the available depth of the property in order to provide right-of-way for highway improvements. The adjustment in right-of-way width occurs exclusively and abruptly along the frontage of Tax Lot 900, rather than gradually tapering along the lot's frontage and Tax Lots 700 and 800 to the north. This configuration results in a comparatively inefficient use of the right-of-way, as the sidewalk proposed along the site's frontage does not jog abruptly to follow the property line, but, rather, tapers along an alignment that provides a natural path of travel for pedestrians. If the property line mirrored the path of the sidewalk, the proposed site plan would maintain a 22-foot-wide Visual Corridor buffer along this portion of the highway frontage, which would still require approval of an Adjustment but not require consideration of the criterion above. Thus, the need for a Class 'A' Variance is caused by an existing inefficient configuration of public right-of-way that is unique to the subject tax lot.

**FINDING:** This standard is met.

- c. The use proposed will be the same as permitted under this title and City standards will be maintained to the greatest extent that is reasonably possible while permitting reasonable economic use of the land;**

**ANALYSIS:** Approval of the proposed Class A Variance will have no effect on the types of uses occurring at the site. Each of the commercial and retail uses proposed as part of the Site Plan Review and Conditional Use applications is allowed consistent with provisions of the Retail Commercial zone. As demonstrated by those land use requests, the subject site plan and buildings have been designed to achieve compliance with all other applicable development standards.

**FINDING:** This standard is met.

- d. Existing physical and natural systems, such as but not limited to traffic, drainage, natural resources, and parks will not be adversely affected any more than would occur if the development occurred as specified by the subject Code standard;**

**ANALYSIS:** The portion of the site along which reduction of the Visual Corridor buffer is requested does not abut or contain natural resources, drainageways, or parks. It will remain possible to construct all necessary transportation facilities along the frontage of the site, consistent with the applicable design standards for an Arterial Highway, as specified in the Sherwood Transportation System Plan and proposed through the corresponding Site Plan Review application. All new buildings proposed along the frontage of SW Pacific Highway will maintain a 25-foot setback, within which the requisite Visual Corridor buffer will be established – only the minor portion of the Visual Corridor buffer addressed through this application will be effectively reduced to 22 feet. As discussed above, this reduction of three feet in width will not cause adverse impacts on the site or on persons traveling along the highway.

**FINDING:** This standard is met.

- e. The hardship is not self-imposed; and**

**ANALYSIS:** The applicant has explained that the irregular property line along the site's SW Pacific Highway frontage creates site design constraints that are existing and not "self-imposed." The irregular right-of-way is a result of past rights-of-way acquisitions for the highway, and is not the result of the proposed development.

The need for the Variance, however, is due to the location of the proposed Building C. Relocating the structure, and thus, its drive-through, would eliminate the need for the Variance and find the project in full compliance with the Code requirement. However, in an effort to provide the commercial uses intended by the zone and the Comprehensive Plan, while accommodating the many other variables required by the site, including site circulation, all other possible locations for the structure and the drive-through were unsuitable without eliminating a structure and this impacting the marketability of the project.

Additionally, as stated previously, it should be noted that a similar property line off-set exists along the west boundary of the Kohl's property, along which the building is set back by a distance of roughly eight feet. An additional 16 feet of landscaping is present between the property line and the adjacent sidewalk. Thus, the applicant's proposed variance would closely reflect a similar right-of-way condition and development pattern on the opposite side of the highway and maintain consistency in the pattern of structures through Sherwood along SW Pacific Highway.

**FINDING:** This standard is met.

**f. The variance requested is the minimum variance that would alleviate the hardship.**

**ANALYSIS:** In order to provide a 25-foot-wide Visual Corridor buffer along the portion of the site addressed through this application, Building C would need to be shifted west, farther into site, or reduced in area. Both changes would have a negative impact on the project by either reducing the number of available parking spaces, constraining the spectrum of potential commercial businesses that would otherwise be likely to occupy the building, and reducing visibility of the building from the highway – making it more difficult for patrons to find as they're traveling along the highway. The effective three-foot-wide reduction is a reasonable adjustment that is off-set by these benefits.

**FINDING:** This criteria 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 13 acres and is adjacent to existing commercial development to the north and east. Existing residential uses also border the site to the north and west.

As further described below, the commercial and quasi-residential uses and buildings proposed through this application are allowed in the RC zone. Environmental impacts that might result from development of the site with these uses are expected to be negligible based on findings presented below in response to Division VIII of the Sherwood Municipal Code.

**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.**

<b>RESIDENTIAL</b>				
• Residential care facilities	N	N	C	C
<b>COMMERCIAL</b>				
<b>Office and Professional Support services</b>				
• Medical and dental offices and urgent care facilities	P	P	P	P
<b>General Retail - sales oriented</b>				
• General retail trade, not exceeding 10,000 square feet of gross square footage.	P	P	P	P
• General retail trade greater than 10,000 square feet of gross square footage	N	P	P	P

**Personal Services**

- Health clubs and studios greater than 5,000 square feet in size N N C P

**Eating and Drinking establishments**

- Restaurants, taverns, and lounges without drive-thru <sup>7</sup> P C P P
- Restaurants with drive-thru services N N P 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:** With the exception of the assisted living/memory care facility and the 15,000-square-foot fitness use, each of the uses proposed through the subject application is permitted outright in the RC zone. Please see below for additional findings regarding permissibility of the assisted living/memory care facility and the proposed fitness club use. The applicants have obtained written confirmation from City of Sherwood staff that the assisted living/memory care facility is consistent with other use types conditionally permitted in the RC zone (Exhibit A, Attachment R). None of the proposed uses are subject to the additional limitations referenced above.

**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 Exhibit A, Attachments E and J, 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
<b>Lot area</b>	<b>5,000 sq. ft</b>	Each of the lots that will be reconfigured through a concurrently submitted Property Line Adjustment application has been dimensioned to contain substantially more than 5,000 square feet. Tax Lot 700 will remain approximately 2.97 acres, while Tax Lots 800 and 900 will be reconfigured to contain 4.04 acres and 6.38 acres, respectively.
<b>Lot width at front property line</b>	<b>40 ft</b>	Tax Lots 700 and 800 will continue to have at least 40 feet of frontage along a public street as a result of the Property Line Adjustment.
<b>Lot width at building line</b>	<b>40 ft</b>	Each lot is dimensioned to have more than 40 feet of width at the respective building lines.
<b>Front yard setback <sup>9</sup></b>	<b>0</b>	All structures are set back at least 10 feet
<b>When abutting residential zone</b>	<b>Same as abutting residential zone</b>	Tax lot 700 is proposed for the development with the assisted living/memory care facility. As shown on Exhibit A, Attachment E (Sheets C2.1 and A1.0), the building will be set back from SW Edy Road by at least 10 feet. The existing setbacks for the Providence Medical Office building will be maintained along SW Edy Road and SW Pacific Highway, which are currently 10 feet and 43 feet, respectively. New retail buildings proposed within Tax Lot 900 will be set back from SW Pacific Highway by at least 25 feet to provide the required Visual Corridor buffer.
<b>Side yard setback <sup>9</sup></b>	<b>0</b>	No public parks abut the site; Tax Lot 700 and Tax Lot 900 abut the residential properties located immediately west of the site, which are zoned High Density Residential. New buildings proposed on Tax Lot 700 and Tax Lot 900 will be set back from the shared property lines by more than 20 feet, as shown on Exhibit A, Attachment E (Sheets C2.1 and A1.0). Thus, development proposed on these tax lots and Tax Lot 800 will comply with the minimum side and rear yard setbacks allowed in the RC zone.
<b>When abutting residential zone or public park</b>	<b>10 ft</b>	



Development Standard		Facts
<b>Rear yard setback</b> <sup>9</sup>	<b>0</b>	No public parks abut the site; Tax Lot 700 and Tax Lot 900 abut the residential properties located immediately west of the site, which are zoned High Density Residential. New building proposed on Tax Lot 700 and Tax Lot 900 will be set back from the shared property lines by more than 20 feet, as shown on Exhibit A, Attachment E (Sheets C2.1 and A1.0). Thus, development proposed on these tax lots and Tax Lot 800 will comply with the minimum side and rear yard setbacks allowed in the RC zone. Only Tax Lot 800 qualifies as a “corner lot”. Existing setbacks along SW Edy Road and SW Pacific Highway for the Providence Medical Office building are noted above.
<b>When abutting residential zone or public park</b>	<b>10 ft</b>	No public parks abut the site; Tax Lot 700 and Tax Lot 900 abut the residential properties located immediately west of the site, which are zoned High Density Residential. New building proposed on Tax Lot 700 and Tax Lot 900 will be set back from the shared property lines by more than 20 feet, as shown on Exhibit A, Attachment E (Sheets C2.1 and A1.0). Thus, development proposed on these tax lots and Tax Lot 800 will comply with the minimum side and rear yard setbacks allowed in the RC zone. Only Tax Lot 800 qualifies as a “corner lot”. Existing setbacks along SW Edy Road and SW Pacific Highway for the Providence Medical Office building are noted above.
<b>Corner lot</b> <sup>9</sup>	<b>20 ft</b>	Only Tax Lot 800 qualifies as a “corner lot”. Existing setbacks along SW Edy Road and SW Pacific Highway for the Providence Medical Office building are noted above.
<b>Height</b> <sup>10,11</sup>	<b>50 ft</b> <sup>13,14</sup>	As shown on Exhibit A, all portions of the new assisted living/memory care facility that will be within 100 feet of adjacent residential zones are limited to a maximum height of three stories or 40 feet per the definition contained in Section 16.10.020 of the Sherwood Municipal Code. All remaining portions of the building will be less than 50 feet in height, as otherwise allowed in the RC zone. Each of the new commercial/retail buildings proposed on Tax Lot 900 has a maximum height of less than 40 feet and will contain a single story. Pursuant with footnote 13 of the RC zone development standards table, the maximum height of buildings constructed in the RC zone is limited to that of any residential zone boundary within 100 feet. The High Density Residential zone allows structures up to 40 feet or three stories, whichever is less. Portions of “Building A” and the assisted living/memory care facility are proposed within 100 feet of the property line shared with residential properties that abut the site on the west. As shown on Exhibit A, Attachment J (Sheets A1.2, A1.3, A7.4, and A7.5), both these structures have been designed with a maximum height of less than 40 feet or three stories within 100 feet of the residential zones located to the north and west.

- 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 Exhibit A, Attachments E and J, 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, environmental resources, 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 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:** Clear vision areas are not identified on the site plan at the intersections of the proposed driveways and SW Edy Road or SW Pacific Highway, however it appears that adequate space is provided to meet this standard.

**FINDING:** This standard is not met but can be met as conditioned below.

**CONDITION OF APPROVAL:** Submit a Final Site Plan that demonstrates there are no sight obstructing objects within the clear vision area.

## **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 March 28, 2016. In attendance were representatives from Community Development Department, Public Works 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 September 12, 2016, at the Sherwood Performing Arts Center. 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. Minutes of the meeting are available in Exhibit K.

**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 × 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 February 27, 2017.

**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:** Exhibit A, Attachment I 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 has 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).

**ANALYSIS:** As noted above, the site contains a total of 255 existing trees (Exhibit A, Attachment M). A total of 62 of these trees are proposed by the applicant for retention, the majority of which are located along SW Edy Road or within the portion of the site that is currently developed with the Providence Medical Office Building. Approximately 134 of the trees proposed for removal will be replanted on site through installation of 280 deciduous and evergreen trees that will be distributed along the perimeter of the site, around the edge of buildings, and within the vehicle parking areas (Exhibit A, Attachment I).

**FINDING:** As discussed in response to criteria from Section 16.142.070, the number and species of trees proposed for removal will achieve at least 30 percent canopy coverage, thus mitigating the removal of 193 trees from the site.

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:** The applicants propose to retain 62 existing trees within the boundaries of the site, as shown on Exhibit A, Attachment I. A companion arborist report lists the DBH of each tree, which will be utilized to determine credits for the number of medium canopy trees proposed within the site, as may be appropriate in response to other applicable development standards addressed below.

**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.**

**ANALYSIS:** Landscaping coverage calculations presented by the applicant are exclusive of any of the features listed above. The total landscaping coverage exceeds the minimum requirements despite not counting these areas.

**FINDING:** This standard is met.

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.**

**ANALYSIS:** No impervious paving is proposed within the boundaries of the site.

**FINDING:** This standard is not applicable.

**3. Artificial plants are prohibited in any required landscaped area.**

**ANALYSIS:** Artificial plants are not proposed as part of landscaping required to satisfy applicable development standards addressed through this application.

**FINDING:** This standard is met.

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

**A. Perimeter Screening and Buffering**

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

**ANALYSIS:** The west boundary of the site is shared with an existing residential neighborhood accessed from SW Madeira Terrace. The applicants propose to install and/or retain an existing wooden fence along this property line in order to satisfy the standard cited above (Exhibit A, Attachments E and I).

**FINDING:** This standard is met.

- 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.**

**ANALYSIS:** The site is not adjacent to any inventoried environmentally sensitive areas.

**FINDING:** This standard is not applicable.

- 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.**

**ANALYSIS:** The existing wood fence located along the west boundary of the site is continuous and was installed as part of improvements for the residential neighborhood accessed from SW Madeira Terrace. The applicants have not proposed any modifications to this existing fence line. However, staff is proposing a condition of approval that would require the final site plan to include a pedestrian only pass through between the project site and the high density housing to the west. Without this pass through, the residents of the existing high density housing would not have a strong pedestrian link between these compatible uses. The center is intended to be a mixed use project site. This means that there is residential, office



and retail on the same site. The concept of mixed use intends to reduce vehicular traffic by providing a mix of uses such that a resident can walk to get to services, shopping or jobs. Adding a pedestrian walk through helps further these goals. Additionally, the high density housing project to the west attempted to anticipate future circulation needs by running a street stub intended to allow SW Madeira Terrace to circulate into the applicant's project site. However, the applicant's design does not require SW Madeira Terrace for access, nor is the City requiring a connection. This leaves an unbuilt right-of-way, with full dedicated right of way contiguous with the site to the west. This right of way can be used to facilitate a pedestrian connection.

As designed the project does not include breaks in the screening to allow pedestrian access to the site, therefore this standard is not met.

**FINDING:** This standard is not met, but can be met with the inclusion of the following condition of approval.

**CONDITION OF APPROVAL:** The applicant shall provide a pedestrian connection between the residential neighborhood to the north-west of the project site and the commercial portion of the project. Specifically, this access shall be within the existing right of way stub connector for SW Madeira Terrace that will not be used for vehicles. Access shall include all onsite and offsite improvements to assure the connection. The final site plan shall include all improvements for review by the City and shall be constructed prior to occupancy of the Building A.

- 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:** Evergreen hedges are not proposed in order to satisfy the standards cited above.

**FINDING:** This standard is not applicable.

## 2. **Perimeter Landscaping Buffer**

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

**ANALYSIS:** As shown on Exhibit A, Attachment I (Sheets L2.1, L2.2, and L1.0), a perimeter landscape buffer is provided along SW Edy Road, SW Pacific Highway, and along shared property lines along the west and south boundaries of the site. This buffer is at least 10 feet wide, and increases to 25 feet in width along SW Pacific Highway in order to comply with the applicable Visual Corridor standards.

**FINDING:** 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:  $\text{Canopy Factor} = \text{Mature Height (in feet)} \times \text{Canopy Spread (in feet)} \times \text{Growth Rate Factor} \times .01$
- (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 assure all landscape requirements are met.

**FINDING:** This standard is not met but can be met with the following conditions of approval.

**CONDITIONS OF APPROVAL:**

- Submit a Final Landscape Plan that has been verified by a qualified landscape professional.
  - 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:** A total of 36,170 square feet of landscaping is proposed or existing within the boundaries of the proposed parking areas, exclusive of any required perimeter landscaping. Given the 531 parking spaces that are proposed, a total of 24,165 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 Exhibit A, Attachment I (Sheets L1.0, L2.1, and L2.2), 197 “small” trees, 63 “medium” trees, and 21 “large” trees are proposed for installation. The ratios cited above would permit a maximum of 667 parking spaces based on the number of “small,” “medium,” and “large” trees proposed for installation. However, only 531 parking spaces are shown on Exhibit A, Attachment E (Sheets C2.1 and A1.0).

**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 531 proposed parking spaces, the landscaping plans are required to include at least 1,062 shrubs. Exhibit A, Attachment I (Sheets L1.0, L2.1, and L2.2) shows a total of 3,390 small, medium, and large shrubs distributed throughout the project. Landscaping is proposed in front of parking spaces in several locations throughout the site (Exhibit A, Attachment I). 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 (Exhibit A, Attachment I). The proposed density and spacing is anticipated to be 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.

**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.

**FINDING:** These standards are met.

**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.

**ANALYSIS:** The site is zone RC, which is not a residential zone. As discussed above in response to elements of the Commercial Design Criteria Matrix, a majority of new parking rows will have an island once every 10 cars. Only three rows exceed this standard and all of them are existing and located within the portion of the Providence Medical Office parking area that will be retained, approved under a different permit. The site is zone RC, which is not a residential zone.

**FINDING:** This standard is not applicable.

- 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:** Four stormwater bio-swales are proposed as part of the project. Two will be located within the parking area for the assisted living/memory care facility, and two will be located within the parking area for the retail, commercial, and restaurant uses (Exhibit A, Attachments E and I).

**FINDING:** These facilities will be planted consistent with the applicable standards from the Clean Water Services design standards manual. No condition of approval is required because the requirement from CWS would apply with or without a condition of approval.

- 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:** Plantings proposed as the driveway entrances from SW Edy Road and SW Pacific Highway have been selected to maintain minimum sight distances, as required by Section 16.58.010. No modifications are proposed to the existing landscaping located at the northeast corner of the Providence Medical Office building, adjacent to the intersection of SW Edy Road and SW Pacific Highway.

**FINDING:** This standard is met.

## 7. Exceptions

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

**ANALYSIS:** The applicant has indicated that a majority of the existing trees that are located within the boundaries of the site cannot be retained due to the proposed placement of building footprints and vehicle parking and circulation areas; and the available points of access to the site from SW Edy Road and SW Pacific Highway dictate the location of these improvements and leave little to no flexibility for tree retention. The applicants are 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:** All new mechanical equipment, outdoor storage areas, and service and delivery areas will be screened from view from all public streets and adjacent residential zones. Rooftop mechanical equipment will be screened by parapet walls or other design elements that match the building. Trash enclosures are proposed in three areas of the site to satisfy refuse disposal needs of the retail, commercial, and restaurant uses. These enclosures will be constructed with cement block (CMU) and have operable gates. Refuse collection for the assisted living/memory care facility will occur at a collector that will be located at the vehicle access from SW Madeira Terrace. These facilities will be complete screened from view by the building and dense landscaping proposed along the west boundary of the site.

**FINDING:** This standard is met.

## D. Visual Corridors

**Except as allowed by subsection 6. above, new developments shall be required to establish landscaped visual corridors along Highway 99W and other arterial and collector streets, consistent with the Natural Resources and Recreation Plan Map, Appendix C of the Community Development Plan, Part II, and the provisions of**

**Chapter 16.142( Parks, Trees, and Open Space). Properties within the Old Town Overlay are exempt from this standard.**

**ANALYSIS:** The proposed landscaping plans have been designed to provide a 10-foot-wide Visual Corridor along SW Edy Road, and a 25-foot-wide Visual Corridor along SW Pacific Highway, except a small 10 foot section that does not comply along the Highway frontage. The applicant is seeking a variance for this section, see variance findings for more detail. Please see below for additional findings in response to Section 16.142.

**FINDING:** With the approval of a variance, this standard can be 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:** This standard is not met, but can be met with the following condition of approval.

**CONDITION OF APPROVAL:** Prior to occupancy of the last structure in the project, 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:** This standard is not met, but can be met as previously conditioned.

## **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.



**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:** The applicants propose to record a reciprocal access and parking agreement that will allow use of the entire vehicle parking and circulation area by all property owners, tenants, residents, customers, guests, patients, and employees. 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:** A detailed analysis of the minimum number of parking spaces required for the project is provided below. Percentage adjustments based on the square footage of each use are presented consistent with the criterion cited above. The proposed number of off-street parking spaces exceeds the resultant minimum requirement, but 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:** To the extent that the assisted living/memory care facility is considered to be a residential use, all of the required parking spaces will be located within the boundaries of the site. All off-street parking required for the Providence Medical Office and proposed retail, commercial, and restaurant uses will be located within the boundaries of the site. A condition of approval has been proposed to clarify the number of spaces required for car pool and van pool as the number of employees at this stage is not yet known.

**FINDING:** This standard is not met but can be met with the following condition of approval.

**CONDITION OF APPROVAL:** Provide an accurate count of employees for each proposed use/facility with the Final Site Plan. Should the amount of proposed staff exceed 40 for any one specific use, carpool and vanpool parking spaces shall be provided for that use consistent with the requirements of Section 16.94.010.E.3.a.

- 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.
- 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 submitted geotechnical report (Exhibit A, Attachment K). 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, as shown on Exhibit A, Attachments G and I.

**FINDING:** This standard is met.

- 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 Exhibit A, Attachments E, F, and I, 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)

	<b>Minimum Parking Standard</b>	<b>Maximum Permitted Parking Zone A <sup>1</sup></b>	<b>Maximum Permitted Parking Zone B <sup>2</sup></b>
<b>General retail or personal service</b>	<b>4.1 (244 sf)</b>	<b>5.1</b>	<b>6.2</b>
<b>Sports club/recreation facility</b>	<b>4.3 (233 sf)</b>	<b>5.4</b>	<b>6.5</b>
<b>General office</b>	<b>2.7 (370 sf)</b>	<b>3.4</b>	<b>4.1</b>
<b>Eating or drinking establishment</b>	<b>15.3 (65 sf)</b>	<b>19.1</b>	<b>23.0</b>
<b>Fast food drive-thru</b>	<b>9.9 (101 sf)</b>	<b>12.4</b>	<b>14.9</b>
<b>Nursing home</b>	<b>None</b>	<b>None</b>	<b>None</b>

- 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 applicants detailed summary of the off-street parking required for the proposed mixture of uses.

Table 1: Off-street Parking Demand Summary				
Proposed Use and Gross Floor Area (sf)	Parking Demand Ratio	Base Parking Requirement	Adjustment <sup>1</sup> Percentage and Required Parking	Maximum Parking Allowed <sup>2</sup>
Assisted Living/Memory Care (143,400 sf)	NA	98 spaces (proposed)	N/A 98 Spaces	N/A 98 Spaces
Providence Medical Office (42,000 sf)	2.7/1,000 sf	113 spaces	0% 113 spaces	143 spaces
Retail (Buildings B, C, and F) 19,122 sf	4.3/1,000 sf	78 spaces	90% 71 spaces	98 spaces
Fitness (Building A) (15,736 sf)	4.3/1,000 sf	68 spaces	80% 54 spaces	85 spaces
Drive-thru Restaurant (Buildings C and D) (6,330 sf)	9.9/1,000 sf	63 spaces	80% 50 spaces	79 spaces
Restaurant (Building E) (4,945 sf)	15.3/1,000 sf	76 spaces	80% 61 spaces	94 spaces
<b>TOTALS</b>		<b>496 Spaces</b>	<b>447 Spaces</b>	<b>597 Spaces</b>

## NOTES:

<sup>1</sup> Pursuant with Section 16.94.010.C.2.

<sup>2</sup> The subject site is located within one quarter-mile (1/4) of transit services with greater than 20 minute headways.

Thus, as stipulated above, the site is within the boundaries of Zone A with respect to the maximum parking allowed on site.

As shown on Exhibit A, Attachment E (Sheets C2.1, C2.2, and A1.0), the proposed development will contain a total of 526 off-street parking spaces, which is consistent with the minimum number of spaces required and the maximum number of spaces allowed.

Table 1 of Section 16.94.020 does not specify a minimum parking ratio for assisted living/memory care facilities. Parking demand for this use has been determined through parking demand and utilization observed at similar facilities, as documented by the applicants through Exhibit A, Attachment R. Determining the appropriate parking demand ratio in this manner is permitted by Section 16.94.020. Based on the submitted parking demand analysis, it is reasonable to conclude that providing 98 parking spaces in association with the assisted living/memory care facility will satisfy the demand projected from a mixture of 107 assisted living units and 28 beds dedicated to memory care patients.

**FINDING:** This standard is met.

**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.

**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 Exhibit A, Attachment E (Sheets C2.1, C2.2 and A1.0), the proposed parking areas have been designed consistent with the dimensional standards specified above. A total of 94 compact parking stalls are proposed throughout the site, which equates to approximately 18 percent of the 26 spaces that will be available.

**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-swaales 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:** The applicant proposes to use wheelstops with some parking spaces, and also proposes landscaping buffers or internal walkways that are a minimum of three feet wider when wheelstops are not shown.

**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:** Service drives are proposed around the perimeter of Buildings “C” and “D” to facilitate occupancy of all or a portion of those buildings with a drive-thru restaurant. The drives will be demarcated by raised curbs that will border adjacent landscaping buffers.

**FINDING:** As shown on Exhibit A, Attachment E (Sheets C2.1, C2.2, and A1.0), the required vision clearance dimensions will be provided.

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:** On-street parking spaces are not available along portions of SW Edy Road and SW Pacific Highway that front the site. As such, no parking reductions are requested based on the criteria cited above.

**FINDING:** This standard is met.

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 proposed development includes construction of engineering stormwater bio-swales to treat run-off that will be generated post-development. However, 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
<b>Residential Categories</b>	
Group living	1 per 20 auto spaces
<b>Commercial Categories</b>	
Retail sales/service office	2 or 1 per 20 auto spaces, whichever is greater
Commercial parking facilities, commercial, outdoor recreation, major event entertainment	4 or 1 per 20 auto spaces, whichever is greater



**ANALYSIS:** The proposed and existing uses 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 29 stalls, 25 percent of which must be available as “long term” consistent with the criterion cited above.

As shown on Exhibit A, Attachment E (Sheets C2.1 C2.2, and A1.0), six new “U-shaped” racks will be installed throughout the portion of the site that contains retail, commercial, and restaurant uses. One “multi-U” rack with a capacity for eight spaces will be installed near the main entrance to the assisted living/memory care facility, and four racks are currently available near the main entrance to the Providence Medical Office building. The outdoor racks will provide 28 “short term” parking spaces. The applicants propose to provide at least 12 “long term” parking spaces by locating such spaces within the interior of each building. A condition of approval has been proposed to require the locations of the long term bike storage to be shown on the final site plan of development.

**FINDING:** This criteria is not met but can be met with the following condition of approval.

**CONDITION OF APPROVAL:** The applicant shall show all bike rack locations and long term bike storage locations on the final site plans. All locations and the number of 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 proposed and existing bicycle parking spaces have been situated consistent with the dimensional requirements stated above. Exterior lighting that will be placed around each of the buildings and within the parking area will illuminate these areas as well to enhance safety and security.

**FINDING:** This standard is met.

- 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 Exhibit A, Attachment E (Sheets C2.1, C2.2 and A1.0), all "short term" spaces are located within less than 30 feet of a building entrance. Long term spaces are proposed within each of the buildings in order to provide secure parking that is guarded from inclement weather. Long term bicycle parking spaces will be protected from inclement weather as a result of being located inside of buildings.

**FINDING:** This standard is not met but can be met as previously conditioned.

#### **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. There are no commercial buildings larger 20,000 square feet, therefore, no loading areas are proposed, except for the assisted living facility which does feature a loading area that is in full compliance with the standards.

**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:** Off-street loading areas are not anticipated to be necessary for any of the retail, commercial, or restaurant uses. As shown on Exhibit A, Attachment E (Sheets C2.3 and A1.0), the assisted living/memory care facility will include a loading area at the main entrance for residents and guests, as well as service delivery area at the west side of the building. These facilities will not encroach upon the use or circulation other vehicular areas.

**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 Exhibit A, Attachments E and I, an interconnected network of internal walkways is proposed within the site to facilitate safe and convenient pedestrian travel to each of the buildings from adjacent streets that front the site. However, a direct connection between the high density housing project to the north-west and the commercial portion of the project site is not provided. Without this connection, the standard requiring a pedestrian connection to the adjacent residential area is not met.

**FINDING:** This standard is not met but can be met with the following condition of approval.

**CONDITION OF APPROVAL (already introduced but repeated here for clarity):** The applicant shall provide a pedestrian connection between the high density housing project to the north-west of the project site and the commercial portion of the project. Specifically, this access shall be within the existing right of way stub connector for SW Madeira Terrace that will not be used for vehicles. Access shall include all onsite and offsite improvements to assure the connection. The final site plan shall include all improvements for review by the City and shall be constructed prior to occupancy of the Building A.

**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 applicants proposed to record reciprocal access, parking, and maintenance agreements for the site that will allow unrestricted use of the parking and circulation areas. Compliance with this standard can be ensured through review of materials submitted for issuance of site development and building permits. A condition of approval is proposed below to assure this is completed.

**FINDING:** This standard is not met but can be met with the following condition of approval.

**CONDITION OF APPROVAL:** Prior to obtaining building occupancy for the first structure in the project, the applicant shall record a reciprocal access, parking and maintenance agreement prior to the occupancy of any new structure within the project.

**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 applicants propose to record a 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 employees, residents, guests, customers, and patients the ability to efficiently travel to and from the site.

A network of private sidewalks is proposed throughout the site to enable safe and convenient pedestrian travel to each of the buildings from public sidewalks along SW Edy Road and SW Pacific Highway. The entrance of each building is connected to a public sidewalk by an internal private walkway.

**FINDING:** This standard is not met but can be met as previously conditioned.

- 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:** The site currently has three deeded points of access from SW Pacific Highway, and three points of access from SW Edy Road, a collector street. The proposed site plan includes one point of access to the highway that would offer the option of a “right-in” or a “right-in only” turn movements. To have right-in-right-out would require the applicant to construct additional improvements on Pacific Highway, according to ODOT. The traffic study supports either option. If the applicant chooses to do right-in-right-out the offsite improvements costs are simply higher because it would require the construction of an additional lane on Pacific Highway all the way to the next road (going southbound) which is Cedar Brook Way, according to ODOT. Two driveways are shown along SW Edy Road, one of which (intersection at SW Borchers Drive) will be improved with a traffic signal, the second will be for deliveries only to the assisted living facility. An analysis of the proposed driveway is presented in the Traffic Impact Analysis submitted with the application (Exhibit A, Attachment L). The analysis demonstrates that, in addition to access from SW Edy Road, allowing an access from the highway as proposed will improve vehicular circulation to and from the site when compared to a scenario where no access was allowed from the highway.

**FINDING:** This standard is met.

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

**ANALYSIS:** Findings in response to Section 16.94.030 are presented above. This standard is met.

**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 Parking Spaces	# Driveways	Minimum Width	
		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 526 parking spaces will be located within the boundaries of the site. Access from SW Edy Road and SW Pacific Highway shall be facilitated by driveways that are more than 24 feet wide, as shown on Exhibit A, Attachment E (Sheets C2.1, C2.2, C2.3 and A1.0).

**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.**

**ANALYSIS:** As shown on Exhibit A, Attachments E and I, a network of internal walkways is proposed to connect each of the buildings with public sidewalks fronting the site, as well as to provide connectivity between buildings within the site. 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.

**FINDING:** This standard is met.

**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.**

**ANALYSIS:** Each of the proposed internal walkways will be vertically separated from abutting vehicular parking and circulation areas by a six-inch-tall curb, except where walkways must cross through a parking area.

**FINDING:** This standard is met.

- 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.

**ANALYSIS:** 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, as shown on Exhibit A, Attachment E.

**FINDING:** This standard is met.

- 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:** No exceptions to construction of internal walkways are requested by the applicants.

**FINDING:** This standard is not applicable.

#### **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 Exhibit A. Any approval of these plans will require development to follow 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:** As noted above, the applicants propose to utilize joint access for the site. A reciprocal access, parking, and maintenance agreement has been conditioned for the project and will be recorded for relevant portions of the site in order to ensure ongoing shared use. In addition, the site has been designed to facilitate providing a vehicular connection with the parcel immediately south of the site if redevelopment of that property warrants cross-connectivity.

**FINDING:** This standard is not met but can be met as previously conditioned.

#### **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 applicants propose to record a 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 employees, residents, guests, customers, and patients the ability to efficiently travel to and from the site.

A network of private sidewalks is proposed throughout the site to enable safe and convenient pedestrian travel to each of the buildings from public sidewalks along SW Edy Road and SW Pacific Highway. The entrance of each building is connected to a public sidewalk by an internal private walkway.

**FINDING:** This standard is met.

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

**ANALYSIS:** Findings in response to Section 16.94.030 are presented above.

**FINDING:** This standard is met.

### **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 Exhibit A, Attachment E, trash enclosures are proposed in three areas of the site 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. Refuse collection for the assisted living/memory care facility will occur at a collector that will be located at the vehicle access from SW Madeira Terrace. These facilities will be completely screened from view by the building and dense landscaping proposed along the west boundary of the site. Each of 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. See below.

**FINDING:** This standard is not met but can be met with the following conditions of approval.

**CONDITIONS OF APPROVAL:**

- Submit a detail of the trash enclosures with the Final Site Plan. Trash enclosures must be architecturally consistent with the adjacent structure, including finish materials. The two enclosures that front along SW Pacific Highway (west of the medical office building and east of Building C) shall also include landscaping to screen the enclosures when viewed from the adjacent right-of-way.
- Trash enclosures must comply with the following Pride Disposal requirements as outlined in Exhibit D:
  - Inside dimensions: minimum of 20' wide and 10' deep
  - No center post at the access point where the gates close.
  - The gates need to be hinged in front of the enclosure walls to allow for the full 20' width. This will also allow for the 120 degree opening angle that is required.
  - The gates need cane bolts and holes put in place for the gates to be locked in the open and closed position. The holes for the gates to be held open need to be at the full opening angle.
  - Full swing gates required.
  - There must be 25' of overhead clearance.
  - 75' of unobstructed access from the front of the enclosure (no curbs, etc)

**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.**

<i>Type of Street</i>	<i>Right-of-way Width</i>	<i>Number of Lanes</i>	<i>Minimum Lane Width</i>	<i>On Street Parking Width</i>	<i>Bike Lane Width</i>	<i>Sidewalk Width</i>	<i>Landscape Strip (exclusive of Curb)</i>	<i>Median Width</i>
<i>Principal Arterial (99W)</i>	122'	4-6	12'	<i>Prohibited</i>	6'	6'	5'	14'
<i>Collector</i>	58-92'	2-3	11'	<i>8' optional</i>	6'	6-8'	5'	14' median turn lane

**ANALYSIS:** As discussed in greater detail below, street improvements are proposed along the site's SW Edy Road and SW Pacific Highway frontages. These improvements have been designed consistent with the classification of each street that is stipulated in the City of Sherwood Transportation System Plan.

The frontage along SW Edy Road will be improved to contain an additional eastbound travel lane between the intersection as SW Borchers Drive and the western extent of the site. The bike lane, sidewalk, and planter strip will also be provided along the full frontage of the site, consistent with the dimensional standards cited above. In addition, the existing eastbound left-turn lane at the intersection of SW Edy Road and SW Pacific Highway will be lengthened to allow for increase storage capacity for north-bound turns onto the highway (Exhibit A, Attachment E). These proposed improvements will be facilitated by either the dedication of additional right-of-way from the site as part of a Minor Land Partition that will be submitted under separate application at a later date, or through recording a declaration of right-of-way dedication.

Improvements proposed along the site's SW Pacific Highway frontage will include the extension of the existing sidewalk, planter strip, and bike lane to the southern extent of the site. A right-turn/deceleration lane is also proposed to enable safe right turns into the site from the highway.

A second access along SW Edy Road is proposed on the preliminary plan at the northwest corner of the site where an emergency access for the "Madeira" subdivision currently exists. While the applicant and all Exhibits show this access remaining as is, the City has added a condition of approval requiring the access to be closed except for emergency use. This driveway is located directly across from a private street (SW Cherry Orchard Place on the north side of SW Edy Road. Future use for this driveway will be for delivery drop off and for continuing as the emergency access to the "Madeira" subdivision. Currently this driveway is being used as a public street rather than an emergency access. Use as a public street is prohibited since the intersection of this emergency access/driveway is less than 400 feet from SW Houston Drive to the west (approximately 150 feet center line to center line).

**FINDING:** Based on this analysis, the subject proposal is not consistent with the criterion cited above. The project can be consistent with the following conditions of approval.

**CONDITIONS OF APPROVAL:**

- Prior to Grant of Occupancy for any buildings, a locked gate shall be installed off the end of SW Madeira Terrace meeting Sherwood Engineering and Tualatin Valley Fire

and Rescue approval. Said gate shall not preclude pedestrian or bike access, only vehicle access.

- Prior to acceptance of any public improvements on SW Edy Road, the existing street lighting along SW Edy Road shall be replaced with new street lighting in a style in compliance with Sherwood Engineering standards with the construction of the street improvements to SW Edy Road as approved by the City Engineer and ODOT.
- Obtain ODOT approval/permits for any work to be performed within the ODOT right-of-way of Highway 99W or Edy Road.
- All public improvements plans shall comply with the City Engineering Design Manual.
- Prior to Sherwood Engineering Department final acceptance of the public improvements in any phase, the developer shall record any private access and utility easements associated with that phase of development. These easements shall encompass areas of the subject development where use of facilities by multiple properties occurs or where one parcels service is obtained through another parcel.
- Prior to issuing of a building permit, the developer shall execute an Engineering Compliance Agreement for the corresponding phase of development unless otherwise approved by the City Engineer.
- Prior to obtaining building occupancy, final approval of the constructed public improvements shall be obtained from the City of Sherwood Engineering Department for the associated phase of development.
- Prior to obtaining building occupancy within any phase of the development, the developer shall construct traffic signals at the SW Borchers Drive/SW Edy Road intersection and street improvements along SW Edy Road in compliance with the City and ODOT approved public improvement plans.
- Prior to issuing any new building occupancy within the commercial retail center, the developer shall construct required street widening improvements along Highway 99 as approved by ODOT and the Sherwood Engineering Department.

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

- A. Generally. Except as otherwise provided, all developments containing or abutting an existing or proposed street, that is either unimproved or substandard in right-of-way width or improvement, shall dedicate the necessary right-of-way prior to the issuance of building permits and/or complete acceptable improvements prior to issuance of occupancy permits. Right-of-way requirements are based on functional classification of the street network as established in the Transportation System Plan, Figure 15.**

**ANALYSIS:** As noted above, dedication of additional right-of-way that is required to complete improvements along the site's SW Edy Road frontage will occur through recording a declaration of right-of-way dedication. Several conditions of approval are also included that would require construction of street improvements consistent with the plans in Exhibit A.

**FINDING:** This standard will be met as a result recording that dedication instrument.

- B. Existing Streets. Except as otherwise provided, when a development abuts an existing street, the improvements requirement shall apply to that portion of the street right-of-way located between the centerline of the right-of-way and the property line of the lot proposed for development. In no event shall a required**

**street improvement for an existing street exceed a pavement width of thirty (30) feet.**

**ANALYSIS:** As shown on Exhibit A, Attachment E, the proposed street improvements along SW Edy Road and SW Pacific Highway are less than 30 feet in width. Several conditions of approval are also included that would require construction of street improvements consistent with the plans in Exhibit A.

**FINDING:** This standard is met.

**C. Proposed Streets**

1. **Except as otherwise provided, when a development includes or abuts a proposed street, in no event shall the required street improvement exceed a pavement width of forty (40) feet.**
2. **Half Streets: When a half street is created, a minimum of 22 feet of driving surface shall be provided by the developer.**

**ANALYSIS:** No new streets are proposed through this application.

**FINDING:** This standard is 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.**

**ANALYSIS:** As described above, the applicant proposes to complete transportation improvements along SW Edy Road and SW Pacific Highway that are required for consistency with the City of Sherwood Transportation System Plan. Additionally, the applicants propose to install a new traffic signal at the intersection of SW Edy Road and SW Borchers Drive, which is identified in the City of Sherwood Transportation System Plan as an option for achieving expected Level of Service ratings along this collector street and affected intersections. Those improvements have been designed in accordance with the standards referenced above and will be eligible for System Development Charge credits consistent with City of Sherwood provisions. Dedication of additional right-of-way that is required along SW Edy Road in order to complete the proposed improvements will be secured through recording a declaration of right-of-way dedication. Several conditions of approval are also included that would require construction of street improvements consistent with the plans in Exhibit A.

**FINDING:** This standard will be met as a result recording that dedication instrument.

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 applicants are not requesting deferral of street improvements discussed above.

**FINDING:** This standard is 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.

**ANALYSIS:** Street improvements proposed through this application will merely supplement existing streets in order to conform to the corresponding functional classification, as specified in the City of Sherwood Transportation System Plan. The design of those improvements will

comply with the criterion cited above to the extent that the corresponding standards achieve the stated characteristics listed above. No new streets are proposed.

**FINDING:** This standard is met.

**B. Street Connectivity and Future Street Systems**

1. **Future Street Systems. The arrangement of public streets shall provide for the continuation and establishment of future street systems as shown on the Local Street Connectivity Map contained in the adopted Transportation System Plan (Figure 16).**

**ANALYSIS:** The Local Street Connectivity Map (Figure 18 of the Transportation System Plan) does not show the extension of any new Local streets through the site. As noted above, no new streets are proposed through this application. There is a stub at SW Madeira Terrace near proposed building A, however that stub is not shown on Figure 18, Local Street Connectivity, of the Transportation System Plan (TSP). No connection is required by the plan. Again, the project is not proposing to connect using this stub off of SW Madeira Terrace, but this is not an inconsistency with the TSP. Additionally, the project will be using a private drive off of SW Edy Road that is currently called SW Madeira Terrace; however, this existing road was never intended to connect SW Edy Road with the existing housing development. It was intended for emergency access only. It will remain as a delivery access for the assisted living facility but will no longer connect to the housing project to the west for general circulation, only for emergency access as it was always planned to do.

**FINDING:** This standard is met.

2. **Connectivity Map Required. New residential, commercial, and mixed use development involving the construction of new streets shall be submitted with a site plan that implements, responds to and expands on the Local Street Connectivity map contained in the TSP.**

**ANALYSIS:** As noted above, no new streets are proposed through this application.

**FINDING:** This standard is not applicable.

3. **Block Length. For new streets except arterials, block length shall not exceed 530 feet. The length of blocks adjacent to arterials shall not exceed 1,800 feet.**

**ANALYSIS:** As noted above, no new streets are proposed through this application.

**FINDING:** This standard is not applicable.

4. **Where streets must cross water features identified in Title 3 of the Urban Growth Management Functional Plan (UGMFP), provide crossings at an average spacing of 800 to 1,200 feet, unless habitat quality or length of crossing prevents a full street connection.**

**ANALYSIS:** None of the proposed street improvements will require crossing a water feature that is identified in Title 3 of the UGMFP.

**FINDING:** This standard is not applicable.

- 5. Where full street connections over water features identified in Title 3 of the UGMFP cannot be constructed in centers, main streets and station communities (including direct connections from adjacent neighborhoods), or spacing of full street crossings exceeds 1,200 feet, provide bicycle and pedestrian crossings at an average spacing of 530 feet, unless exceptional habitat quality or length of crossing prevents a connection.**

**ANALYSIS:** None of the proposed street improvements will require crossing a water feature that is identified in Title 3 of the UGMFP.

**FINDING:** This standard is not applicable.

- 6. Pedestrian and Bicycle Connectivity. Paved bike and pedestrian accessways consistent with cross section standards in Figure 8-6 of the TSP shall be provided on public easements or right-of-way when full street connections are not possible, with spacing between connections of no more than 300 feet. Multi-use paths shall be built according to the Pedestrian and Bike Master Plans in the adopted TSP.**

**ANALYSIS:** The extension of a new street through the site is not required for consistency with the City of Sherwood Transportation System Plan. Figures 12 and 13 of the Transportation System Plan do not identify any pedestrian or bicycle connectivity projects that affect the site. As previously discussed, a pedestrian only connection is being required between the project site near proposed Building A and the existing high density housing development located to the north west of the project site.

**FINDING:** This standard is met.

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

**ANALYSIS:** The applicants are not requesting exceptions from completing required pedestrian and bicycle transportation improvements.

**FINDING:** This standard is 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.

**ANALYSIS:** In their narrative, the applicant indicated that all utilities would be placed underground except those currently placed on the high voltage line following along SW Pacific Highway. While it is true that there is a high voltage line that spans the property along SW Pacific Highway, in ODOT right-of-way, only the high voltage lines have an exception to the city requirement to place all lines underground. Therefore, staff is proposing a condition of approval to place all utilities, including all fronting SW Pacific Highway (except the high voltage lines) underground. An additional condition of approval is proposed to assure proper easements are recorded.

**FINDING:** With the following conditions of approval, the project is consistent with these code requirements.

**CONDITIONS OF APPROVAL:**

- Prior to grant of occupancy for any buildings, existing overhead utilities along the subject property frontage of Highway 99 shall be relocated underground within the PUE unless otherwise approved by the City Engineer. All new utilities shall be placed underground.
- Prior to Sherwood Engineering Department final acceptance of any constructed public improvements the developer shall dedicate and record right-of-way as required and minimum 8-foot wide PUE for areas along all street frontages where the existing PUE is less than 8-feet consistent with the approved phasing plan unless otherwise approved by the City Engineer.

**D. Additional Setbacks.** Generally additional setbacks apply when the width of a street right-of-way abutting a development is less than the standard width under the functional classifications in Section VI of the Community Development Plan. Additional setbacks are intended to provide unobstructed area for future street right-of-way dedication and improvements, in conformance with Section VI. Additional setbacks shall be measured at right angles from the centerline of the street.

	Classification	Additional Setback
1.	Principle Arterial (99W)	61 feet
3.	Collector	32 feet

**ANALYSIS:** Additional setbacks are not required in order to secure right-of-way that may be needed to complete street improvements. The proposed site plan has been designed to account for dedication of additional right-of-way along SW Edy Road, as noted above.

**FINDING:** This standard is 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.



- A. Reserve Strips.** Reserve strips or street plugs controlling access or extensions to streets are not allowed unless necessary for the protection of the public welfare or of substantial property rights. All reserve strips shall be dedicated to the appropriate jurisdiction that maintains the street.

**ANALYSIS:** No reserve strips or street plugs are proposed or required in conjunction with this application.

**FINDING:** This standard is not applicable.

- B. Alignment.** All proposed streets shall, as far as practicable, be in alignment with existing streets. In no case shall the staggering of streets create a "T" intersection or a dangerous condition. Street offsets of less than one hundred (100) feet are not allowed.

**ANALYSIS:** Proposed street improvements along SW Edy Road and SW Pacific Highway will continue the existing alignment of those streets, as shown on Exhibit A, Attachment E. No new streets are proposed.

**FINDING:** This standard is met.

- C. Future Extension.** Where necessary to access or permit future subdivision or development of adjoining land, streets must extend to the boundary of the proposed development and provide the required roadway width. Dead-end streets less than 100' in length must comply with the Engineering Design Manual. A durable sign must be installed at the applicant's expense. The sign is required to notify the public of the intent to construct future streets. The sign must read as follows: "This road will be extended with future development. For more information contact the City of Sherwood Engineering Department."

**ANALYSIS:** No new streets are proposed or required through this application. Two existing Local streets are currently stubbed to from the residential neighborhood to the west. These are segments of SW Madeira Terrace, one of which connects with a public access easement extending through Tax Lot 800 to SW Edy Road. The easement was dedicated to allow secondary access for emergency service vehicles to the residential neighborhood, but has long since been used by residents as a "street" because a gate was never installed to prevent unrestricted use.

The logical extension of SW Madeira Terrace as a public street through the site would result in connection with SW Edy Road at the SW Borchers Road intersection. However, this configuration would require the dedication of a substantial portion of the site as public right-of-way, and result in creation of an oddly shaped remnant parcel immediately south of SW Edy Road that would be challenging to develop. A more direct connection to SW Edy Road along the current alignment of SW Madeira Terrace would cause it to intersect SW Edy Road within 400 feet of either SW Houston Drive or SW Borchers Road, which would not comply with the minimum separation distance required between street intersections along a Collector, as specified the Sherwood Transportation System Plan. Also, sufficient access to the site can be provided from SW Edy Road without extending SW Madeira Terrace through the site, and adequate access to the residential neighborhood to the west has already been established via

SW Houston Drive and the secondary access easement that connects SW Madeira Terrace with SW Edy Road.

Given these considerations, the applicants have proposed to retain the unrestricted use of the public access easement and driveway that connects SW Madeira Terrace to SW Edy Road as part of proposed site improvements. To facilitate safe pedestrian access, the applicants propose to construct a new raised sidewalk along the west side of the vehicular accessway between SW Madeira Terrace and SW Edy Road.

The City is requiring that a gate be installed to block local access along this private access easement, consistent with the original approval of the housing development (PUD 02-03) located to the rear of the project site. The driveway for SW Madeira Terrace is located directly across from a private street SW Cherry Orchard Place on the north side of SW Edy Road. Future use of this driveway will be for delivery drop off and for continuing as the emergency access to the "Madeira" subdivision. Use as a public street is prohibited, as previously explained, since the intersection of this emergency access/driveway is less than 400 feet from SW Houston Drive to the west (approximately 150 feet center line to center line). A condition of approval has been added to the project to address this concern.

The second public street stub from SW Madeira Terrace currently terminates at the west property boundary, approximately 100 feet north of the southwest corner of Tax Lot 900. Although public right-of-way was dedicated for this street, the "stub" is not improved, except for public utility lines that terminate at the site boundary. An approximately four-foot-tall retaining wall constructed of large rock boulders extends along the site boundary where this "stub" terminates. Continuation of the street through the site has not been identified as necessary by the City of Sherwood, and ODOT has informed the applicants that such street extension would not be supported due to concerns about increased "cut-through" traffic between the residential neighborhood and SW Pacific Highway. Given these considerations, the applicants are not proposing to extend a Local street through the site in this location.

**FINDING:** The project, as designed is not consistent with this requirement; however, with the following condition of approval, the standard can be met.

**CONDITION OF APPROVAL:** Prior to grant of occupancy for any buildings, a locked gate shall be installed off the end of SW Madeira Terrace meeting Sherwood Engineering and Tualatin Valley Fire and Rescue approval. Said gate shall not preclude pedestrian or bike access, only vehicle access.

**D. Intersection Angles. Streets shall intersect as near to ninety (90) degree angles as practical, except where topography requires a lesser angle. In all cases, the applicant shall comply with the Engineering Design Manual.**

**ANALYSIS:** Proposed street improvements along SW Edy Road and SW Pacific Highway will continue the existing alignment of those streets, as shown on Exhibit A, Attachment E. No new streets are proposed.

**FINDING:** This standard is met.

**E. Cul-de-sacs**

1. All cul-de-sacs shall be used only when exceptional topographical constraints, existing development patterns, or compliance with other standards in this code preclude a street extension and circulation. A cul-de-sac shall not be more than two hundred (200) feet in length and shall not provide access to more than 25 dwelling units.
2. All cul-de-sacs shall terminate with a turnaround in accordance with the specifications in the Engineering Design Manual. The radius of circular turnarounds may be larger when they contain a landscaped island, parking bay in their center, Tualatin Valley Fire and Rescue submits a written request, or an industrial use requires a larger turnaround for truck access.
3. Public easements, tracts, or right-of-way shall provide paved pedestrian and bicycle access ways at least 6 feet wide where a cul-de-sac or dead-end street is planned, to connect the ends of the streets together, connect to other streets, or connect to other existing or planned developments in accordance with the standards of this Chapter, the TSP, the Engineering Design Manual or other provisions identified in this Code for the preservation of trees.

**ANALYSIS:** No cul-de-sacs are proposed through this application.

**FINDING:** This standard is not applicable.

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

**ANALYSIS:** In addition to the review of this application by the City Engineer, the applicant will be required to submit for the City Engineer's review final plans for public improvements prior to issuance of construction permits. Compliance with the applicable portions of the Engineering Design Manual will be determined through that process. A condition of approval has been proposed that will assure the requirements of the Engineering Design Manual are met.

**FINDING:** This standard is not met but can be met with the following condition of approval.

**CONDITION OF APPROVAL:** All public improvements plans shall comply with the City Engineering Design Manual.

**G. Streets Adjacent to Railroads. Streets adjacent to railroads shall run approximately parallel to the railroad and be separated by a distance suitable to allow landscaping and buffering between the street and railroad. Due consideration shall be given at cross streets for the minimum distance required for future grade separations and to provide sufficient depth to allow screening of the railroad.**

**ANALYSIS:** A railroad is not adjacent to the site.

**FINDING:** This standard is not applicable.

- H. Buffering of Major Streets.** Where a development abuts Highway 99W, or an existing or proposed principal arterial, arterial or collector street, or neighborhood route, adequate protection for residential properties must be provided, through and local traffic be separated, and traffic conflicts minimized. In addition, visual corridors pursuant to Section 16.142.040, and all applicable access provisions of Chapter 16.96, are to be met. Buffering may be achieved by: parallel access streets, lots of extra depth abutting the major street with frontage along another street, or other treatment suitable to meet the objectives of this Code.

**ANALYSIS:** The proposed site plan accounts for provision of the required Visual Corridors along SW Edy Road and SW Pacific Highway, (Exhibit A, Attachment I). Landscaping proposed within those areas complies with the relevant standards from Section 16.142.040. Additionally, the applicant is seeking a variance to a portion of the visual corridor along Pacific Highway.

**FINDING:** With an approval of the variance, this standard can be met.

- I. Median Islands.** As illustrated in the adopted Transportation System Plan, Chapter 8, median islands may be required on arterial or collector streets for the purpose of controlling access, providing pedestrian safety or for aesthetic purposes.

**ANALYSIS:** Median islands are not proposed or required through this application.

**FINDING:** This standard is met.

- J. Transit Facilities.** Development along an existing or proposed transit route, as illustrated in Figure 7-2 in the TSP, is required to provide areas and facilities for bus turnouts, shelters, and other transit-related facilities to Tri-Met specifications. Transit facilities shall also meet the following requirements:
1. Locate buildings within 20 feet of or provide a pedestrian plaza at major transit stops.
  2. Provide reasonably direct pedestrian connections between the transit stop and building entrances on the site.
  3. Provide a transit passenger landing pad accessible to disabled persons (if not already existing to transit agency standards).
  4. Provide an easement or dedication for a passenger shelter and underground utility connection from the new development to the transit amenity if requested by the public transit provider.
  5. Provide lighting at a transit stop (if not already existing to transit agency standards).

**ANALYSIS:** Based on Figure 14 of the Transportation System Plan, the site is located along a potential future transit route along SW Edy Road. The project was circulated to TriMet for comments, none were received.

**FINDING:** This standard is met.

**K. Traffic Controls**

1. Pursuant to Section 16.106.080, or as otherwise required by the City Engineer, an application must include a traffic impact analysis to determine the number and types of traffic controls necessary to accommodate anticipated traffic flow.
2. For all other proposed developments including commercial, industrial or institutional uses with over an estimated 400 ADT, or as otherwise required by the City Engineer, the application must include a traffic impact analysis to determine the number and types of traffic controls necessary to accommodate anticipated traffic flow.

**ANALYSIS:** Exhibit A, Attachment L presents a Traffic Impact Analysis for the subject Site Plan Review application. The study explains that the subject property is bordered by SW Edy Road (Collector) to the north and northeast. Currently there are 4 access points along SW Edy Road serving the subject property (Providence Health main driveway at SW Borchers Road, Providence Health north driveway, SW Madeira Terrace emergency access and a secondary driveway to the existing home). The proposed preliminary plan shows that the current Providence Health driveway at SW Borchers Road will act as the main access from SW Edy Road for the entire development. This additional traffic accessing SW Edy Road at its intersection with SW Borchers Drive creates the need for a traffic signal at this intersection. Due to the addition of this traffic signal the configuration of SW Edy Road in this area will need to be modified to accommodate traffic through this section of SW Edy Road. A condition of approval has been proposed to assure the traffic signal is constructed to City standards.

**FINDING:** This standard is not met; however, with the following condition of approval, this standard can be met.

**CONDITION OF APPROVAL:** Prior to obtaining building occupancy within any phase of the development, the developer shall construct traffic signals at the SW Borchers Drive/SW Edy Road intersection and street improvements along SW Edy Road in compliance with the City and ODOT approved public improvement plans.

**L. Traffic Calming**

1. The following roadway design features, including internal circulation drives, may be required by the City in new construction in areas where traffic calming needs are anticipated:
  - a. Curb extensions (bulb-outs).
  - b. Traffic diverters/circles.
  - c. Alternative paving and painting patterns.
  - d. Raised crosswalks, speed humps, and pedestrian refuges.
  - e. Other methods demonstrated as effective through peer reviewed Engineering studies.
2. With approval of the City Engineer, traffic calming measures such as speed humps and additional stop signs can be applied to mitigate traffic operations and/or safety problems on existing streets. They should not be applied with new street construction unless approved by the City Engineer and Tualatin Valley Fire & Rescue.

**ANALYSIS:** Traffic volumes and speeds along SW Edy Road and SW Pacific Highway do not warrant installation of such features.

**FINDING:** This standard is not applicable.

- M. Vehicular Access Management.** All developments shall have legal access to a public road. Access onto public streets shall be permitted upon demonstration of compliance with the provisions of adopted street standards in the Engineering Design Manual.
1. **Measurement:** see the following access Point-of-Intersection where P.I. shall be located based upon a 90 degree angle of intersection between ultimate right-of-way lines.
    - a. **Minimum right-of-way radius at intersections shall conform to City standards.**
    - b. **All minimum distances stated in the following sections shall be governed by sight distance requirements according to the Engineering Design Manual.**
    - c. **All minimum distances stated in the following sections shall be measured to the nearest easement line of the access or edge of travel lane of the access on both sides of the road.**
    - d. **All minimum distances between accesses shall be measured from existing or approved accesses on both sides of the road.**
    - e. **Minimum spacing between driveways shall be measured from Point "C" to Point "C" as shown below:**

**ANALYSIS:** Proposed street improvements and points of access to the site have been designed consistent with the standards cited above, as shown on Exhibit A, Attachment E and described in detail below.

**FINDING:** This standard is met.

2. **Roadway Access.** No use will be permitted to have direct access to a street or road except as specified below. Access spacing shall be measured from existing or approved accesses on either side of a street or road. The lowest functional classification street available to the legal lot, including alleys within a public easement, shall take precedence for new access points.
  - a. **Local Streets:** Minimum right-of-way radius is fifteen (15) feet. Access will not be permitted within ten (10) feet of Point "B," if no radius exists, access will not be permitted within twenty-five (25) feet of Point "A." Access points near an intersection with a Neighborhood Route, Collector or Arterial shall be located beyond the influence of standing queues of the intersection in accordance with AASHTO standards. This requirement may result in access spacing greater than ten (10) feet.
  - b. **Neighborhood Routes:** Minimum spacing between driveways (Point "C" to Point "C") shall be fifty (50) feet with the exception of single family residential lots in a recorded subdivision. Such lots shall not be subject to a minimum spacing requirement between driveways (Point "C" to Point "C"). In all instances, access points near an intersection with a Neighborhood Route, Collector or Arterial shall be located beyond the influence of standing queues of the intersection in accordance with AASHTO standards. This requirement may result in access spacing greater than fifty (50) feet.

**ANALYSIS:** The site does not front along or take access from a Local street or Neighborhood Route.

This standard is not applicable.

- C. Collectors: All commercial, industrial and institutional uses with one-hundred-fifty (150) feet or more of frontage will be permitted direct access to a Collector. Uses with less than one-hundred-fifty (150) feet of frontage shall not be permitted direct access to Collectors unless no other alternative exists. Where joint access is available it shall be used, provided that such use is consistent with Section 16.96.040, Joint Access. No use will be permitted direct access to a Collector within one-hundred (100) feet of any present Point "A." Minimum spacing between driveways (Point "C" to Point "C") shall be one-hundred (100) feet. In all instances, access points near an intersection with a Collector or Arterial shall be located beyond the influence of standing queues of the intersection in accordance with AASHTO standards. This requirement may result in access spacing greater than one hundred (100) feet.**

**ANALYSIS:** As shown on Exhibit A, Attachment E, the site has more than 150 feet of frontage along SW Edy Road, which is classified as a Collector street in the Transportation System Plan. The intersection/driveway access at SW Edy Road and SW Borchers Drive is more than 100 feet from the Point of Intersection formed by the right-of-way lines for SW Edy Road and SW Pacific Highway. The next driveway access to the site along SW Edy Road is located at an existing public access easement that functions as the extension of SW Madeira Terrace. It is more than 100 feet from the existing intersection at SW Houston Drive.

**FINDING:** This standard is met.

- d. Arterials and Highway 99W - Points of ingress or egress to and from Highway 99W and arterials designated on the Transportation Plan Map, attached as Figure 1 of the Community Development Plan, Part II, shall be limited as follows:**
- (1) Single and two-family uses and manufactured homes on individual residential lots developed after the effective date of this Code shall not be granted permanent driveway ingress or egress from Highway 99W or arterials. If alternative public access is not available at the time of development, provisions shall be made for temporary access which shall be discontinued upon the availability of alternative access.**

**ANALYSIS:** The subject proposal does not include single or two-family uses or manufactured homes on individual lots.

**FINDING:** This standard is not applicable.

- (2) Other private ingress or egress from Highway 99W and arterial roadways shall be minimized. Where alternatives to Highway 99W or arterials exist or are proposed, any new or altered uses developed after the effective date of this Code shall be required**

**to use the alternative ingress and egress. Alternatives include shared or crossover access agreement between properties, consolidated access points, or frontage or backstage roads. When alternatives do not exist, access shall comply with the following standards:**

**ANALYSIS:** The proposed site plan includes one point of access to the highway that would enable “right-in” or a “right-out” turn movement (different off-site improvements are required depending on the option selected, both are supported by the traffic study). An analysis of the proposed driveway is presented in the Traffic Impact Analysis (Exhibit A, Attachment L). The analysis demonstrates that, in addition to access from SW Edy Road, allowing an access from the highway as proposed will improve vehicular circulation to and from the site when compared to a scenario where no access was allowed from the highway.

**FINDING:** This standard is met.

- (a) Access to Highway 99W shall be consistent with ODOT standards and policies per OAR 734, Division 51, as follows: Direct access to an arterial or principal arterial will be permitted provided that Point 'A' of such access is more than six hundred (600) feet from any intersection Point 'A' or other access to that arterial (Point 'C').**

**ANALYSIS:** The proposed access from SW Pacific Highway is approximately 550 feet from the intersection at SW Edy Road and SW Pacific Highway, and 615 feet from the existing private access that serves Tax Lot 1100 south of the site. As noted above, the site currently takes access from the highway at three separate driveways. Consolidating those existing accesses to the single proposed access and locating it as proposed will require review and approval by ODOT through a “grant of access” review. As ODOT retains jurisdictional authority over operations of and access to SW Pacific Highway, ODOT can determine that locating the proposed access less than 600 feet from the intersection at SW Edy Road and SW Pacific Highway is permissible. The applicants have submitted a “grant of access” permit to ODOT for review and approval. In a letter to the City ODOT indicated that they are comfortable with a right-in-right-out entry on Pacific Highway, with the additional requirement of an extra lane that would have to be constructed by the applicant along the Highway southbound to SW Cedar Brook Way. Alternatively, if the applicant builds only a right-in entry to the site from Pacific Highway the additional lane would not be needed. All other ODOT requirements included in the letter are required regardless of the selected option off of Pacific Highway. The subject Site Plan Review and Conditional Use applications can be conditionally approved by the City of Sherwood on the basis that ODOT also approves the “grant of access” permit.



**FINDING:** The standard is not met; however, with the following condition of approval, the standard can be met.

**CONDITION OF APPROVAL:** Obtain ODOT approval/ permits for any work to be performed within the ODOT right-of-way of Highway 99W or Edy Road.

- (b) **The access to Highway 99W will be considered temporary until an alternative access to public right-of-ways is created. When the alternative access is available the temporary access to Highway 99W shall be closed.**

**ANALYSIS:** The applicant has acknowledged this standard.

- (3) **All site plans for new development submitted to the City for approval after the effective date of this Code shall show ingress and egress from existing or planned local, neighborhood route or collector streets, including frontage or backage roads, consistent with the Transportation Plan Map and Chapter 6 of the Community Development Plan.**

**ANALYSIS:** As shown on Exhibit A, Attachment E, primary access to the site is proposed from SW Edy Road, which is designated as a Collector street in the City of Sherwood Transportation System Plan. An emergency only and delivery access point is located to the west of the proposed assisted living facility on SW Edy Road. A secondary entry to the project site is located on Pacific Highway and will right-in-only or right-in-right-out as previously discussed.

**FINDING:** This standard is met.

**3. Exceptions to Access Criteria for City-Owned Streets**

- a. **Alternate points of access may be allowed if an access management plan which maintains the classified function and integrity of the applicable facility is submitted to and approved by the City Engineer as the access management plan must be included**

**as part of the land use submittal or an application for modification as described in § 16.106.020 E. (Transportation Facilities Modifications).**

- b. **Access in the Old Town (OT) Overlay Zone Access points in the OT Overlay Zone shown in an adopted plan such as the Transportation System Plan, are not subject to the access spacing standards and do not need a variance. However, the applicant shall submit a partial access management plan for approval by the City Engineer. The approved plan shall be implemented as a condition of development approval.**

**ANALYSIS:** The applicants do not request an exception to access criteria for any City-owned streets.

**FINDING:** This standard is 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.**

**ANALYSIS:** The proposed development includes plans to extend sidewalks across all property frontages along public streets, as is shown in the site plans, Exhibit A, Attachment E. Along SW Edy Road, there is currently a sidewalk across the entire property line which includes a planter strip from SW Borchers Drive to the existing property driveway to the northwest. This development includes a proposal to add a vehicular eastbound lane of travel along the property frontage from SW Cherry Orchards Street to SW Borchers Street; in order to widen the street to accommodate the added lane, the existing bike lane and sidewalk must be reconstructed. Additionally, the existing driveway to the northern parking area will be closed. The new proposed sidewalk will extend along the property frontage on SW Edy Road from SW Cherry Orchards Street to SW Borchers Street and will include a landscape planter strip. The existing sidewalk on SW Edy Road from SW Borchers Street to SW Pacific Highway will also be reconstructed to make room for an extended right turn lane into the site from SW Pacific Highway.

Along SW Pacific Highway, an existing sidewalk extends across the frontage of Tax Lot 700. This sidewalk is proposed to be extended along the entire property frontage on SW Pacific Highway. The new proposed sidewalk along Tax Lots 800 and 900 will include planter strips.

Within the new development, sidewalks will be proposed around each new proposed building. The internal sidewalks will connect with each other via marked pedestrian crossings and will connect with the sidewalk along SW Pacific Highway.

Additionally, as previously discussed, a sidewalk is being proposed by staff through the inclusion of a proposed condition of approval that will connect the high density housing to the north-west with the commercial portion of the project site.

**FINDING:** This standard is not met but can be met as previously conditioned.

- 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.**

**ANALYSIS:** The proposed development is located on SW Pacific Highway, however sidewalks are proposed as discussed above.

**FINDING:** This standard does not apply.

- 3. In the case of approved cul-de-sacs serving less than fifteen (15) dwelling units, sidewalks on one side only may be approved by the City Manager or designee.**

**ANALYSIS:** This application does not propose cul-de-sacs serving dwelling units.

**FINDING:** This standard does not apply.

**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.

**ANALYSIS:** The proposed development site has frontage along SW Edy Road, a collector street, and SW Pacific Highway, which is an arterial highway. As is shown in the site plans, Exhibit A, Attachment E, the sidewalks along SW Edy Road are proposed to be 8' in width. According to Figure 16 A of the Sherwood Transportation System Plan, the required right-of way improvements for SW Pacific Highway include a 6' sidewalk; site plans for this area include a 6' sidewalk. ADA accessible ramps will be provided at all intersections.

**FINDING:** These standards are met.

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

**ANALYSIS:** Full street connections for pedestrian and bicycle paths are proposed along SW Edy Road and SW Pacific Highway. This standard does not apply. However, a pedestrian pathway is proposed along the public easement portion of SW Madeira Terrace and a pedestrian connection between the high density housing to the north-west of the site and the commercial portion of the project is proposed for inclusion through a condition of approval.

**FINDING:** This standard is not met; however, with the inclusion of a previous condition of approval, this standard can be met.

**16.106.070 - Bike Lanes**

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

**ANALYSIS:** As is shown on Exhibit A, Attachment E, bicycle lanes will be reconstructed as part of street improvements along SW Pacific Highway and SW Edy Road. Bicycle lanes will be 5' wide along SW Edy Road and 8' wide along SW Pacific Highway. All new bicycle lanes will be separated from the road with a 12" stripe.

**FINDING:** This standard is met.

**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:** This proposed development includes a new direct property approach to SW Pacific Highway and will generate more than 50 peak-hour trips on SW Pacific Highway; therefore, a Traffic Impact Analysis is required. A Traffic Impact Analysis has been provided as Exhibit A, Attachment L.

**FINDING:** This standard is met.

- C. Requirements.** The following are typical requirements that may be modified in coordination with Engineering Staff based on the specific application.
1. **Pre-application Conference.** The applicant shall meet with the City Engineer prior to submitting an application that requires a TIA. This meeting will be coordinated with Washington County and ODOT when an approach road to a County road or Highway 99W serves the property, so that the TIA will meet the requirements of all relevant agencies.

**ANALYSIS:** A pre-application conference was held regarding this project on March 28th, 2016. The Traffic Impact Analysis, Exhibit A, Attachment P, demonstrates compliance with the requirements of all relevant agencies.

**FINDING:** This standard is met.

2. **Preparation.** The TIA shall be prepared by an Oregon Registered Professional Engineer qualified to perform traffic Engineering analysis and will be paid for by the applicant.

**ANALYSIS:** The Traffic Impact Analysis included with this application was prepared by an Oregon Registered Professional Engineer, as is shown in Exhibit A, Attachment L, and will be paid for by the applicant.

**FINDING:** This standard is met.

3. **Typical Average Daily Trips and Peak Hour Trips.** The latest edition of the Trip Generation Manual, published by the Institute of Transportation Engineers (ITE), shall be used to gauge PM peak hour vehicle trips, unless a specific trip generation study that is approved by the City Engineer indicates an alternative trip generation rate is appropriate.

**ANALYSIS:** The Traffic Impact Analysis gauged vehicle trips using the latest edition of the Trip Generation Manual, as is shown in Exhibit A, Attachment L.

**FINDING:** This standard is met.

4. **Intersection-level Analysis.** Intersection-level analysis shall occur at every intersection where the analysis shows that fifty (50) or more peak hour vehicle trips can be expected to result from the development.

**ANALYSIS:** Compliance with this standard is demonstrated in the Traffic Impact Analysis, Exhibit A, Attachment L.

**FINDING:** This standard is met.

5. **Transportation Planning Rule Compliance.** The requirements of OAR 660-012-0060 shall apply to those land use actions that significantly affect the transportation system, as defined by the Transportation Planning Rule.

**ANALYSIS:** The subject application does not include a request to rezone the site to a land use designation other than that anticipated through the City of Sherwood Transportation System Plan. Therefore, the Transportation Planning Rule does not apply.

**FINDING:** This standard is not applicable.

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

**ANALYSIS:** The study area for the Traffic Impact Analysis has been determined through coordination with the City Engineer, and the resultant analysis presented through this application is consistent with the specified scope of study.

**FINDING:** This standard is met.

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

**ANALYSIS:** The analysis period for the Traffic Impact Analysis is described in Exhibit A, Attachment L and complies with the standards cited above.

**FINDING:** This standard is met.

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

**ANALYSIS:** Exhibit A, Attachment L demonstrates that the Traffic Impact Analysis complies with all approval criteria listed in subsection 16.106.080.F.

**FINDING:** This standard is 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:** Currently there are 5 existing locations where 8-inch diameter public sanitary sewers exist that can be connected to for providing service to the subject property (along SW Edy Road north of the subject property, along the northwest side of Highway 99 at the southern corner of the subject property, and 3 stubs along the western side of the subject property as part of the "Madeira" subdivision). The proposed development will install 4" sanitary sewer lines (unless otherwise noted) to connect the proposed buildings to adjacent sanitary sewer mains. Sheet C2.3 in Exhibit A, Attachment G shows all proposed connections. Sanitary sewer service for the Retail site will be provided by an existing sewer manhole at the southwest corner of the retail site. A public sewer easement will be provided from this manhole following a new sewer main parallel to SW Pacific Highway to the new Providence lot line. Sanitary laterals will be provided from each of the new retail buildings to this main, as well as a new line to serve Providence. The sewer service for the existing Providence building will be in conflict with the Assisted Living building; hence a new service is required. The existing Providence sewer lateral will then be used for the Assisted Living building. As necessary, the applicants will record public access and maintenance easements over all new and existing public utility lines that enter or cross through the site to ensure these facilities can be maintained and function properly. Conditions of approval have been added to assure the sewers are installed and functional to comply with the Code requirements.

**FINDING:** This standard is not met; however, with the following conditions of approval, this standard can be met.

#### **CONDITIONS OF APPROVAL:**

- Prior to issuing a building permit within any phase of development, the proposed development shall extend the public sanitary sewer system to provide service to the existing Providence Health building in accordance with Sherwood Engineering standards. This reconnection of the Providence Health sanitary service shall occur prior to abandoning/removing of the existing service which is located within proposed Parcel 1.
- Private sanitary sewer laterals shall be installed in compliance with the current Oregon Plumbing Specialty Code.
- The proposed development shall supply public sanitary service to all parcels of the development meeting Sherwood Engineering standards.
- Prior to approval of any public improvement plans, a public improvement phasing plan shall be submitted and approved by the Sherwood Engineering Department.
- Prior to the commencement of the design of any public improvements, the developer shall

attend a predesign meeting with the Sherwood Engineering Department.

- Compliance Agreements for construction of all the public improvements shall be issued consistent with an approved public improvement phasing plan which has been reviewed and approved by the Sherwood Engineering Department. All public improvements shall conform to the City of Sherwood engineering design and construction standards, or ODOT engineering design and construction standards if within ODOT right-of-way.
- Prior to issuing of any building permits based on the approved phasing plan, any septic system within the subject property shall either be abandoned/removed in accordance with all applicable regulations.
- Prior to acceptance of any constructed public infrastructure improvements on any private property, consistent with the approved public improvement phasing plan and related Compliance Agreement, public utility easements shall be recorded with proof of recording provided to the City.

#### **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 C2.3 of Exhibit A, Attachment G. A Clean Water Services letter is included as Exhibit A, Attachment Q. The utilities plan was designed in accordance with the Sanitary Sewer Service Plan Map in the Sanitary Sewer Master Plan.

**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:** The applicant has acknowledged this.

#### **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 subsequent to 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:** A 10-inch diameter water main exists within SW Edy Road north of the subject property and there is a 10-inch diameter main on the northwest side of Highway 99 at the southern corner of the subject property. There are also a 12-inch, 8-inch and 4-inch diameter water lines stubbed from SW Madeira Terrace to the western side of the subject property. As is shown in the utilities plan (sheet C2.3 in Exhibit A, Attachment G), a new 8-inch diameter public water line will be extended into the site from an existing line located in SW Madeira Terrace. This new line will replace the existing line that extends into Tax Lot 700 from SW Edy Road. The water line will form a loop on site connecting to the existing public waterline in SW Madeira Terrace in two locations – one location being where SW Madeira Terrace makes a 90-degree bend on site and the other approximately 430 feet southwest. The waterline loop through the site will be public and will be in a 15-foot easement. There will be separate waterline taps to each of the buildings for a fire water vault and a domestic water service. The water service for the existing Providence building will be in conflict with the Assisted Living building, so a new service is required for Providence. The existing Providence building will also get a new connection from the new water loop for a fire water vault and a domestic water service. The assisted Living facility will then use the existing Providence fire and domestic water services.

All of the existing and proposed buildings will be provided with separate water meters and private service lines that connect to the new 8-inch diameter public line. Fire hydrants and water lines were designed in conformance with city and fire district standards. As necessary, the applicants will record public access and maintenance easements over all new and existing public utility lines that enter or cross through the site to ensure these facilities can be maintained and function properly. Conditions of approval have been added to assure water supply is provided to the project site in accordance with all City and CWS requirements.

**FINDING:** This standard is not met; however, with the following conditions of approval, this standard can be met.

#### **CONDITIONS OF APPROVAL:**

- Private water service laterals shall be installed in compliance with the current Oregon Plumbing Specialty Code.
- The developer shall adhere to the conditions of the Clean Water Services Service Provider Letter dated March 30, 2017.
- Prior to issuance of a building permit for each building, water flows calculations (domestic, irrigation and fire) for the building seeking a permit shall be provided by the developer to the Building Department. Approval of the water flows calculations by Sherwood Public

Works is required prior to issuance of a building permit.

- Prior to issuing a building permit within any phase of development, the subject development shall provide service for the existing Providence Health building to the new public water line in accordance with Sherwood Engineering standards. This reconnection of the Providence Health water service shall occur prior to abandoning/removing of the existing service which is located within the northwestern parcel.
- Prior to issuing any building permits based on the approved phasing plan of the development, any active water well on the site shall either be either abandoned or isolated/maintained in accordance with all applicable regulations.
- Prior to Sherwood Engineering Department final acceptance of the public improvements, the proposed development shall install a new public water mainline through the subject property to connect the 10-inch water line at Highway 99 to the 10-inch water line in SW Edy Road and to the 12-inch water line within SW Madeira Terrace. A 20-foot wide recorded public water line easement is required for this line meeting the approval of the Sherwood Engineering Department. The public water line work shall be phased in accordance with the phasing plan approved by the Sherwood Engineering Department.
- Prior to grant of occupancy for each building, the proposed development shall supply domestic, irrigation and fire water to each parcel of the development as needed meeting Sherwood Engineering standards.
- Prior to grant of occupancy for each building, domestic water service for each building shall have a backflow device or reduced pressure backflow assembly installed meeting the approval of the Sherwood Public Works Department.
- Prior to Sherwood Engineering Department final approval of the constructed public improvements (on-site public utilities), the developer shall obtain all necessary permits from ODOT for all improvements affecting ODOT right-of-way (street improvements, utilities, storm discharge, etc.).
- Prior to approval of any public improvement plans, a public improvement phasing plan shall be submitted and approved by the Sherwood Engineering Department.
- Prior to the commencement of the design of any public improvements, the developer shall attend a predesign meeting with the Sherwood Engineering Department.
- Compliance Agreements for construction of all the public improvements shall be issued consistent with an approved public improvement phasing plan which has been reviewed and approved by the Sherwood Engineering Department. All public improvements shall conform to the City of Sherwood engineering design and construction standards, or ODOT engineering design and construction standards if within ODOT right-of-way.
- Prior to acceptance of any constructed public infrastructure improvements on any private property, consistent with the approved public improvement phasing plan and related Compliance Agreement, public utility easements shall be recorded with proof of recording provided to the City.

#### **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 plans (sheet C2.3 in Exhibit A, Attachment G) were designed to be consistent with the City of Sherwood Code, the Water System Master Plan, the City's Design and Construction Manual, and with other 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 proposed development complies with requirements of Chapter 16.116, the applicable portions of Chapter 7 of the Community Development Plan, and the Fire District. New fire hydrants are proposed internal to the site and spaced to provide necessary coverage for fire apparatus response. All new buildings constructed at the site will include automatic fire suppression systems. A recently completed fire flow pressure test demonstrates that existing lines that will serve the site have adequate capacity to meet fire protection demand.

**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 subsequent to 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:** Currently there are 3 locations of discharge for the subject property. There is an 18-inch diameter storm sewer at the northwest corner of the site, a ditch along the northwest side of Highway 99 on the southern end of the property and a 15-inch diameter pipe within SW Madeira Terrace. The 15-inch diameter storm sewer within SW Madeira Terrace is currently treated by an extended dry pond. The utility plans (sheet C2.3 in Exhibit A, Attachment G) show how the proposed development will connect with adjacent stormwater facilities. There is an existing storm line that runs along the eastern lot line. The eastern portion of the site will connect to the existing storm line via new and existing manholes near the eastern lot line. The proposed senior housing at the northwest portion of the site will connect to an existing 8" sewer

line that runs along the lot line near SW Edy Road. New water quality and detention facilities are proposed to manage run-off from the site in a manner that is consistent with applicable Clean Water Services (CWS) design standards. Proposed conditions of approval have been added to the project to assure the CWS standards are met. CWS requested a Storm Water Connection Permit Authorization be obtained that include the following:

- a. Detailed plans prepared in accordance with Chapter 2, Section 2.04.
- b. Detailed grading and erosion control plan. An Erosion Control Permit will be required. Area of Disturbance must be clearly identified on submitted construction plans. If site area and any offsite improvements required for this development exceed one-acre of disturbance, project will require a 1200-CN Erosion Control Permit. If site area and any offsite improvements required for this development exceed five-acres of disturbance, project will require a 1200-C Erosion Control Permit.
- c. Detailed plans showing each lot within the development having direct access by gravity to public storm and sanitary sewer.
- d. Provisions for water quality in accordance with the requirements of the above named design standards. Water Quality is required for all new development and redevelopment areas per R&O 07-20, Section 4.05.5, Table 4-1. Access shall be provided for maintenance of facility per R&O 07-20, Section 4.02.4.
- e. If use of an existing offsite or regional Water Quality Facility is proposed, it must be clearly identified on plans, showing its location, condition, capacity to treat this site and, any additional improvements and/or upgrades that may be needed to utilize that facility.
- f. If private lot LIDA systems proposed, must comply with the current CWS Design and Construction Standards. A private maintenance agreement, for the proposed private lot LIDA systems, needs to be provided to the City for review and acceptance.
- g. Show all existing and proposed easements on plans. Any required storm sewer, sanitary sewer, and water quality related easements must be granted to the City.
- h. Application may require additional permitting and plan review from the District's Source Control Program. For any questions or additional information, please contact Source Control at (503) 681-5175.
- i. Any proposed offsite construction activities will require an update or amendment to the current Service Provider Letter for this project.

**FINDING:** This criterion is not met but can be met with the following conditions of approval.

**CONDITIONS OF APPROVAL:**

- Prior to Sherwood Engineering Department approval of the public improvement plans, a Storm Water Connection Permit Authorization shall be obtained as necessary for work associated based on the approved phasing plan.
- Prior to issuing a building permit within any phase of development, the proposed development shall extend the public storm sewer system to provide service to the existing Providence Health building/parking lot in accordance with Sherwood Engineering standards. This reconnection of the Providence Health storm service with water quality treatment shall occur prior to abandoning/removing of the existing service which is located within proposed Parcel 1.
- Prior to Sherwood Engineering Department final approval of private Stormwater Quality and Detention Facilities constructed relative to the approved phasing plan, the developer shall record a Private Stormwater Facility Access and Maintenance Covenant covering

private water quality and detention facilities. An Operations and Maintenance Plan shall also be required for all private water quality and detention facilities.

- Prior to Sherwood Engineering Department final approval of the constructed public improvements (on-site public utilities), the developer shall obtain all necessary permits from ODOT for all improvements affecting ODOT right-of-way (street improvements, utilities, storm discharge, etc.).
- Prior to grant of occupancy for any building, the developer shall detain storm water in compliance with Clean Water Services standards meeting the approval of ODOT for any storm water to be discharged to ODOT right-of-way from the subject property.
- Prior to grant of occupancy for any building, the developer shall detain storm water in compliance with Clean Water Services standards meeting the approval of ODOT for any storm water to be discharged to ODOT right-of-way from the subject property.
- Prior to grant of occupancy for any building, the proposed development shall provide storm sewer improvements as needed to serve new street widening improvements and service all parcels within the subject development meeting Sherwood Engineering standards.
- Prior to grant of occupancy for any building, any private storm sewer services shall be installed in compliance with the current Oregon Plumbing Specialty Code.
- No additional impervious area may be drained into the “Madeira” subdivision water quality pond without analysis showing that the water quality pond and water quality manhole has adequate capacity or can be modified to have adequate capacity for the additional flows. If this option is utilized, any analysis and submitted calculations must be performed and stamped by a Professional Civil Engineer registered in the State of Oregon.
- Prior to approval of any public improvement plans, a public improvement phasing plan shall be submitted and approved by the Sherwood Engineering Department.
- Prior to the commencement of the design of any public improvements, the developer shall attend a predesign meeting with the Sherwood Engineering Department.
- Compliance Agreements for construction of all the public improvements shall be issued consistent with an approved public improvement phasing plan which has been reviewed and approved by the Sherwood Engineering Department. All public improvements shall conform to the City of Sherwood engineering design and construction standards, or ODOT engineering design and construction standards if within ODOT right-of-way.
- Prior to Sherwood Engineering Department approval of the public improvement plans and issuance of a Compliance Agreement relative to the phasing plan, the developer shall obtain an DEQ NPDES 1200C permit from CWS for the entire site development.
- Prior to acceptance of any constructed public infrastructure improvements on any private property, consistent with the approved public improvement phasing plan and related Compliance Agreement, public utility easements shall be recorded with proof of recording provided to the City.
- Prior to grant of occupancy for any building, the developer shall provide water quality treatment for all new/redeveloped impervious area constructed unless otherwise approved by the City Engineer and 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:** New water quality and detention facilities are proposed to manage run-off from the site in a manner that is consistent with applicable Clean Water Services standards. No upstream discharges flow through the site. The existing downstream facilities are anticipated to have sufficient capacity for run-off released from the site, as demonstrated by the review by Sherwood's Engineering department. The proposed stormwater system has been designed to include treatment and detention facilities, as run-off from portions of the site (i.e., the retail, commercial, and restaurant uses, and reconstructed portions of the Providence Medical Office parking area) will drain to and existing stormwater system in SW Pacific Highway that is under ODOT's jurisdiction. Detention is also provided for run-off that will drain from the assisted living/memory care facility and the existing Providence building to existing lines in SW Edy Road. Infiltration facilities are proposed in both basins of the site, which, in combination with the detention facilities, will ensure that stormwater released from the site will occur at rates lower than existing conditions.

**FINDING:** This standard is not met; however, it can be met as previously conditioned to require full compliance of the final stormwater design with City and CWS standards.

#### **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 subsequent to 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:** There is an existing 8-inch water line running along SW Madeira Terrace, which will provide an adequate supply for fire protection, with the inclusion of additional required fire hydrants. This line is within 250' of the site. There are four existing fire hydrants on site that will be retained, and three new fire hydrants are proposed. The three proposed hydrants are located on curbs in front of the proposed new buildings. All fire protection facilities were designed in compliance with the City of Sherwood Development Code, Chapter 7 of the Community Development Plan, and other applicable City standards. Compliance with these standards is demonstrated on sheets C2.3 of Exhibit A, Attachment G. Recent fire flow test results for the site, provided as Exhibit A, Attachment O, demonstrate compliance with this standard. The fire hydrant test shows a residual 45 psi from the hydrant while flowing. All new and existing fire

hydrants on site will be easily accessible by District firefighting equipment. The utility plan, sheet C2.3 in Exhibit G, shows the location of and access routes for all new and existing fire hydrants. As shown in the plans, all hydrants will be located on curbs directly adjacent to paved roads or drive aisles, which will remain unobstructed. Where fire hydrants are located internal to the site, drive aisles will have adequate width, height clearance, and ingress and egress to allow for the maneuvering of District firefighting equipment. Vehicle parking areas on site will not obstruct the movement of firefighting equipment.. The existing fire hydrant is located in the parking aisle west of the existing Providence building. All fire hydrants located will be located on curbs that will be painted appropriately to indicate parking is prohibited for 15' in either direction. The Tualatin Valley Fire and Rescue has also provided a letter with requirements to assure the project is constructed to their standards. A condition of approval has been added to assure compliance.

**FINDING:** This standard is not met but can be met with the following conditions of approval.

**CONIDITIONS OF APPROVAL:**

- Prior to grant of occupancy for each building, the proposed development shall supply domestic, irrigation and fire water to each parcel of the development as needed meeting Sherwood Engineering standards.
- Prior to grant of occupancy for each building, if on-site fire protection is required, backflow protection meeting Sherwood Engineering Department standards shall be installed by the developer, and inspected and approved by the Sherwood Public Works Department.
- The applicant shall comply with the following as well as comply with all standards included in the Tualatin Valley Fire and Rescue letters (one for the assisted living facility, the other for the commercial portion of the project), both dated March 23, 2017 and attached as Exhibit C:
  - a. **COMMERCIAL BUILDINGS – REQUIRED FIRE FLOW:** The minimum fire flow and flow duration shall be determined in accordance with OFC Table B105.2. The required fire flow for a building shall not exceed the available GPM in the water delivery system at 20 psi residual. (OFC B105.3)
 

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

    - The maximum needed fire flow shall be 3,000 GPM, measured at 20 psi residual pressure.
    - Tualatin Valley Fire & Rescue does not adopt Occupancy Hazards Modifiers in section B105.4-B105.4.1
  - b. **FIRE FLOW WATER AVAILABILITY:** Applicants shall provide documentation of a fire hydrant flow test or flow test modeling of water availability from the local water purveyor if the project includes a new structure or increase in the floor area of an existing structure. Tests shall be conducted from a fire hydrant within 400 feet for commercial projects, or 600 feet for residential development. Flow tests will be accepted if they were performed within 5 years as long as no adverse modifications have been made to the supply system. Water availability information may not be required to be submitted for every project. (OFC Appendix B) Provide documentation of fire hydrant flow test.
  - c. **WATER SUPPLY DURING CONSTRUCTION:** Approved firefighting water supplies shall be installed and operational prior to any combustible construction or storage of combustible materials on the site. (OFC 3312.1)



**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:** This proposed development requires two public utility easements, which are shown in the utility plans (Attachment A, Sheet C2.3 in Exhibit G). A new waterline is proposed to connect the existing 8" waterlines in SW Edy Road and SW Madeira Terrace to Buildings C, D, E, and F. As is shown in the plans, a 20-foot-wide easement will be provided over the proposed water line connection, and a 10-foot wide easement is proposed over the sewer line. Both easements were designed in compliance with the City of Sherwood Development Code, and applicable utility company and City standards. The applicant has indicated that no undergrounding of utilities is required; however, Staff is proposing a condition of approval to require all utilities except high voltage lines to be placed under ground. The eventual determination will be made by ODOT on their street frontage.

**FINDING:** This standard is not met, however, with the inclusion of conditions below, this standard is met.

**CONDITIONS OF APPROVAL:**

- Prior to approval of any public improvement plans, a public improvement phasing plan shall be submitted and approved by the Sherwood Engineering Department.
- Prior to grant of occupancy for any buildings, existing overhead utilities along the subject property frontage of Highway 99 shall be relocated underground within the PUE unless otherwise approved by the City Engineer. All new utilities shall be placed underground.

- Prior to the commencement of the design of any public improvements, the developer shall attend a predesign meeting with the Sherwood Engineering Department.
- Compliance Agreements for construction of all the public improvements shall be issued consistent with an approved public improvement phasing plan which has been reviewed and approved by the Sherwood Engineering Department. All public improvements shall conform to the City of Sherwood engineering design and construction standards, or ODOT engineering design and construction standards if within ODOT right-of-way.
- Prior to acceptance of any constructed public infrastructure improvements on any private property, consistent with the approved public improvement phasing plan and related Compliance Agreement, public utility easements shall be recorded with proof of recording provided to the City.

#### **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:** The site is served by the overhead power lines that run along SW Pacific Highway. As was explained in the Pre-Application conference (Exhibit A, Attachment P) the power lines along SW Pacific Highway are high voltage and are not required to be undergrounded. This exception therefore applies to this project, for the high voltage lines, but not for any other utilities located along the frontage. See text above.

**FINDING:** This standard is not met, however, with the inclusion of the previous condition of approval, this standard can be 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:** As documented through the tree survey and arborist report submitted with the application, the site contains trees that are subject to regulation through Chapter 16.142. Additionally, the site has frontage along SW Edy Road, a collector street, and SW Pacific Highway, an arterial highway, new development along which must provide Visual Corridor landscape buffering.

**FINDING:** These standards are addressed below.

**16.142.040 - Visual Corridors**

- A. Corridors Required.** New developments located outside of the Old Town Overlay with frontage on Highway 99W, or arterial or collector streets designated on Figure 8-1 of the Transportation System Plan shall be required to establish a landscaped visual corridor according to the following standards:

	<b>Category</b>	<b>Width</b>
<b>1.</b>	<b>Highway 99W</b>	<b>25 feet</b>
<b>3.</b>	<b>Collector</b>	<b>10 feet</b>

In residential developments where fences are typically desired adjoining the above described major street the corridor may be placed in the road right-of-way between the property line and the sidewalk. In all other developments, the visual corridor shall be on private property adjacent to the right-of-way.

- B. Landscape Materials.** The required visual corridor areas shall be planted as specified by the review authority to provide a continuous visual and/or acoustical buffer between major streets and developed uses. Except as provided for above, fences and walls shall not be substituted for landscaping within the visual corridor. Uniformly planted, drought resistant street trees and ground cover, as specified in Section 16.142.060, shall be planted in the corridor by the developer. The improvements shall be included in the compliance agreement. In no case shall trees be removed from the required visual corridor.
- C. Establishment and Maintenance.** Designated visual corridors shall be established as a portion of landscaping requirements pursuant to Chapter 16.92. To assure continuous maintenance of the visual corridors, the review authority may require that the development rights to the corridor areas be dedicated to the City or that restrictive covenants be recorded prior to the issuance of a building permit.
- D. Required Yard.** Visual corridors may be established in required yards, except that where the required visual corridor width exceeds the required yard width, the visual corridor requirement shall take precedence. In no case shall buildings be sited within the required visual corridor, with the exception of front porches on townhomes, as permitted in Section 16.44.010(E)(4)(c).
- E. Pacific Highway 99W Visual Corridor**
- 1.** Provide a landscape plan for the highway median paralleling the subject frontage. In order to assure continuity, appropriate plant materials and spacing, the plan shall be coordinated with the City Planning Department and ODOT.
  - 2.** Provide a visual corridor landscape plan with a variety of trees and shrubs. Fifty percent (50%) of the visual corridor plant materials shall consist of groupings of at least five (5) native evergreen trees a minimum of ten (10) feet in height each, spaced no less than fifty (50) feet apart, if feasible. Deciduous trees shall be a minimum of four (4) inches DBH and twelve (12) feet high, spaced no less than twenty-five (25) feet apart, if feasible.

**ANALYSIS:** The proposed site plan has been designed to provide a 10-foot-wide landscaped Visual Corridor along SW Edy Road, as well as a 25-foot-wide landscaped Visual Corridor along SW Pacific Highway (Exhibits E and I) along most of the subject property. A small area does not comply and the applicant is therefore proposing a variance. Detailed findings for the variance are found above. Tree, shrub, and groundcover species proposed within the Visual Corridor buffers have been selected and placed to comply with the standard cited above, as shown on Exhibit A, Attachment I. Ongoing maintenance of the Visual Corridors will be the responsibility of the property owners and building tenants. Should there be any issues, Code Enforcement will get involved and assure the visual corridor is maintained. The required Visual Corridor widths along SW Edy Road and SW Pacific Highway exceed the corresponding minimum setbacks of the RC zone. Building placement has been adjusted accordingly such that none of the proposed or existing buildings are located within either Visual Corridor. Please see the findings for the Variance above. The majority of the project is compliant with this requirement, however a small portion of the site, along a drive-through for Building C is the subject of the Variance application as it does not meet the standard. Additionally, the preliminary landscape plans show, diagrammatically, where trees will be planted and the size. No notes are included detailing the specific sizes and distances between. While it appears that the requirements of this standard are complied with, more detailed information will be required on the final landscape plans to assure this standard is met. A condition of approval is included to clarify this.

**FINDING:** This standard is not met; however, with the approval of the Variance application, and the conditions of approval below, this standard can be met.

**CONDITIONS OF APPROVAL:**

- Prior to final site plan approval provide landscape plans that include detailed information including tree sizes, types, distances apart, density, and all other detailed information required to assure full compliance with the City planting requirements.
- The applicant or successor in interest shall be responsible to maintain all landscaping, to the quality of the original plantings, into perpetuity.

**16.142.050 - Park Reservation**

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

**ANALYSIS:** The subject site does not contain any portion of an area designated on the Natural Resources and Recreation Map.

**FINDING:** This standard is not applicable.

**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:** As shown on Exhibit A, Attachment I, new street trees are proposed along the SW Edy Road and SW Pacific Highway frontages of the subject site. Installation will occur either within new planter strips or behind the public sidewalk and within the front setback area. Selected species of street trees are consistent with the adopted listed contained in Section 16.142.080, as shown on Exhibit A, Attachment I. Unless required otherwise, two inch caliper trees will be installed as part of site development activities. Selected street tree species have been spaced consistent with the specifications contained in Section 16.142.080, as shown on

Exhibit A, Attachment I. Proposed tree spacing along SW Edy Road and SW Pacific Highway is shown on Exhibit A, Attachment I at less than 40 feet on center. The applicants do not request any exceptions from that maximum spacing distance. Coordination with ODOT will determine the ultimate location and spacing of trees to be installed along SW Pacific Highway.

**FINDING:** These standards are met.

- B. Removal and Replacement of Street Trees.** The removal of a street tree shall be limited and in most cases, necessitated by the tree. A person may remove a street tree as provided in this section. The person removing the tree is responsible for all costs of removal and replacement. Street trees less than five (5) inches DBH can be removed by right by the property owner or his or her assigns, provided that they are replaced. A street tree that is removed must be replaced within six (6) months of the removal date.
1. **Criteria for All Street Tree Removal for trees over five (5) inches DBH.** No street tree shall be removed unless it can be found that the tree is:
    - a. Dying, becoming severely diseased, or infested or diseased so as to threaten the health of other trees, or
    - b. Obstructing public ways or sight distance so as to cause a safety hazard, or
    - c. Interfering with or damaging public or private utilities, or
    - d. Defined as a nuisance per City nuisance abatement ordinances.

**ANALYSIS:** Six existing street trees are proposed for replacement along the SW Edy Road frontage of the site. The trees range in size from approximately six inches to 10 inches in trunk diameter. Each of the trees is located within an existing planter strip that will be reconstructed in order to add the second eastbound travel lane along SW Edy Road, consistent with the City of Sherwood's Transportation System Plan. As shown on Exhibit I, 20 Linden trees are proposed for installation along the SW Edy Road frontage of the site, six of which will replace the existing street trees described above.

**FINDING:** This standard is met.

2. **Street trees between five (5) and ten (10) inches DBH may be removed if any of the criteria in 1. above are met and a tree removal permit is obtained.**
  - a. **The Tree Removal Permit Process is a Type I land use decision and shall be approved subject to the following criteria:**
    - (1) The person requesting removal shall submit a Tree Removal Permit application that identifies the location of the tree, the type of tree to be removed, the proposed replacement and how it qualifies for removal per Section 1. above.
    - (2) The person shall post a sign, provided by the City, adjacent to the tree for ten (10) calendar days prior to removal that provides notice of the removal application and the process to comment on the application.
    - (3) If an objection to the removal is submitted by the City or to the City during the ten (10) calendar day period, an additional evaluation of the tree will be conducted by an arborist to determine whether the tree meets the criteria for street tree removal in Section 1. above. The person requesting the Tree Removal Permit shall be

responsible for providing the arborist report and associated costs.

- (4) Upon completion of the additional evaluation substantiating that the tree warrants removal per Section 1. above or if no objections are received within the ten-day period, the tree removal permit shall be approved.
- (5) If additional evaluation indicates the tree does not warrant removal, the Tree Removal Permit will be denied.

**ANALYSIS:** The applicants will prepare and submit the required Tree Removal Permit concurrently with site development permits, no specific conditions of approval are required as the tree removal permit is a standard part of the development process.

**FINDING:** This standard is met.

3. **Street trees over ten (10) inches DBH may be removed through a Type I review process subject to the following criteria.**
  - a. The applicant shall provide a letter from a certified arborist identifying:
    - (1) The tree's condition,
    - (2) How it warrants removal using the criteria listed in Section 1. above, and identifying any reasonable actions that could be taken to allow the retention of the tree.
  - b. The applicant shall provide a statement that describes whether and how the applicant sought assistance from the City, HOA or neighbors to address any issues or actions that would enable the tree to be retained.
  - c. The person shall post a sign, provided by the City, adjacent to the tree for ten (10) calendar days prior to removal that provides notice of the removal application and the process to comment on the application.
  - d. Review of the materials and comments from the public confirm that the tree meets the criteria for removal in Section 1. above.

**ANALYSIS:** As shown on the submitted tree survey, none of the street trees proposed for removal is over 10 inches DBH.

**FINDING:** This standard is not applicable.

- D. **Exemption from Replacing Street Trees. A street tree that was planted in compliance with the Code in effect on the date planted and no longer required by spacing standards of section A.4. above may be removed without replacement provided:**
  1. Exemption is granted at the time of street tree removal permit or authorized homeowner's association removal per Section 16.142.060.C. above.
  2. The property owner provides a letter from a certified arborist stating that the tree must be removed due to a reason identified in the tree removal criteria listed in Section 16.142.060.B.1. above, and
  3. The letter describes why the tree cannot be replaced without causing continued or additional damage to public or private utilities that could not be prevented through reasonable maintenance.

**ANALYSIS:** The applicants are not requesting an exemption from street tree replacement.



**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.
- 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:** The submitted tree inventory and arborist report provide 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 (Exhibit A, Attachment M). Recommendations for preservation measures during construction are provided in the report. All measures are required to be taken pursuant to the condition of approval shown below.

**FINDING:** The standard is not met but can be met as conditioned below.

**CONDITION OF APPROVAL:** All site construction shall follow all recommendations contained in Exhibit A, Attachment M 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.**
2. **Required Tree Canopy - Residential Developments (Single Family Attached, Single Family Detached and Two - Family). Each net development site shall provide a variety of trees to achieve a minimum total tree canopy of 40 percent. The canopy percentage is based on the expected mature canopy of each tree by using the equation  $\pi r^2$  to calculate the expected square footage of canopy for each tree. The expected mature canopy is counted for each tree regardless of an overlap of multiple tree canopies. The canopy requirement can be achieved by retaining existing trees or planting new trees. Required street trees can be used toward the total on site canopy required to meet this standard. The expected mature canopy spread of the new trees will be counted toward the needed canopy cover. A certified arborist or other qualified professional shall provide the estimated tree canopy of the proposed trees to the planning department for review.**
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  $\pi r^2$  to calculate the expected square footage of each tree. The expected mature canopy is counted for each tree even if there is an overlap of multiple tree canopies. The canopy requirement can be achieved by retaining existing trees or planting new trees. Required landscaping trees can be used toward the total on site canopy required to meet this standard. The expected mature canopy spread of the new trees will be counted toward the required canopy cover. A certified arborist or other qualified professional shall provide an estimated tree canopy for all proposed trees to the planning department for review as a part of the land use review process.**

	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  $\pi r^2$  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'  
 $(3.14159 * 17.5^2) = 962$  square feet

**ANALYSIS:** The applicant proposes to remove 193 of the 255 trees currently located within the boundaries of the site. 280 new trees are proposed for installation throughout the site. Findings in response to items “D.2” and “D.3” are presented below. The subject proposal does not include residential development. As shown on Exhibit A, Attachment I, landscaping plans proposed for the assisted living/memory care facility and portions of the site to be developed with retail, commercial, and restaurant uses will achieve a tree canopy coverage of 30 percent and 39.2 percent of the respective site areas through installation of 283 new deciduous and evergreen trees. These percentages are based on the calculated mature canopy of each selected tree species, as determined through use of the equation stipulated above. These coverages comply with Section 16.142.070.D.3 and, by rule, will effectively mitigate the site’s existing tree canopy.

**FINDING:** This standard is met.

- 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:** None of the trees proposed for removal from the site are located within a Significant Natural Area, 100-year floodplain, City greenway, jurisdictional wetland, or public park (existing or planned). As shown on Exhibit I, trees are distributed throughout the site in a manner that does not create any dependencies with trees located on adjacent properties. A majority of the existing trees proposed for removal are relics from the former mobile home park that occupied Tax Lot 900 and were planted as landscaping within the park – they are not a part of a naturally occurring grove. New landscaping, including 283 new deciduous and evergreen trees proposed for installation throughout the site, will provide required buffering and screening of the site from adjacent residential uses, and achieve a greater extent of buffering and screening than would be achieved through retention of existing trees. One tree could be considered significant because it is a giant sequoia that is over 80 inches in diameter; however, with the mitigation trees planted, the loss of this tree is mitigated. The applicants are not aware of any unique species, historic, or habitat considerations that would merit preservation of trees proposed for removal.

**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. The applicants have indicated that they understand these requirements, and intend to comply with them as part of an approval of the subject land use requests.

- 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.

**ANALYSIS:** The applicant is not seeking to alter any setbacks based these criteria.

**FINDING:** These standards do not apply.

- 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.

**ANALYSIS:** The applicants are not seeking flexibility from tree preservation and planting requirements in order to construct new sidewalks.

**FINDING:** This standard is not applicable.

- 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 applicants are not requesting any adjustments to the RC zone development standards in order 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 assisted living/memory care facility and set of retail, commercial, and restaurant 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). A similar set of noise sources would be associated with the assisted living/memory care facility, with the exception of sirens from emergency response vehicles that may respond to calls for medical assistance. However, sirens would not necessarily be a new source of noise for the immediate area, as the City of Sherwood Police Station is located immediately north of the site along SW Edy Road. None of these potential noise sources requires issuance of permits from the State. The subject site is zoned for commercial development and is immediately adjacent to existing residential developments north and west 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 and residential assisted living/memory care facility.

**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 uses are anticipated to achieve and maintain compliance with State air quality standards regarding dust. Use of an incinerator is not proposed or necessary



as part of the daily operations of the proposed uses, and none of them require 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 uses is anticipated to generate discernable odors. Restaurant uses have been located along the east boundary of the site, which is roughly 450 feet east of the nearest residential use. Vent hoods will be equipped with “scrubbers” to minimize potentially offensive odors.

Trash enclosures have been located within the boundaries of the site to reduce the potential for adverse impact on adjacent properties. While a trash enclosure is proposed along both the west and south site boundaries, refuse from the nearest uses is not anticipated to have significant potential for generation of offensive odors. Regardless, typical trash bins with full coverage lids will be used for collection of refuse, which will minimize 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, 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 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:** Each of the proposed buildings is placed on the site in a manner that would allow utilization of roof-mounted solar energy systems. However, the applicant has indicated that the design of the project site was largely driven by the existing street patterns. The longest axis of the site is generally oriented north-south, which limits placement of buildings in a manner such that each can benefit from unobstructed solar exposure on the south wall, while also orienting buildings and placing them near the abutting streets (Exhibit A, Attachment E and I). Nevertheless the entire south/southwest wall of the assisted living/memory care facility, as well as the south walls of Buildings “A,” “B,” “C,” and “F,” will have unrestricted solar exposure. Given the site’s dimensions, street frontages, and factors influencing viable vehicular circulation through the site, the proposed plan affords solar exposure to the greatest possible number of buildings.

**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 southwest portion of metropolitan Portland during summer are from the northwest. In winter, they’re predominantly from the south.

The proposed assisted living/memory care facility will have operable windows and balconies along its north elevation that will permit residents, guests, and employees to cool interior spaces by allowing northwest breezes to enter the building. Additional passive cooling is possible from the placement of shade trees along the building’s north elevation and within the planter strip along SW Edy Road. Internal to the site, building placement within the portion of the site proposed for retail, commercial, and restaurant uses will allow prevailing summer breezes to evenly flow through the site. Trees placed along the perimeter of the site and within the parking area will provide ample shading at maturity. In the winter, trees planted along the south and west boundaries of the site and within the proposed parking areas will buffer winds from the south.

**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, the Planning Commission Approves of the **Cedar Creek Plaza (SP 16-10/CUP 16-06/VAR 17-01)** 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 dated April 28, 2017, except the colors of the assisted living facility shall be those shown in Exhibit O, or similar earth tone colors. 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. The proposed development shall supply public sanitary service to all parcels of the development meeting Sherwood Engineering standards.
8. Private sanitary sewer laterals shall be installed in compliance with the current Oregon Plumbing Specialty Code.
9. Private water service laterals shall be installed in compliance with the current Oregon Plumbing Specialty Code.
10. No additional impervious area may be drained into the "Madeira" subdivision water quality pond without analysis showing that the water quality pond and water quality manhole has adequate capacity or can be modified to have adequate capacity for the additional flows. If this option is utilized, any analysis and submitted calculations must be performed and stamped by a Professional Civil Engineer registered in the State of Oregon.
11. The applicant shall comply with the following as well as comply with all standards included in the Tualatin Valley Fire and Rescue letters (one for the assisted living facility, the other for the commercial portion of the project), both dated March 23, 2017 and attached as Exhibit C:
  - a. **COMMERCIAL BUILDINGS – REQUIRED FIRE FLOW:** The minimum fire flow and flow duration shall be determined in accordance with OFC Table B105.2. The required fire flow for a building shall not exceed the available GPM in the water delivery system at 20 psi residual. (OFC B105.3)
 

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

    - The maximum needed fire flow shall be 3,000 GPM, measured at 20 psi residual pressure.
    - Tualatin Valley Fire & Rescue does not adopt Occupancy Hazards Modifiers in section B105.4-B105.4.1
  - b. **FIRE FLOW WATER AVAILABILITY:** Applicants shall provide documentation of a fire

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

- c. WATER SUPPLY DURING CONSTRUCTION: Approved firefighting water supplies shall be installed and operational prior to any combustible construction or storage of combustible materials on the site. (OFC 3312.1)
12. The developer shall adhere to the conditions of the Clean Water Services Service Provider Letter dated March 30, 2017.
  13. All site construction shall follow all recommendations contained in Exhibit A, Attachment M to preserve all trees recommended for onsite preservation.
  14. Obtain ODOT approval/permits for any work to be performed within the ODOT right-of-way of Highway 99W or Edy Road.
  15. The applicant or successor in interest shall be responsible to maintain all landscaping, to the quality of the original plantings, into perpetuity.

**B. Prior to Final Site Plan Approval:**

16. Submit a Final Site Plan that demonstrates there are no sight obstructing objects within the clear vision area.
17. Submit a Final Landscape Plan that has been verified by a qualified landscape professional.
18. 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.
19. Provide an accurate count of employees for each proposed use/facility with the Final Site Plan. Should the amount of proposed staff exceed 40 for any one specific use, carpool and vanpool parking spaces shall be provided for that use consistent with the requirements of Section 16.94.010.E.3.a.
20. The applicant shall provide a pedestrian connection between the residential neighborhood to the north-west of the project site and the commercial portion of the project. Specifically, this access shall be within the existing right of way stub connector for SW Madeira Terrace that will not be used for vehicles. Access shall include all onsite and offsite improvements to assure the connection. The final site plan shall include all improvements for review by the City and shall be constructed prior to occupancy of the Building A.
21. Submit a detail of the trash enclosures with the Final Site Plan. Trash enclosures must be architecturally consistent with the adjacent structure, including finish materials. The two enclosures that front along SW Pacific Highway (west of the medical office building and east of Building C) shall also include landscaping to screen the enclosures when viewed from the adjacent right-of-way.
22. The applicant shall show all bike rack locations and long term bike storage locations on the final site plans. All locations and the number of spaces shall comply with all City requirements.
23. Prior to final site plan approval provide landscape plans that include detailed information including tree sizes, types, distances apart, density, and all other detailed information required to assure full compliance with the City planting requirements.
24. Trash enclosures must comply with the following Pride Disposal requirements as outlined

in Exhibit D:

- Inside dimensions: minimum of 20' wide and 10' deep
- No center post at the access point where the gates close.
- The gates need to be hinged in front of the enclosure walls to allow for the full 20' width. This will also allow for the 120 degree opening angle that is required.
- The gates need cane bolts and holes put in place for the gates to be locked in the open and closed position. The holes for the gates to be held open need to be at the full opening angle.
- Full swing gates required.
- There must be 25' of overhead clearance.
- 75' of unobstructed access from the front of the enclosure (no curbs, etc)

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

25. Prior to approval of any public improvement plans, a public improvement phasing plan shall be submitted and approved by the Sherwood Engineering Department.
26. Prior to the commencement of the design of any public improvements, the developer shall attend a predesign meeting with the Sherwood Engineering Department.
27. Compliance Agreements for construction of all the public improvements shall be issued consistent with an approved public improvement phasing plan which has been reviewed and approved by the Sherwood Engineering Department. All public improvements shall conform to the City of Sherwood engineering design and construction standards, or ODOT engineering design and construction standards if within ODOT right-of-way.
28. Prior to Sherwood Engineering Department approval of the public improvement plans and issuance of a Compliance Agreement relative to the phasing plan, the developer shall obtain an DEQ NPDES 1200C permit from CWS for the entire site development.
29. Prior to Sherwood Engineering Department approval of the public improvement plans, a Storm Water Connection Permit Authorization shall be obtained as necessary for work associated based on the approved phasing plan.
30. All public improvements plans shall comply with the City Engineering Design Manual.

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

31. A final site plan review is required prior to the issuance of any building permits.
32. Prior to issuance of a building permit for each building, water flows calculations (domestic, irrigation and fire) for the building seeking a permit shall be provided by the developer to the Building Department. Approval of the water flows calculations by Sherwood Public Works is required prior to issuance of a building permit.
33. Prior to issuing a building permit within any phase of development, the proposed development shall extend the public sanitary sewer system to provide service to the existing Providence Health building in accordance with Sherwood Engineering standards. This reconnection of the Providence Health sanitary service shall occur prior to abandoning/removing of the existing service which is located within proposed Parcel 1.
34. Prior to issuing a building permit within any phase of development, the subject development shall provide service for the existing Providence Health building to the new public water line in accordance with Sherwood Engineering standards. This reconnection of the Providence Health water service shall occur prior to abandoning/removing of the existing service which is located within the northwestern parcel.
35. Prior to issuing of any building permits based on the approved phasing plan, any septic system within the subject property shall either be abandoned/removed in accordance with all applicable regulations.

36. Prior to issuing any building permits based on the approved phasing plan of the development, any active water well on the site shall either be either abandoned or isolated/maintained in accordance with all applicable regulations.
37. Prior to issuing a building permit within any phase of development, the proposed development shall extend the public storm sewer system to provide service to the existing Providence Health building/parking lot in accordance with Sherwood Engineering standards. This reconnection of the Providence Health storm service with water quality treatment shall occur prior to abandoning/removing of the existing service which is located within proposed Parcel 1.
38. Prior to issuing of a building permit, the developer shall execute an Engineering Compliance Agreement for the corresponding phase of development unless otherwise approved by the City Engineer.

**E. Prior to Acceptance of Public Improvements**

39. Prior to acceptance of any public improvements on SW Edy Road, the existing street lighting along SW Edy Road shall be replaced with new street lighting in a style in compliance with Sherwood Engineering standards with the construction of the street improvements to SW Edy Road as approved by the City Engineer and ODOT.
40. Prior to Sherwood Engineering Department final acceptance of the public improvements, the proposed development shall install a new public water mainline through the subject property to connect the 10-inch water line at Highway 99 to the 10-inch water line in SW Edy Road and to the 12-inch water line within SW Madeira Terrace. A 20-foot wide recorded public water line easement is required for this line meeting the approval of the Sherwood Engineering Department. The public water line work shall be phased in accordance with the phasing plan approved by the Sherwood Engineering Department.
41. Prior to Sherwood Engineering Department final acceptance of the public improvements in any phase, the developer shall record any private access and utility easements associated with that phase of development. These easements shall encompass areas of the subject development where use of facilities by multiple properties occurs or where one parcels service is obtained through another parcel.
42. Prior to acceptance of any constructed public infrastructure improvements on any private property, consistent with the approved public improvement phasing plan and related Compliance Agreement, public utility easements shall be recorded with proof of recording provided to the City.
43. Prior to Sherwood Engineering Department final approval of private Stormwater Quality and Detention Facilities constructed relative to the approved phasing plan, the developer shall record a Private Stormwater Facility Access and Maintenance Covenant covering private water quality and detention facilities An Operations and Maintenance Plan shall also be required for all private water quality and detention facilities.
44. Prior to Sherwood Engineering Department final approval of the constructed public improvements (on-site public utilities), the developer shall obtain all necessary permits from ODOT for all improvements affecting ODOT right-of-way (street improvements, utilities, storm discharge, etc.).
45. Prior to Sherwood Engineering Department final acceptance of any constructed public improvements the developer shall dedicate and record right-of-way as required and minimum 8-foot wide PUE for areas along all street frontages where the existing PUE is less than 8-feet consistent with the approved phasing plan unless otherwise approved by the City Engineer.

**F. Prior to the Issuance of Certificate of Occupancy:**

46. Prior to issuing any new building occupancy within the commercial retail center, the developer shall construct required street widening improvements along Highway 99 as approved by ODOT and the Sherwood Engineering Department.
47. Prior to obtaining building occupancy for the first structure in the project, the applicant shall record a reciprocal access, parking and maintenance agreement prior to the occupancy of any new structure within the project.
48. Prior to obtaining building occupancy, final approval of the constructed public improvements shall be obtained from the City of Sherwood Engineering Department for the associated phase of development.
49. Prior to obtaining building occupancy within any phase of the development, the developer shall construct traffic signals at the SW Borchers Drive/SW Edy Road intersection and street improvements along SW Edy Road in compliance with the City and ODOT approved public improvement plans.
50. Prior to occupancy of the last structure in the project, the applicant shall provide evidence that an automatic irrigation system has been installed and is functional for all landscaped areas of the project.
51. Prior to grant of occupancy for each building, the proposed development shall supply domestic, irrigation and fire water to each parcel of the development as needed meeting Sherwood Engineering standards.
52. Prior to grant of occupancy for each building, domestic water service for each building shall have a backflow device or reduced pressure backflow assembly installed meeting the approval of the Sherwood Public Works Department.
53. Prior to grant of occupancy for each building, if on-site fire protection is required, backflow protection meeting Sherwood Engineering Department standards shall be installed by the developer, and inspected and approved by the Sherwood Public Works Department.
54. Prior to grant of occupancy for any building, the developer shall detain storm water in compliance with Clean Water Services standards meeting the approval of ODOT for any storm water to be discharged to ODOT right-of-way from the subject property.
55. Prior to grant of occupancy for any building, the proposed development shall provide storm sewer improvements as needed to serve new street widening improvements and service all parcels within the subject development meeting Sherwood Engineering standards.
56. Prior to grant of occupancy for any building, the developer shall provide water quality treatment for all new/redeveloped impervious area constructed unless otherwise approved by the City Engineer and Clean Water Services.
57. Prior to grant of occupancy for any building, any private storm sewer services shall be installed in compliance with the current Oregon Plumbing Specialty Code.
58. Prior to grant of occupancy for any buildings, a locked gate shall be installed off the end of SW Madeira Terrace meeting Sherwood Engineering and Tualatin Valley Fire and Rescue approval. Said gate shall not preclude pedestrian or bike access, only vehicle access.
59. Prior to grant of occupancy for any buildings, existing overhead utilities along the subject property frontage of Highway 99 shall be relocated underground within the PUE unless otherwise approved by the City Engineer. All new utilities shall be placed underground.
60. Prior to grant of occupancy for any buildings, Sherwood Broadband utilities (vaults and conduits) shall be installed along the subject property's frontage per requirements set forth in City Ordinance 2005-017 and City Resolution 2005-074 in accordance with the phasing plan approved by the Sherwood Engineering Department.

**VII. Exhibits**

- A. Applicant's submittal with narrative and supporting documents for SP 16-10 and CUP 16-06 dated February 10, 2017 (and revised utility plan in Attachment G dated April 28, 2017) including the following attachments:
  - A. Tax Map
  - B. Aerial/Vicinity Map
  - C. Zoning Map
  - D. Existing Conditions Plan
  - E. Proposed Site Plan
  - F. Proposed Grading Plan
  - G. Proposed Utility Plan
  - H. Proposed Lighting Plan
  - I. Proposed Tree Preservation and Landscaping Plans
  - J. Proposed Building Elevations and Floor Plans
  - K. Geotechnical Report
  - L. Traffic Impact Analysis
  - M. Tree Survey and Arborist Report
  - N. Staff Correspondence Regarding Conditional Use
  - O. Fire Flow Test Results
  - P. Pre-Application Conference Notes
  - Q. Service Provider Letter – Clean Water Services
  - R. Assisted Living Parking Standard Proposal
  - S. Stormwater Report and Calculations.
- B. Applicant's submittal with narrative and supporting documents for VAR 17-01 dated April 28, 2017 including the following attachments:
  - A. Tax Map
  - B. Aerial/Vicinity Map
  - C. Zoning Map
  - D. Existing Conditions Plan
  - E. Proposed Site Plan
  - F. Proposed Tree Preservation and Landscaping Plans
- C. Tualatin Valley Fire and Rescue letter dated March 23, 2017
- D. Pride Disposal Letter dated March 30, 2017
- E. Fish and Wildlife Letter dated March 15, 2017
- F. Oregon Department Of Transportation Letter dated April 24, 2017
- G. Clean Water Services Letter dated March 30, 2017
- H. Sherwood Engineering Letter for the Site Plan dated March 15, 2017
- I. Sherwood Engineering Letter for the Variance dated March 24, 2017

The following were included in the Memo distributed to the Planning Commission on May 9, 2017:

- H. (revised to include a missing page) Sherwood Engineering Letter for the Site Plan dated March 15, 2017
- J. Email from Ms. Colson and responses from staff
- K. Community Meeting Minutes
- L. Additional Conditions of Approval (included in body of staff report, but not the list at the end of the report)
- M. Condition of Approval Edits and New Proposed Condition



N. Staff Report Edits

The following additional materials were submitted to the record by the applicant at the hearing on May 9, 2017:

- O. Applicant's additional presentation, showing more detailed renderings of the structures and site.

**From:** [HENDRICKSON Jill M](#)  
**To:** [Eric Rutledge](#)  
**Subject:** RE: LU 2021-009 Cedar Creek Plaza Multifamily Building (Modification to Approved Site Plan)  
**Date:** Tuesday, August 17, 2021 8:09:28 AM  
**Attachments:** [image002.jpg](#)

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

Good Morning Eric,

Thank you for the opportunity to comment. The Outdoor Advertising Sign Program does not have any specific comments regarding this application, but would like to refer the property owner/developer to Oregon Revised Statute (ORS) Chapter 377, or the Oregon Motorist Information Act and the Oregon Administrative Rules promulgated under ORS 377, regarding signage visible to a state highway for any signs associated with the land use application.

Hope this message finds you well and healthy.

Best, Jill

**Jill Hendrickson | Program Coordinator | Outdoor Advertising Sign Program | Right of Way Section**

Oregon Dept of Transportation | 4040 Fairview Industrial Drive SE, MS-2 | Salem, OR 97302  
Voice: 503.986.3635 | Cell: 503.559.5295 | Fax: 503.986.3625

---

**From:** Eric Rutledge <RutledgeE@SherwoodOregon.gov>  
**Sent:** Monday, August 16, 2021 4:45 PM  
**To:** Eric Rutledge <RutledgeE@SherwoodOregon.gov>  
**Subject:** LU 2021-009 Cedar Creek Plaza Multifamily Building (Modification to Approved Site Plan)

This message was sent from outside the organization. Treat attachments, links and requests with caution. Be conscious of the information you share if you respond.

Hi Agency Partners:

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

- **Proposal:** The applicant is proposing a Major Modification to an Approved Site Plan for a new 3-story, 84-unit multi-family building located in the Cedar Creek Plaza Shopping Center. The building will be located on an existing vacant lot within the commercial center, identified Tax Lot 2S130DA02200. The units will be for rent and include 10 studio, 63 one-bedroom, and 11 two-bedroom units. Amenities including an outdoor pet area, central courtyard, covered patio, and bike storage are proposed. Access to the site is proposed from the existing driveways along SW Edy Rd. and Hwy 99W. The original Site Plan approval for the Cedar Creek

Plaza Shopping Center was issued under Land Use Case File SP 16-10 / CUP 16-06 / VAR 17-01.

- **Location:** 16864 SW Edy Rd., Sherwood OR 97140
- **Comment Deadline:** Monday August 30, 2021 for consideration in the staff report
- **Hearing Date:** Virtual Hearing before the Sherwood Planning Commission on Tuesday September 14, 2021 at 7pm. Agencies impacted by the proposal are welcome to attend online, however, all testimony must be submitted in writing prior to the hearing. All hearings can be viewed at <https://www.youtube.com/user/CityofSherwood>
- **Applicable code criteria:** SZCDC Chapter 16.12 Residential Land Use Districts; Chapter 16.22 Commercial Land Use Districts; Chapter 16.31 Industrial Land Use Districts; Chapter 16.50 Accessory Structures, Architectural Features and Decks; Chapter 16.58 Clear Vision and Fence Standards; Chapter 16.60 Yard Requirements; 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 15.154 Heat and Glare; Chapter 16.156 Energy Conservation
- **Application materials**  
**(dropbox):** <https://www.dropbox.com/sh/vx3v4vtvqxm2x32/AAAx3Nlj39yAzTMnhXcPeJpUa?dl=0>

Eric Rutledge  
City of Sherwood  
Associate Planner  
[rutledgee@sherwoodoregon.gov](mailto:rutledgee@sherwoodoregon.gov)  
Desk 503.625.4242  
Work Cell 971.979.2315



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**SHEET INDEX**

- SHEET 1 - PLAT, EASEMENTS, NARRATIVE, MONUMENT DESCRIPTIONS & LEGEND
- SHEET 2 - ADDITIONAL EASEMENTS & LEGEND
- SHEET 3 - ADDITIONAL EASEMENTS & LEGEND
- SHEET 4 - EASEMENT DETAILS & LEGEND
- SHEET 5 - SURVEYOR'S CERTIFICATE, DECLARATION, ACKNOWLEDGMENT, CONSENT AFFIDAVIT, APPROVALS & NOTES

REGISTERED PROFESSIONAL LAND SURVEYOR  
*Scott F. Field*

OREGON  
JUNE 30, 1997  
SCOTT F. FIELD  
2844  
RENEWS: 12-31-2019

NOTE: THE EASEMENT DESCRIPTION CALLS THE SOUTHEASTERLY TERMINUS OF THE EASEMENT AS BEING 521.2' FROM THE "SOUTH LINE" OF SW EDY ROAD. WHEN THE EASEMENT WAS GRANTED IN 1958, SW EDY ROAD APPEARS TO HAVE BEEN 25' WIDE SOUTH OF ITS CENTERLINE. USING THIS WIDTH RESULTS IN A DIFFERENT LOCATION FOR THE SOUTHEASTERLY TERMINUS OF THE EASEMENT THAN SHOWN ON PARTITION PLAT NO. 2003-55

# CEDAR CREEK PLAZA

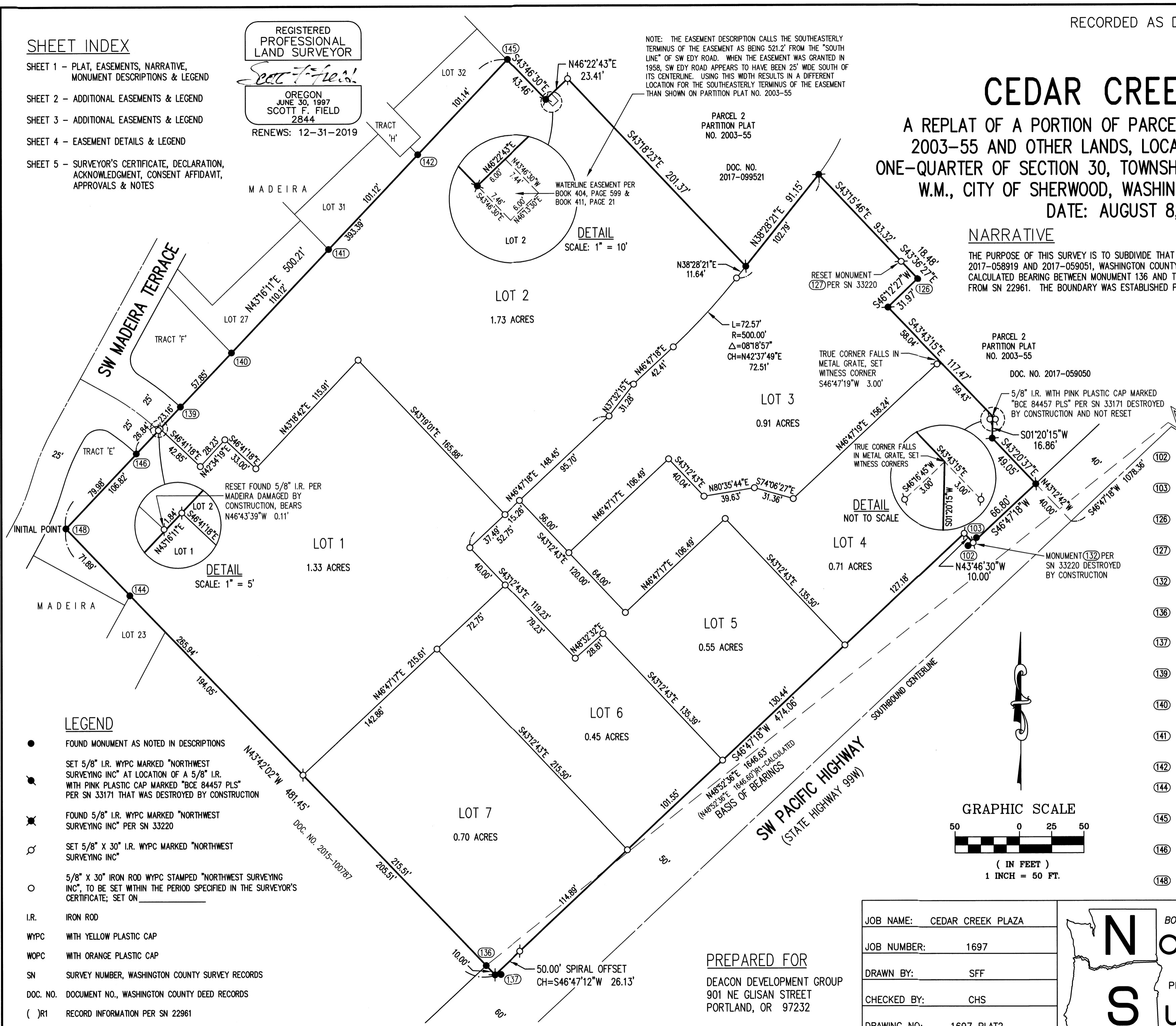
A REPLAT OF A PORTION OF PARCEL 2, PARTITION PLAT NO. 2003-55 AND OTHER LANDS, LOCATED IN THE SOUTHEAST ONE-QUARTER OF SECTION 30, TOWNSHIP 2 SOUTH, RANGE 1 WEST, W.M., CITY OF SHERWOOD, WASHINGTON COUNTY, OREGON  
DATE: AUGUST 8, 2018

**NARRATIVE**

THE PURPOSE OF THIS SURVEY IS TO SUBDIVIDE THAT PROPERTY DESCRIBED IN DOCUMENT NO. DOC. NO. 2017-058919 AND 2017-059051, WASHINGTON COUNTY DEED RECORDS. THE BASIS OF BEARINGS IS A CALCULATED BEARING BETWEEN MONUMENT 136 AND THE ONE-QUARTER CORNER HOLDING RECORD INFORMATION FROM SN 22961. THE BOUNDARY WAS ESTABLISHED PER SN 33220.

**MONUMENT DESCRIPTIONS**

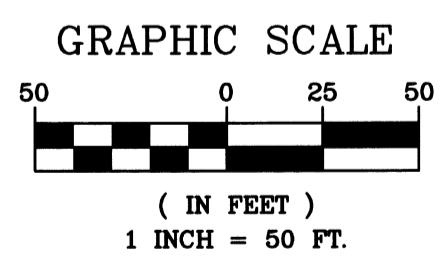
- (102) FOUND 5/8" I.R. WOPC MARKED "CES NW INC" PER PARTITION PLAT NO. 2003-55; S59°49'31"W 0.44' (DOWN 1.3')
- (103) FOUND 5/8" I.R. (NO CAP) AS FOUND PER SN 9214; N33°33'08"E 0.38' (DOWN 1.5')
- (126) FOUND & HELD 5/8" I.R. WITH PINK PLASTIC CAP MARKED "BCE 84457 PLS" PER SN 33171
- (127) FOUND & HELD 5/8" I.R. WITH PINK PLASTIC CAP MARKED "BCE 84457 PLS" (SN 33171 SHOWS NO MONUMENT SET AT THIS POINT)
- (132) FOUND 5/8" I.R. WOPC MARKED "BCE 75480" PER SN 32258; S43°46'30"E 0.35' FROM SET MONUMENT
- (136) FOUND & HELD 5/8" I.R. WYPC MARKED "DRINKWATER PLS 926" PER SN 22961
- (137) FOUND 5/8" I.R. WOPC MARKED "BCE 75480" PER SN 32258; N86°39'59"E 1.00'
- (139) FOUND 5/8" I.R. WOPC MARKED "CES NW INC" PER MADEIRA; N46°43'39"W 0.10'
- (140) FOUND 5/8" I.R. WOPC MARKED "CES NW INC" PER MADEIRA; N46°43'39"W 0.10'
- (141) FOUND 5/8" I.R. WOPC MARKED "CES NW INC" PER MADEIRA; N46°43'39"W 0.04'
- (142) FOUND 5/8" I.R. WOPC MARKED "CES NW INC" PER MADEIRA
- (144) FOUND 5/8" I.R. WOPC MARKED "CES NW INC" PER MADEIRA; S46°17'58"W 0.21'
- (145) FOUND 5/8" I.R. (NO CAP) PER SN 9214 IN NORTHEAST BASE OF TREE; N47°55'12"E 0.54'
- (146) FOUND 5/8" I.R. WOPC MARKED "CES NW INC" PER MADEIRA; N46°43'31"W 0.14'
- (148) FOUND & HELD 1-1/2" IRON PIPE PURPORTEDLY DRIVEN OVER 5/8" I.R. SET PER SN 9214 (SEE SN 22961)



DETAIL SCALE: 1" = 5'

DETAIL SCALE: 1" = 10'

DETAIL NOT TO SCALE



**LEGEND**

- FOUND MONUMENT AS NOTED IN DESCRIPTIONS
- SET 5/8" I.R. WYPC MARKED "NORTHWEST SURVEYING INC" AT LOCATION OF A 5/8" I.R. WITH PINK PLASTIC CAP MARKED "BCE 84457 PLS" PER SN 33171 THAT WAS DESTROYED BY CONSTRUCTION
- ⊗ FOUND 5/8" I.R. WYPC MARKED "NORTHWEST SURVEYING INC" PER SN 33220
- SET 5/8" X 30" I.R. WYPC MARKED "NORTHWEST SURVEYING INC"
- 5/8" X 30" IRON ROD WYPC STAMPED "NORTHWEST SURVEYING INC", TO BE SET WITHIN THE PERIOD SPECIFIED IN THE SURVEYOR'S CERTIFICATE; SET ON \_\_\_\_\_
- I.R. IRON ROD
- WYPC WITH YELLOW PLASTIC CAP
- WOPC WITH ORANGE PLASTIC CAP
- SN SURVEY NUMBER, WASHINGTON COUNTY SURVEY RECORDS
- DOC. NO. DOCUMENT NO., WASHINGTON COUNTY DEED RECORDS
- ( ) R1 RECORD INFORMATION PER SN 22961

PREPARED FOR  
DEACON DEVELOPMENT GROUP  
901 NE GLISAN STREET  
PORTLAND, OR 97232

JOB NAME:	CEDAR CREEK PLAZA
JOB NUMBER:	1697
DRAWN BY:	SFF
CHECKED BY:	CHS
DRAWING NO.:	1697 PLAT2

N

S

NORTHWEST

1815 NW 169th PLACE, SUITE 2090  
BEAVERTON, OR 97006  
PHONE: 503-848-2127 FAX: 503-848-2179  
www.nwsrvy.com

SURVEYING, Inc.

BOUNDARY TOPOGRAPHIC CONSTRUCTION CADASTRAL

# CEDAR CREEK PLAZA

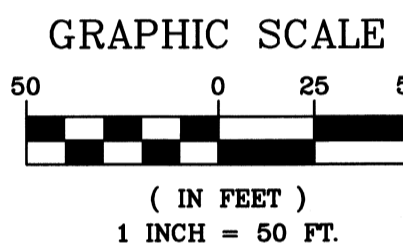
A REPLAT OF A PORTION OF PARCEL 2, PARTITION PLAT NO. 2003-55 AND OTHER LANDS, LOCATED IN THE SOUTHEAST ONE-QUARTER OF SECTION 30, TOWNSHIP 2 SOUTH, RANGE 1 WEST, W.M., CITY OF SHERWOOD, WASHINGTON COUNTY, OREGON  
 DATE: AUGUST 8, 2018

REGISTERED PROFESSIONAL LAND SURVEYOR

*Scott F. Field*

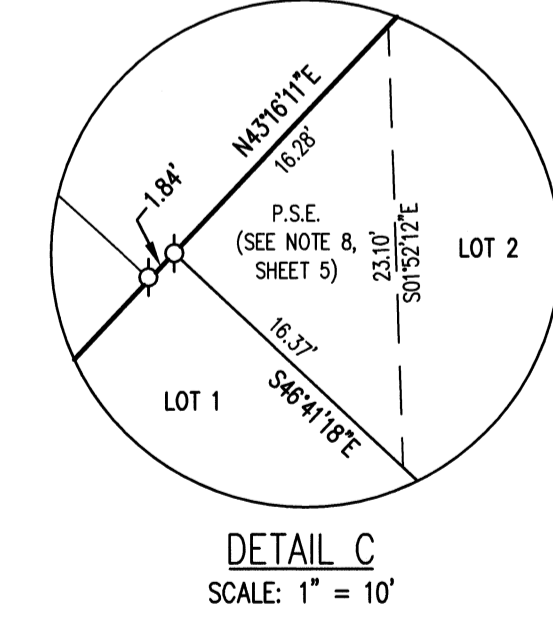
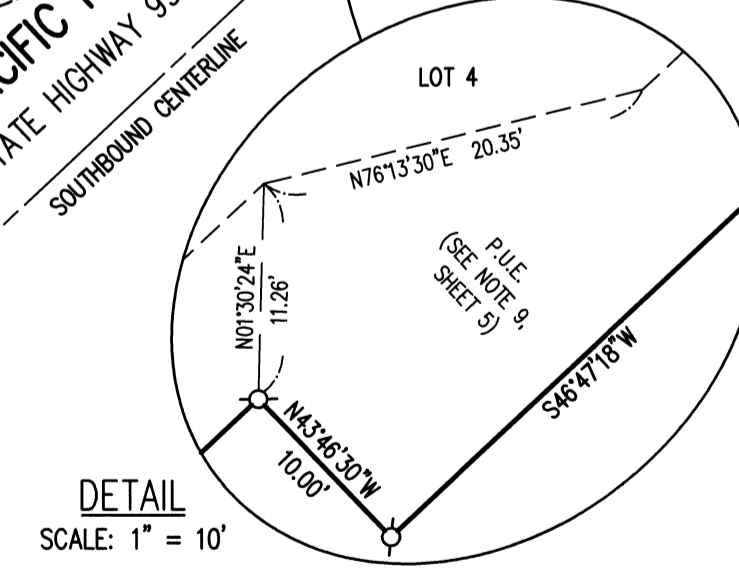
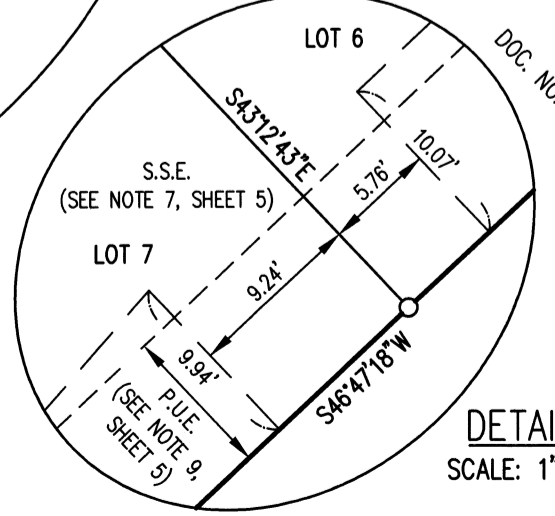
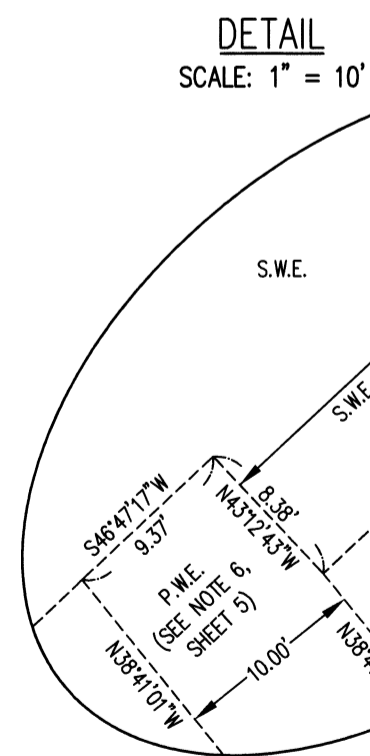
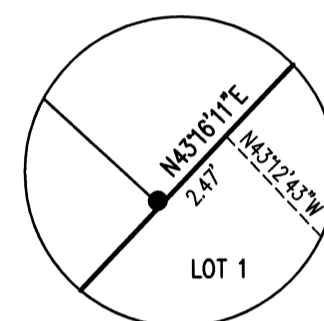
OREGON  
 JUNE 30, 1997  
 SCOTT F. FIELD  
 2844

RENEWS: 12-31-2019



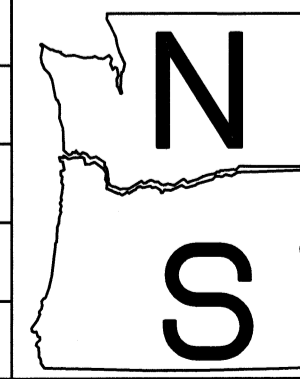
## LEGEND

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- SET 5/8" I.R. W/PC MARKED "NORTHWEST SURVEYING INC" AT LOCATION OF A 5/8" I.R. WITH PINK PLASTIC CAP MARKED "BCE 84457 PLS" PER SN 33171 THAT WAS DESTROYED BY CONSTRUCTION
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- DOC. NO. DOCUMENT NO., WASHINGTON COUNTY DEED RECORDS
- S.W.E. WATERLINE EASEMENT FOR THE BENEFIT OF THE CITY OF SHERWOOD
- P.W.E. PRIVATE WATERLINE EASEMENT
- S.S.E. SANITARY SEWER EASEMENT FOR THE BENEFIT OF THE CITY OF SHERWOOD
- P.S.E. PRIVATE SANITARY SEWER EASEMENT
- P.U.E. PUBLIC UTILITY EASEMENT



PREPARED FOR  
 DEACON DEVELOPMENT GROUP  
 901 NE GLISAN STREET  
 PORTLAND, OR 97232

JOB NAME:	CEDAR CREEK PLAZA
JOB NUMBER:	1697
DRAWN BY:	SFF
CHECKED BY:	CHS
DRAWING NO.:	1697 PLAT2

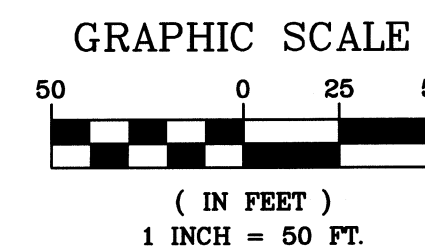


BOUNDARY TOPOGRAPHIC CONSTRUCTION CADASTRAL  
**NORTHWEST**  
 1815 NW 169th PLACE, SUITE 2090  
 BEAVERTON, OR 97006  
 PHONE: 503-848-2127 FAX: 503-848-2179  
 www.nwsrvy.com  
**SURVEYING, Inc.**

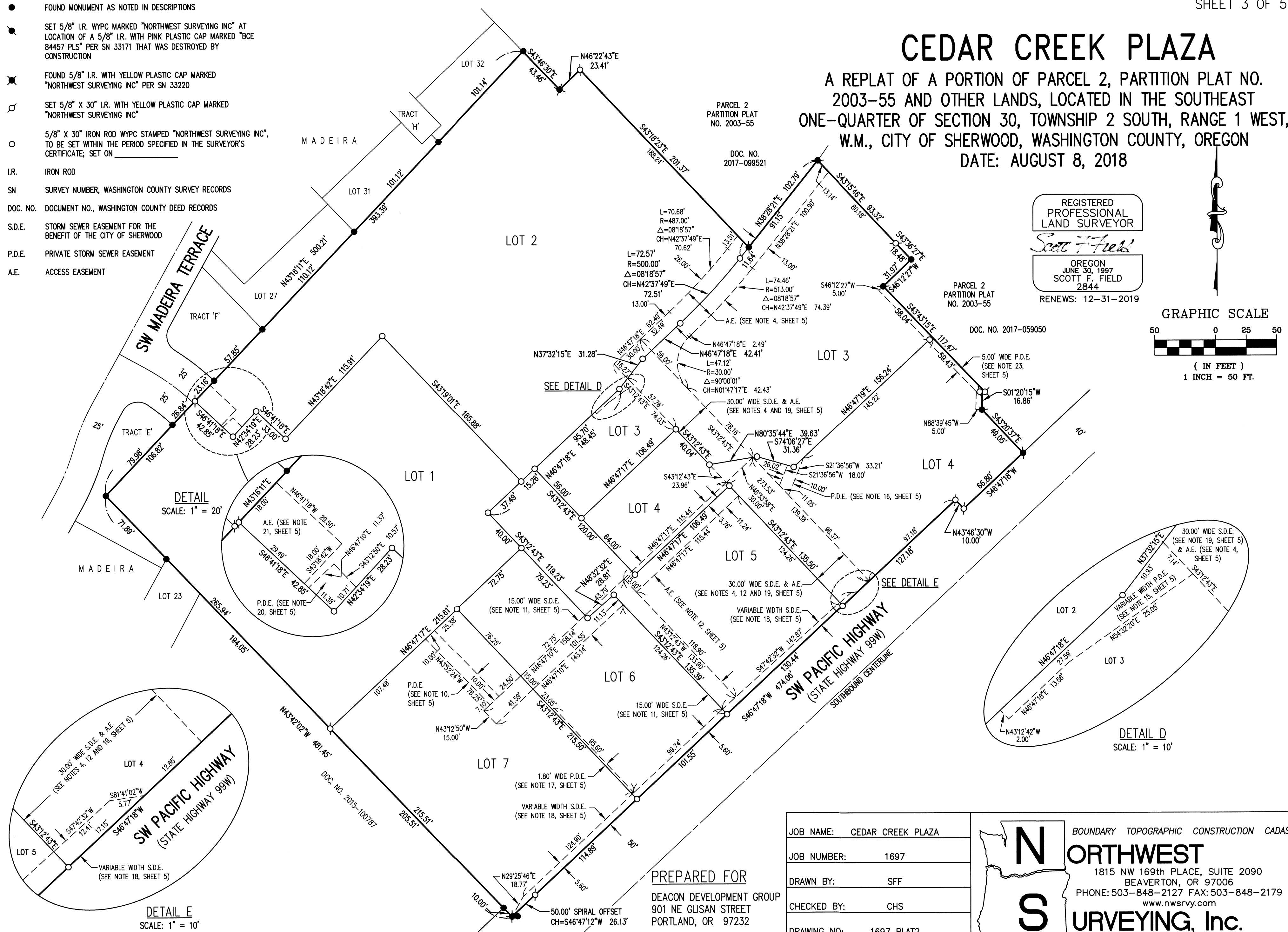
# CEDAR CREEK PLAZA

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 DATE: AUGUST 8, 2018

REGISTERED PROFESSIONAL LAND SURVEYOR  
*Scott F. Field*  
 OREGON  
 JUNE 30, 1997  
 SCOTT F. FIELD  
 2844  
 RENEWS: 12-31-2019



- LEGEND**
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  - I.R. IRON ROD
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  - DOC. NO. DOCUMENT NO., WASHINGTON COUNTY DEED RECORDS
  - S.D.E. STORM SEWER EASEMENT FOR THE BENEFIT OF THE CITY OF SHERWOOD
  - P.D.E. PRIVATE STORM SEWER EASEMENT
  - A.E. ACCESS EASEMENT



**DETAIL**  
SCALE: 1" = 20'

**DETAIL D**  
SCALE: 1" = 10'

**DETAIL E**  
SCALE: 1" = 10'

JOB NAME:	CEDAR CREEK PLAZA
JOB NUMBER:	1697
DRAWN BY:	SFF
CHECKED BY:	CHS
DRAWING NO.:	1697 PLAT2

BOUNDARY TOPOGRAPHIC CONSTRUCTION CADASTRAL

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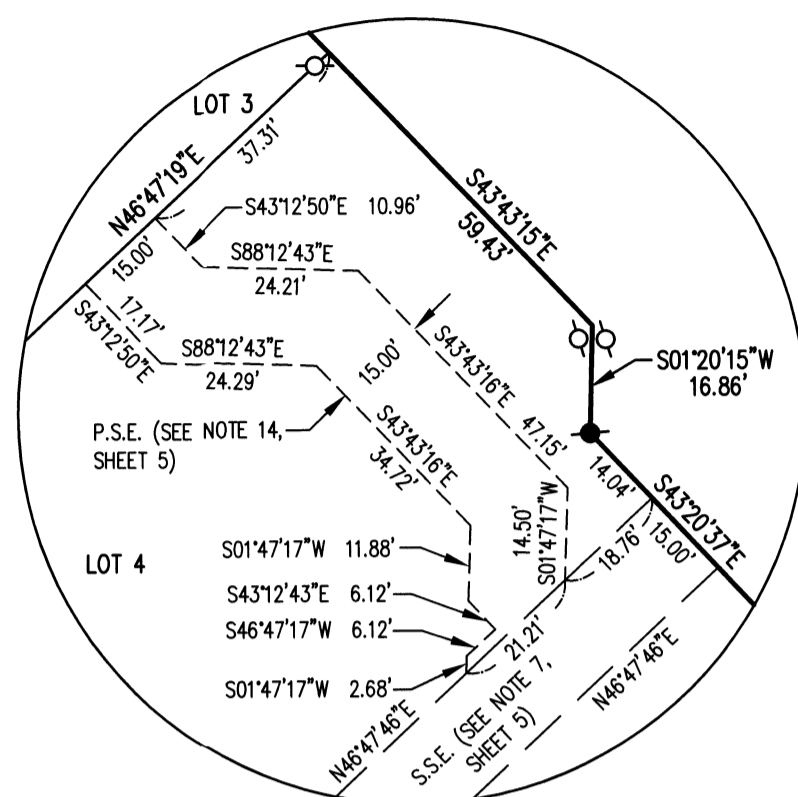
PREPARED FOR  
 DEACON DEVELOPMENT GROUP  
 901 NE GLISAN STREET  
 PORTLAND, OR 97232

**LEGEND**

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- P.S.E. PRIVATE SANITARY SEWER EASEMENT

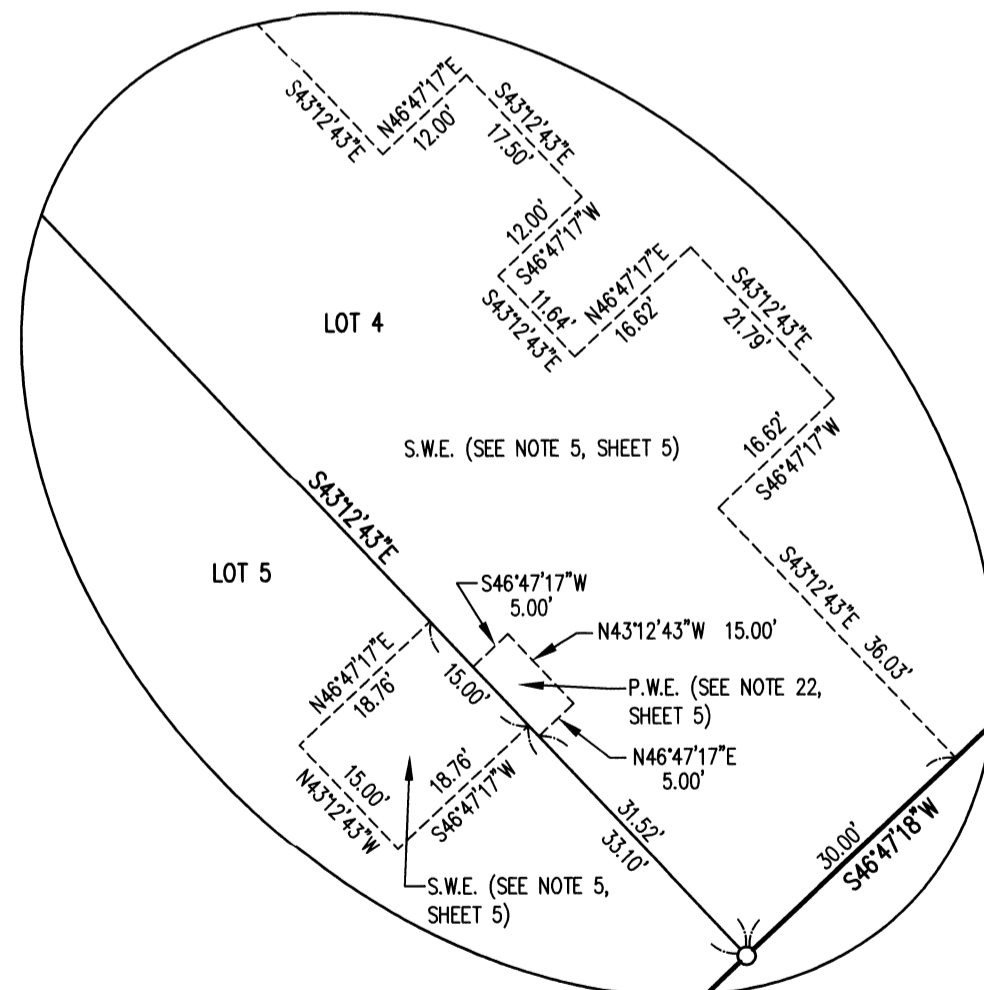
**DETAIL F**

SCALE: 1" = 30'



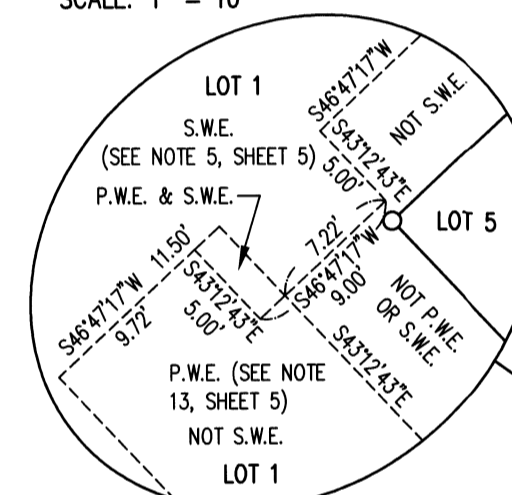
**DETAIL G**

SCALE: 1" = 20'



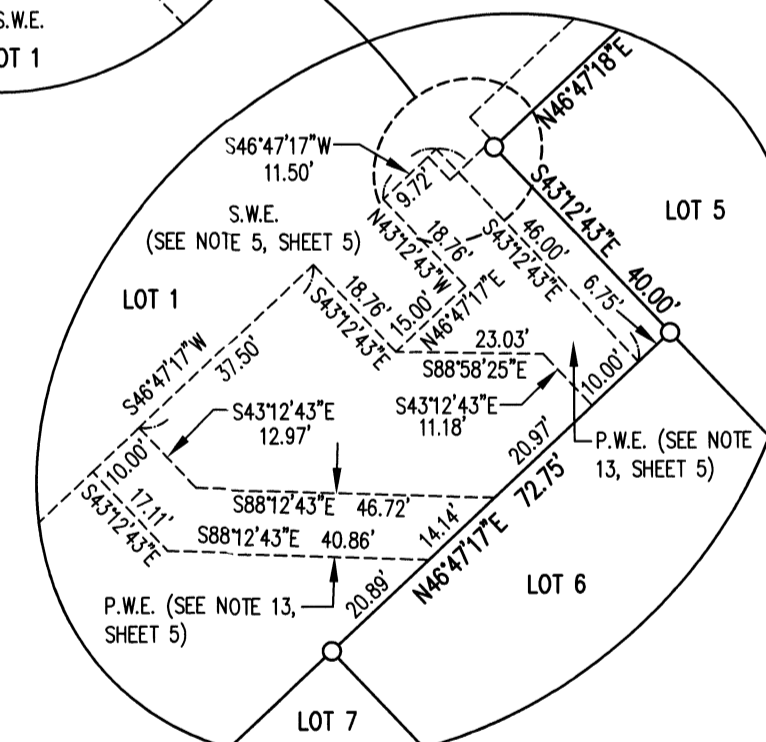
**DETAIL**

SCALE: 1" = 10'



**DETAIL A**

SCALE: 1" = 30'



SCALE: AS NOTED

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

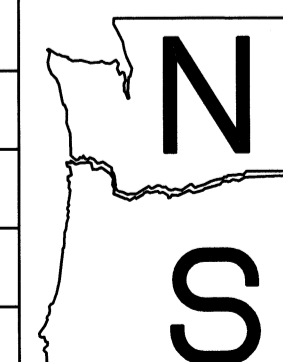
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DRAWN BY:	SFF
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DRAWING NO:	1697 PLAT2



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**NORTHWEST SURVEYING, Inc.**  
1815 NW 169th PLACE, SUITE 2090  
BEAVERTON, OR 97006  
PHONE: 503-848-2127 FAX: 503-848-2179  
www.nwsrvy.com



SURVEYOR'S CERTIFICATE

I, SCOTT F. FIELD, A REGISTERED LAND SURVEYOR IN THE STATE OF OREGON, DO HEREBY CERTIFY THAT I HAVE CORRECTLY SURVEYED AND MARKED WITH PROPER MONUMENTS THE LAND REPRESENTED ON THE ATTACHED MAP OF "CEDAR CREEK PLAZA", BEING A REPLAT OF A PORTION OF PARCEL 2 OF PARTITION PLAT NO. 2003-55 TOGETHER WITH OTHER LANDS AND BEING LOCATED IN THE SOUTHEAST ONE-QUARTER OF SECTION 30, TOWNSHIP 2 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, CITY OF SHERWOOD, WASHINGTON COUNTY, OREGON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INITIAL POINT, BEING A 1-1/2 INCH IRON PIPE LOCATED AT THE MOST WESTERLY CORNER OF THAT PROPERTY CONVEYED TO DD SHERWOOD ONE, LLC BY DEED RECORDED JULY 26, 2017 AS DOCUMENT NO. 2017-099521, WASHINGTON COUNTY DEED RECORDS, SAID POINT BEING LOCATED AT AN ANGLE POINT ON THE EASTERLY BOUNDARY OF TRACT 'E' OF MADEIRA; THENCE ALONG THE MOST NORTHERLY EAST LINE OF MADEIRA, NORTH 43°16'11" EAST A DISTANCE OF 500.21 FEET TO THE MOST NORTHERLY CORNER THEREOF, SAID POINT BEING ON THE SOUTHWESTERLY LINE OF PARCEL 2 OF PARTITION PLAT NO. 2003-55 AND FROM WHICH A 5/8 INCH IRON ROD BEARS NORTH 47°55'12" EAST A DISTANCE OF 0.54 FEET; THENCE ALONG THE SOUTHWESTERLY LINE OF SAID PARCEL 2, SOUTH 43°46'30" EAST A DISTANCE OF 43.46 FEET TO A 5/8 INCH IRON ROD WITH A YELLOW PLASTIC CAP MARKED "NORTHWEST SURVEYING INC" LOCATED AT AN ANGLE POINT ON THE SOUTHWESTERLY BOUNDARY OF THAT PROPERTY CONVEYED TO SHERWOOD SENIOR LIVING LLC BY DEED RECORDED DECEMBER 21, 2017 AS DOCUMENT NO. 2017-099521, WASHINGTON COUNTY DEED RECORDS; THENCE ALONG THE SOUTHWESTERLY BOUNDARY OF SAID SHERWOOD SENIOR LIVING LLC PROPERTY, NORTH 46°22'43" EAST A DISTANCE OF 23.41 FEET TO A 5/8 INCH IRON ROD WITH A YELLOW PLASTIC CAP MARKED "NORTHWEST SURVEYING INC" LOCATED AT AN ANGLE POINT THEREON; THENCE CONTINUING ALONG SAID SOUTHWESTERLY BOUNDARY, SOUTH 43°18'23" EAST A DISTANCE OF 201.37 FEET TO A 5/8 INCH IRON ROD WITH A YELLOW PLASTIC CAP MARKED "NORTHWEST SURVEYING INC" LOCATED AT THE MOST SOUTHERLY CORNER OF SAID SHERWOOD SENIOR LIVING LLC PROPERTY; THENCE ALONG THE SOUTHEASTERLY BOUNDARY OF SAID SHERWOOD SENIOR LIVING LLC PROPERTY, NORTH 38°28'21" EAST A DISTANCE OF 91.15 FEET TO A 5/8 INCH IRON ROD WITH A YELLOW PLASTIC CAP MARKED "NORTHWEST SURVEYING INC" LOCATED AT THE MOST WESTERLY CORNER OF THAT PROPERTY CONVEYED TO PROVIDENCE HEALTH & SERVICES - OREGON BY DEED RECORDED JULY 26, 2017 AS DOCUMENT NO. 2017-059050, WASHINGTON COUNTY DEED RECORDS; THENCE ALONG THE SOUTHWESTERLY BOUNDARY OF SAID PROVIDENCE HEALTH & SERVICES - OREGON PROPERTY, SOUTH 43°15'46" EAST A DISTANCE OF 93.32 FEET TO A 5/8 INCH IRON ROD WITH A YELLOW PLASTIC CAP MARKED "NORTHWEST SURVEYING INC" LOCATED AT AN ANGLE POINT THEREON; THENCE CONTINUING ALONG SAID SOUTHWESTERLY BOUNDARY, SOUTH 43°36'27" EAST A DISTANCE OF 18.48 FEET TO A 5/8 INCH IRON ROD WITH A PINK PLASTIC CAP MARKED "BCE 84457 PLS" LOCATED AT AN ANGLE POINT THEREON; THENCE CONTINUING ALONG SAID SOUTHWESTERLY BOUNDARY, SOUTH 46°12'27" WEST A DISTANCE OF 31.97 FEET TO A 5/8 INCH IRON ROD WITH A YELLOW PLASTIC CAP MARKED "NORTHWEST SURVEYING INC" LOCATED AT AN ANGLE POINT THEREON; THENCE CONTINUING ALONG SAID SOUTHWESTERLY BOUNDARY, SOUTH 43°43'15" EAST A DISTANCE OF 117.47 FEET TO AN ANGLE POINT THEREON; THENCE CONTINUING ALONG SAID SOUTHWESTERLY BOUNDARY, SOUTH 01°20'15" WEST A DISTANCE OF 16.86 FEET TO A 5/8 INCH IRON ROD WITH A YELLOW PLASTIC CAP MARKED "NORTHWEST SURVEYING INC" LOCATED AT AN ANGLE POINT THEREON; THENCE CONTINUING ALONG SAID SOUTHWESTERLY BOUNDARY, SOUTH 43°20'37" EAST A DISTANCE OF 49.05 FEET TO A 5/8 INCH IRON ROD WITH A YELLOW PLASTIC CAP MARKED "NORTHWEST SURVEYING INC" LOCATED AT THE MOST SOUTHERLY CORNER OF SAID PROVIDENCE HEALTH & SERVICES - OREGON PROPERTY, SAID POINT BEING ON THE NORTHWESTERLY RIGHT-OF-WAY LINE OF SW PACIFIC HIGHWAY, 40.00 FEET NORTHWESTERLY OF THE SOUTHBOUND CENTERLINE THEREOF, WHEN MEASURED AT RIGHT ANGLES; THENCE ALONG SAID NORTHWESTERLY RIGHT-OF-WAY LINE, SOUTH 46°47'18" WEST A DISTANCE OF 66.80 FEET TO A 5/8 INCH IRON ROD WITH A YELLOW PLASTIC CAP MARKED "NORTHWEST SURVEYING INC" LOCATED AT AN ANGLE POINT THEREON; THENCE CONTINUING ALONG SAID NORTHWESTERLY RIGHT-OF-WAY LINE, NORTH 43°46'30" WEST A DISTANCE OF 10.00 FEET TO A 5/8 INCH IRON ROD WITH A YELLOW PLASTIC CAP MARKED "NORTHWEST SURVEYING INC" LOCATED AT AN ANGLE POINT THEREON, SAID POINT BEING 50.00 FEET NORTHWESTERLY OF THE SOUTHBOUND CENTERLINE OF SW PACIFIC HIGHWAY, WHEN MEASURED AT RIGHT ANGLES; THENCE CONTINUING ALONG SAID NORTHWESTERLY RIGHT-OF-WAY LINE, SOUTH 46°47'18" WEST A DISTANCE OF 474.06 FEET TO A 5/8 INCH IRON ROD WITH A YELLOW PLASTIC CAP MARKED "NORTHWEST SURVEYING INC" LOCATED AT A 50.00 FOOT NORTHWESTERLY PERPENDICULAR OFFSET FROM A POINT OF SPIRAL CURVATURE ON THE SOUTHBOUND CENTERLINE THEREOF; THENCE CONTINUING ALONG SAID NORTHWESTERLY RIGHT-OF-WAY LINE THROUGH A 50.00 FOOT SPIRAL CURVE OFFSET TO THE RIGHT, SAID OFFSET HAVING A CHORD BEARING OF SOUTH 46°47'12" WEST A DISTANCE OF 26.13 FEET TO A 5/8 INCH IRON ROD WITH A YELLOW PLASTIC CAP MARKED "NORTHWEST SURVEYING INC" LOCATED AT ITS INTERSECTION WITH THE SOUTHEASTERLY EXTENSION OF THE NORTHEASTERLY LINE OF THAT PROPERTY CONVEYED TO SILVER SKY DEVELOPMENT, LLC BY DEED RECORDED DECEMBER 8, 2015 AS DOCUMENT 2015-100787, WASHINGTON COUNTY DEED RECORDS; THENCE ALONG SAID SOUTHEASTERLY EXTENSION TOGETHER WITH THE NORTHEASTERLY LINE OF SAID SILVER SKY DEVELOPMENT, LLC PROPERTY AND THE NORTHWESTERLY EXTENSION THEREOF, NORTH 43°42'02" WEST A DISTANCE OF 481.45 FEET TO THE INITIAL POINT.

SAID DESCRIBED TRACT OF LAND CONTAINS 6.38 ACRES, MORE OR LESS.

AS PER O.R.S. 92.070(2), I, SCOTT F. FIELD, ALSO CERTIFY THAT THE POSTMONUMENTATION OF THE REMAINING MONUMENTS WITHIN THIS SUBDIVISION WILL BE ACCOMPLISHED WITHIN 90 CALENDAR DAYS FOLLOWING THE COMPLETION OF THE PAVING OF IMPROVEMENTS, OR WITHIN ONE YEAR FOLLOWING THE ORIGINAL PLAT RECORDATION, WHICHEVER COMES FIRST, IN ACCORDANCE WITH O.R.S. 92.060.

REGISTERED PROFESSIONAL LAND SURVEYOR Scott F. Field OREGON JUNE 30, 1997 SCOTT F. FIELD 2844 RENEWS: 12-31-2019

CEDAR CREEK PLAZA

A REPLAT OF A PORTION OF PARCEL 2, PARTITION PLAT NO. 2003-55 AND OTHER LANDS, LOCATED IN THE SOUTHEAST ONE-QUARTER OF SECTION 30, TOWNSHIP 2 SOUTH, RANGE 1 WEST, W.M., CITY OF SHERWOOD, WASHINGTON COUNTY, OREGON

DATE: AUGUST 8, 2018

RECORDED AS DOCUMENT NO. 2018059232

SHEET 5 OF 5

PREPARED FOR DEACON DEVELOPMENT GROUP 901 NE GLISAN STREET PORTLAND, OR 97232

NOTES

- 1. THIS SUBDIVISION IS SUBJECT TO THE CONDITIONS OF APPROVAL PER CITY OF SHERWOOD CASE FILE SUB 17-02.
2. THIS PLAT IS SUBJECT TO ACCESS RESTRICTIONS TO SW PACIFIC HIGHWAY PER DOC. NO. 91-028331 AS MODIFIED BY DOC. NO. 2017-078742; AND BOOK 362, PAGE 480 AS MODIFIED BY BOOK 548, PAGE 595 AND SUBSEQUENTLY MODIFIED BY DOC. NO. 2017-078742.
3. THIS PLAT IS SUBJECT TO ACCESS AND UTILITY EASEMENTS PER DOC. NO. 2017-059133, THE LOCATION OF WHICH ARE INDETERMINATE BASED ON THE DESCRIPTIONS CONTAINED THEREIN.
4. LOTS 2-4 ARE SUBJECT TO AN ACCESS EASEMENT FOR THE BENEFIT OF LOTS 1-7 AND THOSE PROPERTIES DESCRIBED IN DOC. NO. 2017-099521 AND 2017-059050 AS SHOWN AND NOTED ON SHEET 3.
5. LOTS 1-5 ARE SUBJECT TO A WATERLINE EASEMENT FOR THE BENEFIT OF THE CITY OF SHERWOOD AS SHOWN AND NOTED ON SHEET 2.
6. LOT 1 IS SUBJECT TO VARIABLE WIDTH PRIVATE WATERLINE EASEMENT FOR THE BENEFIT OF LOT 7 AS SHOWN AND NOTED ON SHEET 2.
7. LOTS 4-7 ARE SUBJECT TO A SANITARY SEWER EASEMENT FOR THE BENEFIT OF THE CITY OF SHERWOOD AS SHOWN AND NOTED ON SHEET 2.
8. LOT 2 IS SUBJECT TO A PRIVATE SANITARY SEWER EASEMENT FOR THE BENEFIT OF LOT 1, AS SHOWN AND NOTED ON SHEET 2.
9. LOTS 4-7 ARE SUBJECT TO A PUBLIC UTILITY EASEMENT ALONG THEIR FRONTAGE WITH SW PACIFIC HIGHWAY AS SHOWN AND NOTED ON SHEET 2.
10. LOT 7 IS SUBJECT TO A 10.00 FOOT WIDE PRIVATE STORM SEWER EASEMENT FOR THE BENEFIT OF LOT 1 AS SHOWN AND NOTED ON SHEET 3.
11. LOTS 5-7 ARE SUBJECT TO A 15.00 FOOT WIDE STORM SEWER EASEMENT FOR THE BENEFIT OF THE CITY OF SHERWOOD AS SHOWN AND NOTED ON SHEET 3.
12. LOTS 4 AND 5 ARE SUBJECT TO A VARIABLE WIDTH ACCESS EASEMENT FOR THE BENEFIT OF THE CITY OF SHERWOOD AS SHOWN AND NOTED ON SHEET 3.
13. LOT 1 IS SUBJECT TO A 10.00 FOOT WIDE PRIVATE WATERLINE EASEMENT AND A VARIABLE WIDTH PRIVATE WATERLINE EASEMENT FOR THE BENEFIT OF LOT 6 AS SHOWN AND NOTED ON SHEET 2.
14. LOT 4 IS SUBJECT TO A VARIABLE WIDTH PRIVATE SANITARY SEWER EASEMENT FOR THE BENEFIT OF LOT 3; AS SHOWN AND NOTED ON SHEET 2.
15. LOT 3 IS SUBJECT TO A VARIABLE WIDTH PRIVATE STORM SEWER EASEMENT FOR THE BENEFIT OF LOT 2 AS SHOWN AND NOTED ON SHEET 3.
16. LOT 4 IS SUBJECT TO A PRIVATE STORM SEWER EASEMENT FOR THE BENEFIT OF LOT 3 AS SHOWN AND NOTED ON SHEET 3.
17. LOT 6 IS SUBJECT TO A 1.80 FOOT WIDE PRIVATE STORM SEWER EASEMENT FOR THE BENEFIT OF LOT 7; AS SHOWN AND NOTED ON SHEET 3.
18. LOTS 4-7 ARE SUBJECT TO A VARIABLE WIDTH STORM SEWER EASEMENT FOR THE BENEFIT OF THE CITY OF SHERWOOD AS SHOWN AND NOTED ON SHEET 3.
19. LOTS 2-4 ARE SUBJECT TO A 30.00 FOOT WIDE STORM SEWER EASEMENT FOR THE BENEFIT OF THE CITY OF SHERWOOD AS SHOWN AND NOTED ON SHEET 3.
20. LOT 2 IS SUBJECT TO A VARIABLE WIDTH PRIVATE STORM SEWER EASEMENT FOR THE BENEFIT OF LOT 1 AS SHOWN AND NOTED ON SHEET 3.

- 21. LOT 2 IS SUBJECT TO A 18.00 FOOT WIDE PRIVATE ACCESS EASEMENT FOR THE BENEFIT OF LOT 1 AS SHOWN AND NOTED ON SHEET 3.
22. LOT 4 IS SUBJECT TO 15.00 FOOT WIDE PRIVATE WATERLINE EASEMENT FOR THE BENEFIT OF LOT 5 AS SHOWN AND NOTED ON SHEET 2.
23. LOTS 3 AND 4 ARE SUBJECT TO A 5.00 FOOT WIDE PRIVATE STORM SEWER EASEMENT FOR THE BENEFIT OF THE ADJOINING PROPERTY TO THE NORTHEAST DESCRIBED IN DOC. NO. 2017-059050.

DECLARATION

KNOW ALL PEOPLE BY THESE PRESENTS THAT DD SHERWOOD ONE, LLC, AN OREGON LIMITED LIABILITY COMPANY, IS THE OWNER OF THE LAND REPRESENTED ON THE ANNEXED MAP OF "CEDAR CREEK PLAZA", MORE PARTICULARLY DESCRIBED IN THE ACCOMPANYING SURVEYOR'S CERTIFICATE, AND HAS CAUSED THE SAME TO BE PLATTED INTO LOTS IN ACCORDANCE WITH O.R.S. CHAPTER 92 AND DOES HEREBY GRANT ALL EASEMENTS AS SHOWN OR NOTED FOR THE USES STATED AND INDICATED HEREON.

DD SHERWOOD ONE, LLC AN OREGON LIMITED LIABILITY COMPANY BY: DEACON DEVELOPMENT LLC AN OREGON LIMITED LIABILITY COMPANY, ITS MANAGER STEVE DEACON, MANAGER

ACKNOWLEDGMENTS

STATE OF OREGON ) COUNTY OF Multnomah ) S.S.

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON August 10th, 2018, BY STEVE DEACON, AS MANAGER OF DEACON DEVELOPMENT, LLC Laurie Klenke Ramsey NOTARY SIGNATURE Laurie Klenke Ramsey NOTARY PUBLIC-OREGON COMMISSION NO. 968825 MY COMMISSION EXPIRES November 26, 2021

CONSENT AFFIDAVIT

A CONSENT AFFIDAVIT FROM M & T REAL ESTATE TRUST, A TRUST DEED BENEFICIARY, HAS BEEN RECORDED AS DOCUMENT NO. 2018-059232, WASHINGTON COUNTY DEED RECORDS.

REMAINING CORNER MONUMENTATION

IN ACCORDANCE WITH O.R.S. 92.070, THE REMAINING CORNERS OF THIS SUBDIVISION HAVE BEEN CORRECTLY SET WITH PROPER MONUMENTS. AN AFFIDAVIT HAS BEEN PREPARED REGARDING THE SETTING OF SAID MONUMENTS AND IS RECORDED IN DOCUMENT NO. \_\_\_\_\_, WASHINGTON COUNTY DEED RECORDS.

APPROVED THIS \_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_ WASHINGTON COUNTY SURVEYOR

Table with 2 columns: Field Name, Value. Includes JOB NAME: CEDAR CREEK PLAZA, JOB NUMBER: 1697, DRAWN BY: SFF, CHECKED BY: CHS, DRAWING NO: 1697 PLAT2

CITY OF SHERWOOD APPROVALS

APPROVED THIS 17th DAY OF August, 2018 CITY OF SHERWOOD COMMUNITY DEVELOPMENT DIRECTOR BY: [Signature]

WASHINGTON COUNTY APPROVALS

APPROVED THIS 27th DAY OF August, 2018 WASHINGTON COUNTY SURVEYOR BY: [Signature]

APPROVED THIS 27th DAY OF August, 2018 WASHINGTON COUNTY BOARD OF COMMISSIONERS BY: [Signature]

ATTEST THIS 27th DAY OF August, 2018

DIRECTOR OF ASSESSMENT AND TAXATION EX-OFFICIO COUNTY CLERK BY: [Signature] DEPUTY

ALL TAXES, FEES, ASSESSMENTS OR OTHER CHARGES AS PROVIDED BY ORS 92.095 HAVE BEEN PAID AS OF THIS 27th DAY OF August, 2018.

DIRECTOR OF ASSESSMENT AND TAXATION (WASHINGTON COUNTY ASSESSOR)

BY: [Signature] DEPUTY

STATE OF OREGON ) ) S.S. COUNTY OF WASHINGTON )

I, DO HEREBY CERTIFY THAT THIS SUBDIVISION PLAT, WAS RECEIVED FOR RECORD ON THIS 27th DAY OF August, 2018 AT 1:46 P.M. AND RECORDED IN THE COUNTY CLERK RECORDS.

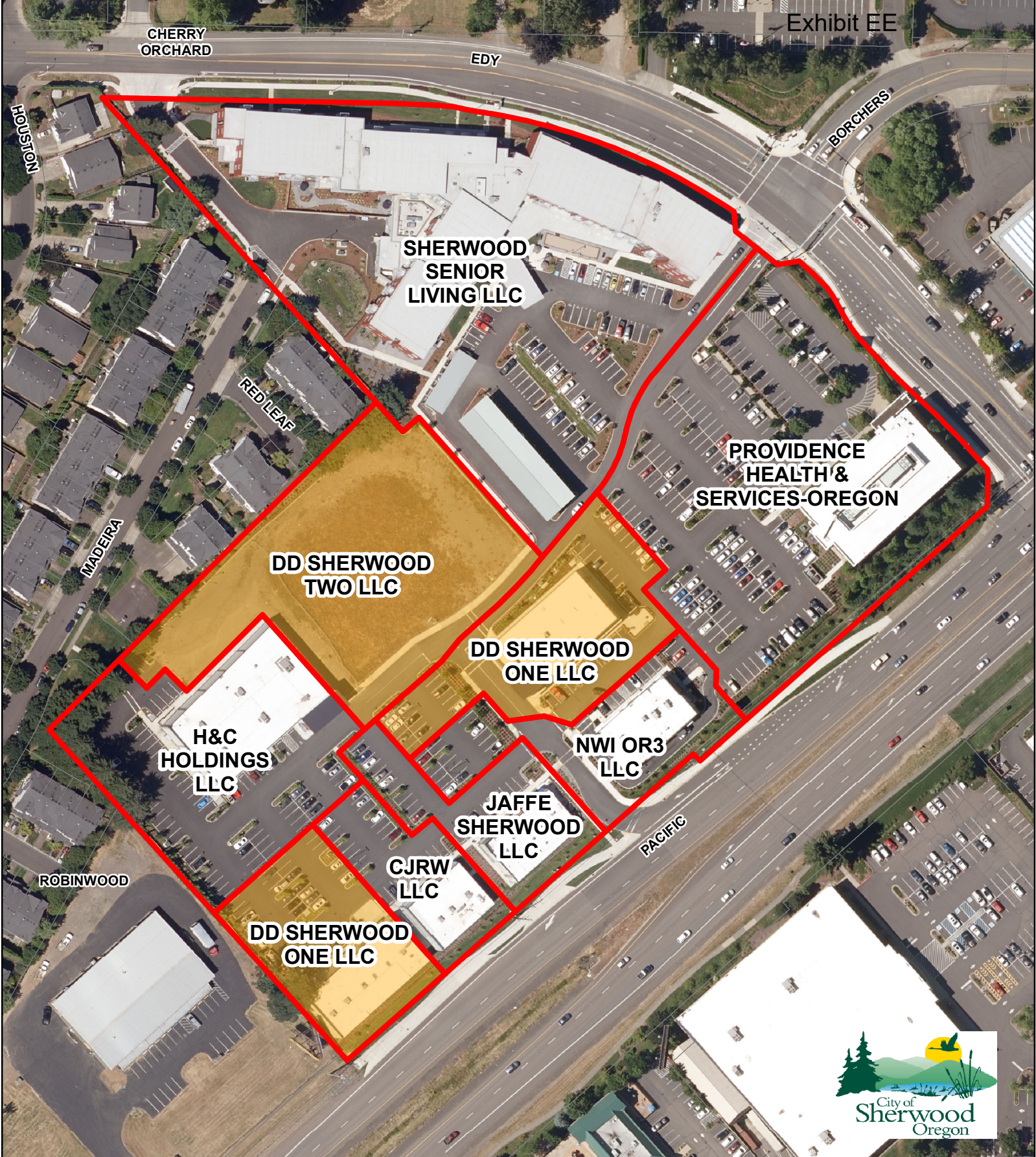
[Signature] DEPUTY COUNTY CLERK

BOUNDARY TOPOGRAPHIC CONSTRUCTION CADASTRAL SURVEYING, Inc. 1815 NW 169th PLACE, SUITE 2090 BEAVERTON, OR 97006 PHONE: 503-848-2127 FAX: 503-848-2179 www.nwsrvy.com



Exhibit DD





# Cedar Creek Plaza - Property Ownership

Source: Metro RLIS and City of Sherwood (January 2021)  
Date: 9/2/2021

- Cedar Creek Plaza Lots
- Lots Owned by Applicant (Deacon Development)
- Tax Lots - Jan 2021



Packet Page 2690 200  
 Feet



THE ACTERY

RETIRE HOME



59

59



Home of the Tualatin River National Wildlife Refuge

Community Development Division
Planning Department
22560 SW Pine St
Sherwood, OR 97140
503-625-4202

Staff Report and Notice of Decision

CASE No. LLA 17-02
16770 SW Edy Road & 21235 and 21305 SW Pacific Highway
Lot Line Adjustment

Decision Date: June 14, 2017

I. BACKGROUND

APPLICANT/OWNER: Deacon Development Group
901 NE Glisan Street, Suite 100
Portland OR 97213

OWNER CONTACT: Mackenzie 503-224-9560

PROPERTY LOCATION: The subject parcels are located at 16770 SW Edy Road & 21235 and 21305 SW Pacific Highway (99W). The properties are identified as Washington County Tax Assessor’s Map 2S130DA-00700, 800, and 900.

PARCEL SIZE: Tax Lot 700 is 2.97 acres, Tax Lot 800 is 4.51 acres, and Tax Lot 900 is 5.69 acres.

BACKGROUND and EXISTING DEVELOPMENT: The property at 16770 SW Edy Road is currently developed with a three-story, 42,000 square foot medical office building and associated parking area (175 stalls), while the lot at 21235 SW Pacific Highway is occupied by a single-family house. The lot at 21305 SW Pacific Highway is the former site of a mobile home park.

All three properties are currently zoned Retail Commercial (RC). Access to the properties is currently available from both SW Edy Road and SW Pacific Highway. Access to the medical office building is provided via two private driveways on SW Edy Road, one of which is directly opposite the intersection at SW Borchers Drive. Access to the property at 21235 SW Pacific Highway is provided via an existing driveway along SW Pacific Highway, as well as from SW Madeira Terrace. Three deeded private driveways that previously provided access to the former mobile home park and farm property remain present along the SW Pacific Highway frontage for 21305 SW Pacific Highway.

The site transitions from being generally flat in the north/northeast to gradually sloping toward the south/southwest. Several large deciduous and evergreen trees are spread throughout the properties at 21235 and 21305 SW Pacific Highway. The City does not include any mapped resources on this site, and there do not appear to be any wetlands or riparian features on the property.

REQUEST: The applicant is working in partnership (through a development agreement) with the existing Providence Medical Center located on lot 700 to restructure the parking lot for the building in preparation for a new development on the remainder of the three lots (currently under review by the City). The subject Property Line Adjustment request will reconfigure the subject tax lots, such that Tax Lot 700 (the medical

building) will remain approximately 2.97 acres, although reconfigured to place parking to the side of the existing structure (where the single family home is today). Tax Lot 800 will be 4.04 acres, no longer fronting Pacific Highway, and Tax Lot 900 will be 6.38 acres, as shown on Applicant's Exhibit E.

**REVIEW CRITERIA:** Approval or denial of the request shall be based on the decision criteria contained in Section 16.124 of the Sherwood Zoning and Community Development Code (SZCDC).

## II. FINDINGS

### Lot Line Adjustment

Section 16.124, outlines the requirements for a property boundary adjustment. Specific requirements are found in Section 16.124.020 which states the following:

**A. The City Manager or his/her designee shall approve or deny a request for a property line adjustment in writing based on findings that the following criteria are satisfied:**

**1. No new lots are created.**

**ANALYSIS:** The proposed adjustment relocates a common property line between three existing, legal lots. There are no new lots created by this request.

**FINDING:** No new lots are created with this lot line adjustment because three lots exist today, and three will exist after the adjustment is made.

**2. The adjusted lots comply with the applicable zone requirements.**

**Staff Analysis:** The adjusted lots meet or satisfy all of the dimensional and use standards for properties within the Retail Commercial (RC) zone. All dimensional requirements can continue to be satisfied by the resulting lot adjustments.

**FINDING:** The adjusted lots will comply with the Retail Commercial zone requirements because all minimum lot sizes and setback requirements can be met with the size of the three reconfigured lots.

**3. The adjusted lots continue to comply with other regulatory agency or department requirements.**

**ANALYSIS:** Should the existing lot lines be adjusted to the proposed configuration, all three revised lots will continue to have access to public streets. SW Edy Road is a collector status street which requires 200 feet between driveways. The size of the new lots will allow full compliance with these separation requirements. Shared driveways would also be permitted. Development of newly configured parcel 1 and/or 3 will likely require street widening improvements to be installed along SW Edy Road and Highway 99; this will be subject to review under other entitlements.

A portion of the access and parking for the existing building within the eastern replated parcel will lie within an adjoining parcel after the replatting. An access and parking easement condition of approval has been added to address this.

Regarding sanitary sewer, each proposed replated parcel has access to public sanitary sewer infrastructure. The southwestern parcel has access to an 8-inch diameter sanitary sewer within Highway 99 while the northeastern 2 parcels have access to an 8-inch sanitary sewer within SW Edy Road. A portion

of the sanitary sewer service for the existing building within the eastern replated parcel will lie within an adjoining parcel after the replatting. This will be the same for the water service and private storm sewer system. Thus, a condition of approval has been added requiring easements between owners, see below.

Regarding water infrastructure, each proposed replated parcel has access to the public water system. The southwestern parcel has access at 3 locations while the northeastern 2 parcels have access to a 10-inch water main within SW Edy Road. A portion of the water service for the existing building within the eastern replated parcel will lie within an adjoining parcel after the replatting. A utility easement has already been conditioned for this situation. It appears that the existing fire double check assembly vault and the domestic meter are within private property. A condition of approval has been added to require easements to the City for all water public lines. The existing domestic water serving the health care facilities has a double check assembly for backflow prevention. Standards for a health care facilities call for a reduced pressure detector backflow assembly for backflow prevention. However, since the water service will not be changing as a result of the property line adjustment, installation of a reduced pressure detector backflow assembly will not be required until a time that development occurs or a plumbing permit for relocating water service occurs.

Regarding storm water infrastructure, each proposed replated parcel has access to public storm sewer. The southwestern parcel has access to an ODOT ditch within Highway 99 while the northeastern 2 parcels have access to an 18-inch storm sewer within SW Edy Road. A portion of the storm sewer service for the existing building within the eastern replated parcel will lie within an adjoining parcel after the replatting. A utility easement has already been conditioned for this situation. The lot line adjustment in itself does not change the layout of the impervious area. If any impervious area is added/redeveloped on any of the parcels through development or a grading permit, then water quality treatment of the impervious area or exemption thereof will be required. Any new water quality treatment facilities installed shall meet City of Sherwood and Clean Water Services (CWS) standards with private facilities being required to have a recorded Private Stormwater Facility Access and Maintenance Covenant. Conditions of approval have been added to assure full compliance with CWS requirements.

Lastly, it should be noted that any future development on any lot would require review for compliance with all applicable regulations and that this approval does not provide the applicant with any approvals other than the requested property line adjustment.

**FINDING:** The adjusted lots will not comply with all other regulatory agency or departmental requirements, however, with conditions of approval added below, the project fully complies.

**CONDITIONS OF APPROVAL:**

- The owner shall record a property line adjustment survey and legal descriptions in substantial compliance with the preliminary property line adjustment materials submitted with this application, as Applicant's Exhibit E, and prepared by Barghausen Consulting Engineers, Inc.
- Prior to recording the Lot Line Adjustment with the County the applicant shall provide the City with a Service Provider Letter and a Storm Water Connection Permit Authorization from Clean Water Services for all three lots.
- Prior to recording the Lot Line Adjustment with the County a private access, parking and utility easement over the area being conveyed from parcel 2 to parcel 1 shall be recorded to the benefit of Parcel 2.
- Prior to recording the Lot Line Adjustment with the County a public water line easement shall be dedicated to the City of Sherwood meeting the approval of the Sherwood Engineering Department for public water facilities located on private property.



- After recordation of the lot line adjustment, the owner shall submit a copy of the recorded Property Line Adjustment to the City of Sherwood Planning Department within 30 days of recording.

**B. If the property line adjustment is processed with another development application, all applicable standards of the Code shall apply.**

**ANALYSIS:** The applicant is also processing a Site Plan Review, a Conditional Use Permit, a Variance, and a Minor Land Partition at this time. This is being processed as a standalone entitlement at the applicant's request. The SZCDC does not require that other applications are acted on together. All applicable standards of the Code were applied to the proposal in staffs review for compliance.

**FINDING:** As proposed and discussed above, the proposed lot line adjustment satisfies the approval criteria for a lot line adjustment and is therefore approved.

**III. DECISION**

Based on the submitted plan (applicant's Exhibit E), with the applicable decision criteria in the Sherwood Zoning and Community Development Code, the Planning Department, acting as the City Manager's designee, reviewed the submitted application and **APPROVES** the requests subject to the following conditions:

1. The owner shall record a property line adjustment survey and legal descriptions in substantial compliance with the preliminary property line adjustment materials submitted with this application, as Applicant's Exhibit E, and prepared by Barghausen Consulting Engineers, Inc.
2. Prior to recording the Lot Line Adjustment with the County the applicant shall provide the City with a Service Provider Letter and a Storm Water Connection Permit Authorization from Clean Water Services for all three lots.
3. Prior to recording the Lot Line Adjustment with the County a private access, parking and utility easement over the area being conveyed from parcel 2 to parcel 1 shall be recorded to the benefit of Parcel 2.
4. Prior to recording the Lot Line Adjustment with the County a public water line easement shall be dedicated to the City of Sherwood meeting the approval of the Sherwood Engineering Department for public water facilities located on private property.
5. After recordation of the lot line adjustment, the owner shall submit a copy of the recorded Property Line Adjustment to the City of Sherwood Planning Department within 30 days of recording.

**Exhibits**

Exhibit A- The applicants Narrative which includes:

- A. Tax Map
- B. Aerial/Vicinity Map
- C. Zoning Map
- D. Existing Conditions
- E. Proposed Property Line Adjustment

**IV. APPEAL**

As per Section 16.76.020 of the Sherwood Zoning and Community Development Code (SZCDC), the decision of staff detailed above will become final unless an appeal is received by the Planning Department from the

applicant. The Notice of Decision for Case No. LLA 17-02 was placed in a U.S. Postal receptacle on June 14, 2017; therefore, the appeal deadline is **5:00 PM on June 28, 2017**.

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Matt Straite  
Contract Planner  
City of Sherwood

cc: Washington County Surveyor's Office via e-mail

**CITY OF SHERWOOD  
Staff Report and Notice of Decision  
Cedar Creek Plaza Subdivision (SUB 17-02)**

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**September 27, 2017**

**Planning Department**

App. Submitted: July 12, 2017  
App. Complete: August 23, 2017  
120-Day: December 21, 2017  
Deadline:

Matt Straite, Contract Planner

**Proposal:** The application proposes the subdivision of 6.38 acres (tax lot 900) into seven (7) commercial lots. All required utility and street improvements are included in the proposal.

**I. BACKGROUND**

- A. Applicant: Deacon Development  
Attn: Ryan Schera  
901 NE Glisan Street, Suite 100  
Portland, OR 97232
- Owner: Donald and Virginia E. Pfeifer Trust  
12324 SE Verlie St.  
Happy Valley, OR 97086
- B. Location: The property is located on the north side of SW Pacific Highway 99w, west of SW Edy Road. The property address is 21305 SW Pacific Highway 99w and is identified as tax lot 900 on Washington County Assessor Map 2S130DA.
- C. Parcel Size: The subject property is approximately 6.38 gross acres.
- D. Existing Development and Site Characteristics:

The subject site consists of Tax Lot 900, which is currently underdeveloped and contains remnant site improvements from a former mobile home park. The tax lot is part of a larger site that is the subject of a recently approved Site Plan Review and Conditional Use application (SP16-10 and CUP 16-06). A Property Line Adjustment application LLA 17-02 was also recently approved, and reconfigures the existing boundaries of Tax Lot 900 to increase its area from 5.69 to 6.38 acres.

Access to the parcels is provided from SW Pacific Highway and SW Edy Road. The site transitions from being generally flat in the north/northeast to gradually sloping toward the south/southwest. Several large deciduous and evergreen trees are spread throughout the property. There are no mapped resources on the site, and there are no wetlands or riparian features on the property.

- E. Site History: A mobile home park previously occupied the site. The park has been abandoned and vacant since 2007 based on aerial images.
- F. Zoning Classification and Comprehensive Plan Designation: The existing zoning is Retail Commercial (RC). Per section 16.22, the purpose of the RC zone is to provide areas for general retail and service uses that neither require larger parcels of land, nor produce excessive environmental impacts.
- G. Adjacent Zoning and Land Use: The property to the north is zoned Retail Commercial (RC) and Medium Density Residential High (MDRH), to the southeast is General Commercial (GC), to the west is High Density Residential with a Planned Unit Development Overlay (HDR-PUD) and General Commercial (GC).
- H. Review Type: The subdivision requires a Type II review and decision made by the Planning Director per Section 16.72.010.A.2 of the Sherwood Zoning and Community Development Code (SZCDC). An appeal would be heard by City of Sherwood Planning Commission.
- I. Public Notice and Hearing: Notice of the application was mailed to property owners within 1,000 feet of the site, posted on the property and in five locations throughout the City on August 30, 2017 in accordance with Section 16.72.020 of the SZCDC.
- J. Review Criteria: Review of the application will be based on the following chapters and applicable sections of the SZCDC, 16.22 (Retail Commercial Land Uses), 16.58 (Clear Vision and Fence), 16.72 (Procedures for Processing Development Permits), Division VI - 16.104-16.118 (Public Infrastructure), 16.120 (Subdivisions), 16.128 (Land Division Design Standards), 16.134 (Floodplain Overlay), 16.138 (Mineral Resources), 16.140 (Solid Waste), 16.142 (Parks, Trees and Open Space), 16.144 (Wetland, Habitat and Natural Areas), 16.146 (Noise), 16.148 (Vibrations), 16.150 (Air Quality), 16.152 (Odors), and 16.156 (Energy Conservation).
- K. Exhibits:
- a. Applicant Exhibits- Proposed subdivision (applicant narrative separate in file folder)
  - b. Public Comment Letters (Ms. Nordstrom and Ms. Egan)
  - c. Agency Letters (ODOT, CWS, TVF&R, Pride Disposal, Dept. of State Lands, Sherwood Engineering)

## II. PUBLIC COMMENTS

Public notice was mailed, posted on the property and in five locations throughout the City on August 30, 2017. Staff received two letters (Exhibit B):

- **Barbara Nordstrom**. Staff has received a letter from Barbara Nordstrom dated September 11, 2017. In the letter she explains that traffic in the area is significant and she feels that the approval of the application will add to the traffic. She also explains that cut through traffic is impacting her neighborhood along SW Lynnly Way. She explains that the application should not be approved until this cut-through traffic is stopped.

**Staff Response:** Staff can understand her concerns regarding any additional traffic. However, the proposed subdivision is dividing land in an approved, but unbuilt, commercial center. The application approving the commercial center included mitigation measures that are designed to improve traffic through SW Edy Road. According to the traffic study provided for the project the proposed improvements will significantly improve the traffic in the area. The proposed subdivision will not actually change anything in relation to traffic. The land division will only place already approved buildings on separate lots. Regarding the cut-through traffic issues on SW Lynnly Way, that concern has no relationship to this project, and as previously explained, the approved commercial center will be improving traffic in the area, including SW Lynnly Way.

- **Jacqueline Eagan.** Staff received an email from Jacqueline Eagan, dated September 18, 2017. She cites concerns with traffic and the closure of SW Maderia Terrace.

**Staff Response:** SW Maderia Terrace was never intended to be open to the public to the north (connecting to SW Edy Road). The connection was always on private property. The Site Plan and Conditional Use Permit required the physical closure of the street, however, the street was never supposed to be open to the public. This proposed subdivision is actually silent on the further closure of SW Maderia Terrace. The use cases were already approved by the Planning Commission earlier this year.

### III. AGENCY COMMENTS

Staff sent e-notice to affected agencies on August 5, 2013. The following is a summary of the comments received. Copies of full comments are included in the record unless otherwise noted (Exhibit C).

ODOT: In a letter dated September 7, 2017 (Attachment B) the Oregon Department of Transportation provided a letter citing concerns about the access easement. During review the City was assured that all proposed lots had access to a street, two had access to SW Maderia to the west (lots 1 and 2), one to SW Edy Road to the north (lot 3), and the rest to SW Highway 99 to the east. However, in an abundance of caution, the City has added the proposed condition of approval requesting that the access easement be extended to connect to the two lots that used SW Maderia for access (lots 1 and 2).

Tualatin Valley Fire and Rescue: TVFR contacted staff to say they had no comment.

Pride Disposal: Pride Disposal contacted staff to say they had no comment.

Department of State Lands: In an email dated August 31, 2017 (Attachment C) the Department of State Lands, Planning and Policy Unit, Aquatic Resources Management Program sited requesting that the City look at the local wetlands and assure the project notify their division prior to grading if the project is close to any listed wetlands. The proposed project is not located near any wetlands as listed on the Sherwood Local Wetlands Inventory (<http://www.oregon.gov/dsl/WW/Pages/Inventories.aspx>).

Clean Water Services (CWS): In a letter dated September 21, 2017 CWS explained that a storm water connection permit authorization must be obtained prior to a plat approval and recordation.

Sherwood Engineering Department: In a letter dated September 15, 2017 the Engineering division of the Community Development Department provided draft conditions of approval for the project. All have been added.

Portland General Electric, Sherwood Public Works Department, Bonneville Power Administration, Kinder Morgan Energy, METRO, NW Natural Gas, Sherwood School District, Tri-Met, U.S. Fish and Wildlife Services, and Washington County were all provided with an opportunity to comment, but provided no comments as of the date of this staff report. At the time this staff report was written Sherwood Engineering indicated that they were going to provide conditions of approval and comments on the project, but would not have them ready by the time this report is published.

## VI REQUIRED FINDINGS

### Chapter VII. Land Divisions, Subdivisions, Partitions, Lot Line Adjustments and Modifications (SECTION 16.120 Subdivisions)

#### 16.120.040- Approval Criteria: Preliminary Plat

**No preliminary plat shall be approved unless:**

- A. Streets and roads conform to plats approved for adjoining properties as to widths, alignments, grades, and other standards, unless the City determines that the public interest is served by modifying streets or road patterns.**

**FINDING:** The proposed project is located between the ODOT Highway and a developed residential housing development to the north, which is the rear of the commercial project site. The residential development included stub out streets for future connection to the commercial property. During the review and approval of the CUP and Site Plan for the Cedar Creek Plaza development the City and the applicant elected not to connect the commercial development to the residential development; however the street stub outs were used to provide a pedestrian connection between the two. The subdivision is required to construct all street improvements required along SW Pacific Highway 99w and the access easement to SW Edy Road. With conditions of approval, this standard is met.

- B. Streets and roads held for private use are clearly indicated on the plat and all reservations or restrictions relating to such private roads and streets are set forth thereon.**

**FINDING:** This criterion is not applicable as the applicant has not proposed any private roads or streets.

- C. The plat complies with applicable zoning district standards and design standards in Division II, and all provisions of Divisions IV, VI, VIII and IX. The subdivision complies with Chapter 16.128 (Land Division Design Standards).**

**FINDING:** Where applicable, this standard is met and discussed in Divisions IV (Planning Procedures), VI (Public Infrastructure) and VIII (Environmental Resources) of this report. Section IX (Historic Resources) is not addressed as it is not applicable.

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

**FINDING:** As discussed in Division VI (Public Infrastructure) of this report there are adequate services to support the proposed subdivision. The applicants exhibits demonstrate that adequate water, sanitary sewer, and other public facilities capacities exist, and facilities will be installed to support the site; and that the proposed public improvements will adequately serve each proposed lot. This standard is met.

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

**FINDING:** No additional lots outside the proposed subdivision lots are vacant or in the same ownership. This standard does not apply. However, lot 2, planned for a future hotel, has not been entitled for development. Any development of that property beyond grading would require a future Site Plan Review application. This standard is met.

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

**FINDING:** No vacant developable parcels abut the site. This standard does not apply. The proposed subdivision will not limit access to any adjoining developed land. As discussed above, it was determined that vehicle access between the commercial project and the residential development to the rear was not required by the Transportation Plan.

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

**FINDING:** Development of Tax Lot 900 is not proposed through this application, and this Subdivision application does not propose to increase or decrease any trees or landscaping on site. A separate Site Plan Review application submitted under City of Sherwood case file SP 16-10 presents an Arborist Report for that approved proposal. This standard has been satisfied through that review/approval process.

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

**FINDING:** Proposed lot numbers, setbacks, dimensions, and easements are shown on sheet C2.1A in Exhibit H. This standard is met.

**I. A minimum of five percent (5%) open space has been provided per § 16.44.B.8 (Townhome- Standards) or §16.142.020 (Parks, Open Spaces and Trees-Single-Family Residential Subdivisions), if applicable.**

**FINDING:** Neither of these sections applies to the proposed commercial-zone subdivision. This standard does not apply.

**V. APPLICABLE CODE PROVISIONS**

**A. Division II - Land Use and Development**

The applicable provisions of Division II include: 16.22 (Retail Commercial); 16.58 (Visual Clearance); and 16.68 (Infill Development) Compliance with the standards in these sections is discussed below:

**Chapter 16.22- Commercial Land Use Districts**

**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)**

**FINDING:** Each of the applicable development standards addressed below are satisfied to at least the minimum requirements. Landscaping standards will be assessed based on the Site Plan application (SP 16-10), rather than on a lot-by-lot basis. This is consistent with the language in Section 16.92 of the City of Sherwood Municipal Code. This standard is met.

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



<p>Lot area</p>	<p>5,000 SF</p>	<p>As shown on Exhibit H, Sheet C2.1A, the subject partition will result in seven lots:                  Lot 1: 57,906 SF                  Lot 2: 75,354 SF                  Lot 3: 39,577 SF                  Lot 4: 31,090 SF                  Lot 5: 23,995 SF                  Lot 6: 19,589 SF                  Lot 7: 30,451 SF</p>
<p>Lot width at front property line</p>	<p>40'</p>	<p>Approximate lot width for lots that meet the City of Sherwood's definition of having a front lot line<sup>1</sup>:                  Lot 1: 106'                  Lot 2: 392'                  Lot 3: N/A                  Lot 4: 195'                  Lot 5: 130'                  Lot 6: 102'                  Lot 7: 140'</p>

Lot width at building line	40'	No buildings are proposed through this application. However, each lot is dimensioned to provide more than 40' of width within the respective building pads (i.e., portions of each lot that are inside of the minimum required setbacks). For the buildings approved through SP 16-10: Lot 1: 253' Lot 2: N/A <sup>2</sup> Lot 3: 204' Lot 4: 195' Lot 5: 130' Lot 6: 102' Lot 7: 140'
Front yard setback	0	Lot 1: 84.5 Lot 2: N/A <sup>2</sup> Lot 3: N/A Lot 4: 26-36' Lot 5: 38.8' Lot 6: 25' Lot 7: 25.7'
When abutting residential zone	Same as abutting residential zone (14' abutting HDR PUD zone to the NW)	
Side yard setback	0	Lot 1: 89' & 5.5' Lot 2: N/A <sup>2</sup> Lot 3: 39.5-144.8' & 39-71' Lot 4: 65.3' & 40-51' Lot 5: 20' & 25.9' Lot 6: 9.4' & 16.8' Lot 7: 5' & 5.5'
When abutting residential zone or public park	10'	
Rear yard setback	0	Lot 1: 87' Lot 2: N/A Lot 3: N/A Lot 4: 39' Lot 5: 115' Lot 6: 130' Lot 7: 128'
When abutting residential zone or public park	10'	

**FINDING:** The building envelopes demonstrate that lots are large enough for structures to meet the setbacks. As proposed, it appears that these standards can be met. The actual building envelopes are consistent with the recently approved CUP and Site Plan for the site.

**16.58.010 Clear Vision Areas**

**A. A clear vision area shall be maintained on the corners of all property at the intersection of two (2) streets, intersection of a street with a railroad, or**

intersection of a street with an alley or private driveway.

- B. A clear vision area shall consist of a triangular area, two (2) sides of which are lot lines measured from the corner intersection of the street lot lines for a distance specified in this regulation; or, where the lot lines have rounded corners, the lot lines extended in a straight line to a point of intersection, and so measured, and the third side of which is a line across the corner of the lot joining the non-intersecting ends of the other two (2) sides.
- C. A clear vision area shall contain no planting, sight obscuring fence, wall, structure, or temporary or permanent obstruction exceeding two and one-half (2 1/2) feet in height, measured from the top of the curb, or where no curb exists, from the established street center line grade, except that trees exceeding this height may be located in this area, provided all branches and foliage are removed to the height of seven (7) feet above the ground on the sidewalk side and ten (10) feet on the street side.

The following requirements shall govern clear vision areas:

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

**FINDING:** The design of the proposed access from SW Edy Road and SW Pacific Highway 99w allow for adequate clear vision areas as shown on the applicant's exhibits for the project.

## **B. Division III – Administrative Procedures**

### **16.72.010.A.2 Type II reviews**

**FINDING:** Section 16.72.010.A.2.i requires that applications for subdivisions between 4-10 lots be reviewed as a Type II project which is subject to consideration by the Planning Director. Appeals are heard by the Sherwood Planning Commission. These are not actual approval criteria, but rather directions to staff on how to process the application. All procedures have been followed consistent with this Chapter.

## **C. Division VI - Public Infrastructure**

The applicable provision of Division VI include: 16.106 (Transportation Facilities); 16.110 (Sanitary Sewers); 16.112 (Water Supply); 16.114 (Storm Water); 16.116 (Fire Protection); 16.118 (Public and Private Utilities); and 16.128 (Land Division Design Standards).

### **16.106 Transportation Facilities**

#### **16.106.020 Required Improvements**

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

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

**prior to issuance of occupancy permits. The following figure provides the depiction of the functional classification of the street network as found in the Transportation System Plan, Figure 8-1.**

**ANALYSIS:** The applicants narrative indicates the following: Street improvements are proposed along the site's SW Edy Road and SW Pacific Highway frontages. These improvements have been designed consistent with the functional classification of each roadway as stipulated in the City of Sherwood Transportation System Plan. The street improvements proposed with this Subdivision application have already been proposed and approved as part of a previous Site Development Review application for this site, (SP 16-10). All improvements proposed as part of this subdivision are consistent with the improvements already approved for the use entitlements.

A portion of the frontage along SW Edy Road will be improved to contain an additional eastbound travel lane in the area 300' west of the intersection with SW Borchers Drive. A bike lane, sidewalk, and planter strip will also be provided along the full frontage of the site, consistent with the dimensional standards cited above. In addition, the existing eastbound left-turn lane at the intersection of SW Edy Road and SW Pacific Highway will be lengthened to allow for increased storage capacity for north-bound turns onto the highway (Exhibit H, Sheet 3.1). These proposed improvements will be facilitated by the dedication of additional right-of-way.

Improvements proposed along the site's SW Pacific Highway frontage will include the extension of an existing sidewalk, planter strip, and bike lane to the southern extent of the site. A right-turn/deceleration lane is also proposed to enable safe right turns into the site from the highway.

Based on these findings, the subject proposal is consistent with the criterion cited above. This standard is met.

**FINDING:** This standard is met.

### **B. Existing Streets**

**Except as otherwise provided, when a development abuts an existing street, the improvements requirement shall apply to that portion of the street right-of-way located between the centerline of the right-of-way and the property line of the lot proposed for development. In no event shall a required street improvement for an existing street exceed a pavement width of thirty (30) feet.**

**FINDING:** As shown on Exhibit H, the proposed street improvements along SW Edy Road and SW Pacific Highway are less than 30' in width. This standard is met.

### **C. Proposed Streets**

**1. Except as otherwise provided, when a development includes or abuts a proposed street, in no event shall the required street improvement exceed a pavement width of forty (40) feet.**

**2. Half Streets: When a half street is created, a minimum of 22 feet of driving surface shall be provided by the developer.**

**FINDING:** No new streets are proposed through this application. This standard is 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.**

**FINDING:** As described above, the applicant proposes to complete transportation improvements along SW Edy Road and SW Pacific Highway that are required for consistency with the City of Sherwood Transportation System Plan. Additionally, the applicants propose to install a new traffic signal at the intersection of SW Edy Road and SW Borchers Drive as part of the approval for SP 16-10, identified in the City of Sherwood Transportation System Plan as an option for achieving expected Level of Service ratings along this collector street and affected intersections. Those improvements have been designed in accordance with the standards referenced above. Dedication of additional right-of-way is required along SW Edy Road in order to complete the proposed improvements and will be secured on the recorded final plat or through recording a declaration of right-of-way dedication with SP 16-10 and will be duplicated here. This standard is not met but will be as conditioned.

#### **PROPOSED CONDITION OF APPROVAL:**

- Dedication of additional right-of-way, to the satisfaction of the Sherwood Engineering Division is required along SW Edy Road in order to complete the proposed improvements.
- Prior to obtaining building occupancy within any phase of the development, the developer shall construct traffic signals at the SW Borchers Drive/SW Edy Road intersection and street improvements along SW Edy Road in compliance with the City and ODOT approved public improvement plans.
- Prior to issuing any new building occupancy within Phase 3, the developer shall construct all required street improvements along Highway 99. Street improvements include an 8-foot wide bike lane (or as otherwise approved by ODOT), right turn lane and a 10-foot wide concrete sidewalk within a 25-foot wide landscape strip. The landscape strip will be measured from the outside of the 8-foot bike lane. Right-of-way shall be dedicated to the back of the 25-foot landscape strip.

- Prior to final acceptance of the constructed public improvements on Edy Road, the existing street lighting along SW Edy Road shall be replaced with new street lighting in a style in compliance with Sherwood Engineering standards with the construction of the street improvements to SW Edy Road as approved by the City Engineer and ODOT.

**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 partial improvement is not feasible due to the inability to achieve proper design standards;**
- A partial improvement may create a potential safety hazard to motorists or pedestrians.**
- 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;**
- The improvement would be in conflict with an adopted capital improvement plan;**
- 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**
- 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.**

**FINDING:** The applicant is not requesting deferral of street improvements discussed above. This standard is 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.**

**FINDING:** The applicant is not requesting a modification to street improvement standards discussed above. 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.**

**FINDING:** Street improvements proposed through this application will adapt existing streets in order to conform to the corresponding functional classification, as specified in the City of Sherwood Transportation System Plan. The design of those improvements will comply with the criterion cited above to the extent that the corresponding standards achieve the stated characteristics listed above. No new streets are proposed. This standard is met.

**B. Street Connectivity and Future Street Systems**

1. **Future Street Systems. The arrangement of public streets shall provide for the continuation and establishment of future street systems as shown on the Local Street Connectivity Map contained in the adopted Transportation System Plan (Figure 16).**

**FINDING:** The Local Street Connectivity Map (Figure 18 of the Transportation System Plan) does not show the extension of any new Local streets through the site. As noted above, no new streets are proposed through this application. This standard is met.

2. **Connectivity Map Required. New residential, commercial, and mixed use development involving the construction of new streets shall be submitted with a site plan that implements, responds to and expands on the Local Street Connectivity map contained in the TSP.**

**FINDING:** As noted above, no new streets are proposed through this application. This standard is not applicable.

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.**

**FINDING:** As noted above, no new streets are proposed through this application, and the Subdivision complies with the block length and block perimeter standards in Section 16.128.010. This standard is not applicable.

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.**

**FINDING:** None of the proposed street improvements will require crossing a water feature that is identified in Title 3 of the UGMFP. This standard is not applicable.

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.**

**FINDING:** None of the proposed street improvements will require crossing a water feature that is identified in Title 3 of the UGMFP. This standard is not applicable.

- 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.**

**FINDING:** The extension of a new street through the site is not required for consistency with the City of Sherwood Transportation System Plan. Figures 12 and 13 of the Transportation System Plan do not identify any pedestrian or bicycle connectivity projects that affect the site. This standard is met.

### **C. Underground Utilities**

**All public and private underground utilities, including sanitary sewers and storm water drains, shall be constructed prior to the surfacing of streets. Stubs for service connections shall be long enough to avoid disturbing the street improvements when service connections are made.**

**FINDING:** Please see below for findings in response to public utilities that are proposed through this application. Installation of any new public lines will occur prior to completion of corresponding street improvements. Additionally, this application contains plans for surface water management and utility connections, ensuring that each proposed lot provides on-site stormwater management and makes direct connections to public water, sewer and storm drain lines. The submitted plans demonstrate compliance with these requirements. Regarding the requirement to underground utilities, some power lines within the ODOT right-of-way use voltage too large to be placed underground safely. All other utilities are to be placed underground, conditions of approval have been added to assure this is done. With the added conditions of approval these standards are met.

#### **CONDITIONS OF APPROVAL:**

- Prior to Granting of Occupancy for any buildings, Sherwood Broadband utilities (vaults and conduits) shall be installed along the subject property's frontage per requirements set forth in City Ordinance 2005-017 and City Resolution 2005-074.
- Prior to Granting of Occupancy for any buildings, existing overhead utilities along the subject property frontage of Highway 99 shall be relocated underground within the PUE unless otherwise approved by the City Engineer.



All new utilities shall be placed underground.

- Prior to Sherwood Engineering final acceptance of the constructed public improvements, the developer shall dedicate and record right-of-way along SW Edy Road as required and a minimum 8-foot wide PUE for areas along all street frontages where the existing PUE is less than 8-feet unless otherwise approved by the City Engineer.
- Prior to Sherwood Engineering final acceptance of the constructed public improvements, the developer shall dedicate and record right-of-way along Highway as required and a minimum 8-foot wide PUE for areas along all street frontages where the existing PUE is less than 8-feet unless otherwise approved by the City Engineer or ODOT.

**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.**

	<b>Classification</b>	<b>Additional Setback</b>
<b>1.</b>	<b>Principle Arterial (99W)</b>	<b>61 feet</b>
<b>2.</b>	<b>Arterial</b>	<b>37 feet</b>
<b>3.</b>	<b>Collector</b>	<b>32 feet</b>
<b>4.</b>	<b>Neighborhood Route</b>	<b>32 feet</b>
<b>5.</b>	<b>Local</b>	<b>26 feet</b>

**FINDING:** Additional setbacks are not required to secure right-of-way that may be needed to complete street improvements. The proposed site plan has been designed to account for dedication of additional right-of-way along SW Edy Road, as noted above. This standard is met.

**16.106.040 - Design**

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

**A. Reserve Strips**

**Reserve strips or street plugs controlling access or extensions to streets are not allowed unless necessary for the protection of the public welfare or of**

**substantial property rights. All reserve strips shall be dedicated to the appropriate jurisdiction that maintains the street.**

**FINDING:** No reserve strips or street plugs are proposed or required in conjunction with this Subdivision application. This standard is not applicable.

## **B. Alignment**

**All proposed streets shall, as far as practicable, be in alignment with existing streets. In no case shall the staggering of streets create a "T" intersection or a dangerous condition. Street offsets of less than one hundred (100) feet are not allowed.**

**FINDING:** Proposed street improvements along SW Edy Road and SW Pacific Highway will continue the existing alignment of those streets, as shown on Exhibit H. No new streets are proposed. This standard is met.

## **C. Future Extension**

**Where necessary to access or permit future subdivision or development of adjoining land, streets must extend to the boundary of the proposed development and provide the required roadway width. Dead-end streets less than 100' in length must comply with the Engineering Design Manual.**

**A durable sign must be installed at the applicant's expense. The sign is required to notify the public of the intent to construct future streets. The sign must read as follows: "This road will be extended with future development. For more information contact the City of Sherwood Engineering Department."**

**FINDING:** No new streets are proposed or required through this application. All proposed lots will have shared circulation and access by way of an approved driveway onto SW Pacific Highway, a blanket parking and circulation easement over the entire site (as well as over tax lots 800 & 700), and an access easement to SW Edy Road, as shown on the applicants Exhibit Sheet C1.3. Based on a request by ODOT, a blanket access easement will also be required. One existing Local street, SW Madeira Terrace, currently terminates at the west property boundary, approximately 100' north of the southwest corner of Tax Lot 900. Although public right-of-way was dedicated for this street, the "stub" is not improved, except for public utility lines that terminate at the site boundary. An approximately 4' tall retaining wall constructed of large rock boulders extends along the site boundary where this "stub" terminates.

Continuation of the street through the site was not identified as necessary by the City of Sherwood through SP 16-10 (though a walkway will be constructed), and ODOT has informed the applicant that such street extension would not be permitted due to concerns about increased "cut-through" traffic between the residential neighborhood and SW Pacific Highway. Given these considerations, the applicant is not proposing to extend a Local street through the site in this location. This standard is not met, however, with the addition of the proposed conditions of approval, the standard is met.

**PROPOSED CONDITION OF APPROVAL:** The applicant shall record a blanket access easement to all lots as well as the property to the south with the County Assessor to facilitate future shared access.

#### D. Intersection Angles

**Streets shall intersect as near to ninety (90) degree angles as practical, except where topography requires a lesser angle. In all cases, the applicant shall comply with the Engineering Design Manual.**

**FINDING:** Proposed street improvements along SW Edy Road and SW Pacific Highway will continue the existing alignment of those streets, as shown on Exhibits. No new streets are proposed. This standard is met.

#### E. Cul-de-sacs

1. **All cul-de-sacs shall be used only when exceptional topographical constraints, existing development patterns, or compliance with other standards in this code preclude a street extension and circulation. A cul-de-sac shall not be more than two hundred (200) feet in length and shall not provide access to more than 25 dwelling units.**
2. **All cul-de-sacs shall terminate with a turnaround in accordance with the specifications in the Engineering Design Manual. The radius of circular turnarounds may be larger when they contain a landscaped island, parking bay in their center, Tualatin Valley Fire and Rescue submits a written request, or an industrial use requires a larger turnaround for truck access.**
3. **Public easements, tracts, or right-of-way shall provide paved pedestrian and bicycle access ways at least 6 feet wide where a cul-de-sac or dead-end street is planned, to connect the ends of the streets together, connect to other streets, or connect to other existing or planned developments in accordance with the standards of this Chapter, the TSP, the Engineering Design Manual or other provisions identified in this Code for the preservation of trees.**

**FINDING:** No cul-de-sacs are proposed through this application. This standard is not applicable.

#### F. Grades and Curves

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

**FINDING:** This application is for a subdivision and the only grading proposed is for the right-of-way and utility improvements. In addition to the review of this application by the City Engineer, the applicant will be required to submit to the City Engineer final plans for public improvements prior to issuance of construction permits. Compliance with the applicable portions of the Engineering Design Manual will be determined through that process. This standard is met.

### G. Streets Adjacent to Railroads

Streets adjacent to railroads shall run approximately parallel to the railroad and be separated by a distance suitable to allow landscaping and buffering between the street and railroad. Due consideration shall be given at cross streets for the minimum distance required for future grade separations and to provide sufficient depth to allow screening of the railroad.

**FINDING:** A railroad is not adjacent to the site. This standard is not applicable.

### H. Buffering of Major Streets

Where a development abuts Highway 99W, or an existing or proposed principal arterial, arterial or collector street, or neighborhood route, adequate protection for residential properties must be provided, through and local traffic be separated, and traffic conflicts minimized. In addition, visual corridors pursuant to Section 16.142.040, and all applicable access provisions of Chapter 16.96, are to be met. Buffering may be achieved by: parallel access streets, lots of extra depth abutting the major street with frontage along another street, or other treatment suitable to meet the objectives of this Code.

**FINDING:** The proposed Subdivision accounts for provision of the required Visual Corridors along Pacific Highway. No changes are proposed to accesses. This standard is met.

### I. Median Islands

As illustrated in the adopted Transportation System Plan, Chapter 8, median islands may be required on arterial or collector streets for the purpose of controlling access, providing pedestrian safety or for aesthetic purposes.

**FINDING:** Median islands are not proposed or required through this application. Access control to and from the site will be accomplished through installation of a new traffic signal at SW Edy Road and SW Borchers Drive, as well as through a right-in, right-out driveway along SW Pacific Highway. Existing and proposed public sidewalks will provide safe pedestrian access to the site. This standard is met.

### J. Transit Facilities

Development along an existing or proposed transit route, as illustrated in Figure 7-2 in the TSP, is required to provide areas and facilities for bus turnouts, shelters, and other transit-related facilities to Tri-Met specifications. Transit facilities shall also meet the following requirements:

1. Locate buildings within 20 feet of or provide a pedestrian plaza at major transit stops.
2. Provide reasonably direct pedestrian connections between the transit stop and building entrances on the site.
3. Provide a transit passenger landing pad accessible to disabled persons (if not already existing to transit agency standards).

4. **Provide an easement or dedication for a passenger shelter and underground utility connection from the new development to the transit amenity if requested by the public transit provider.**
5. **Provide lighting at a transit stop (if not already existing to transit agency standards).**

**FINDING:** Based on Figure 14 of the Transportation System Plan, SW Edy Road is the nearest transit route. No transit facilities have been requested through ODOT review along SW Pacific Highway. This street will be constructed to ODOT standards pursuant to a condition of approval. With the added condition of approval, this standard is met.

**CONDITION OF APPROVAL:**

- Prior to Sherwood Engineering Department approval of the public improvement plans, all public transportation infrastructure shall be designed to meet City of Sherwood and ODOT standards for the related phase as approved by the Sherwood Engineering Department/ODOT.

**K. Traffic Controls**

1. **Pursuant to Section 16.106.080, or as otherwise required by the City Engineer, an application must include a traffic impact analysis to determine the number and types of traffic controls necessary to accommodate anticipated traffic flow.**
2. **For all other proposed developments including commercial, industrial or institutional uses with over an estimated 400 ADT, or as otherwise required by the City Engineer, the application must include a traffic impact analysis to determine the number and types of traffic controls necessary to accommodate anticipated traffic flow.**

**L. Traffic Calming**

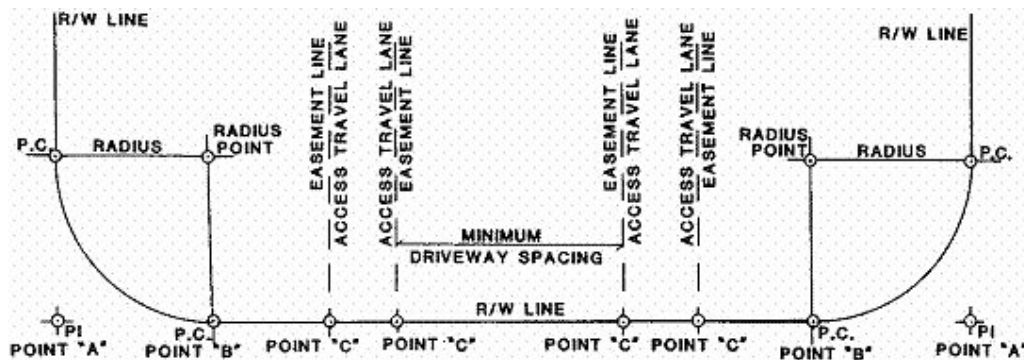
1. **The following roadway design features, including internal circulation drives, may be required by the City in new construction in areas where traffic calming needs are anticipated:**
  - a. **Curb extensions (bulb-outs).**
  - b. **Traffic diverters/circles.**
  - c. **Alternative paving and painting patterns.**
  - d. **Raised crosswalks, speed humps, and pedestrian refuges.**
  - e. **Other methods demonstrated as effective through peer reviewed Engineering studies.**
2. **With approval of the City Engineer, traffic calming measures such as speed humps and additional stop signs can be applied to mitigate traffic operations and/or safety problems on existing streets. They should not be applied with new street construction unless approved by the City Engineer and Tualatin Valley Fire & Rescue.**

**FINDING:** Development of the subject lots are not proposed through this application, beyond the public utilities improvements. However, a previous Site Development Review application for this site, SP 16-10, included a Traffic Impact Analysis for the subject site. This standard is met.

**M. Vehicular Access Management**

All developments shall have legal access to a public road. Access onto public streets shall be permitted upon demonstration of compliance with the provisions of adopted street standards in the Engineering Design Manual.

1. **Measurement:** See the following access diagram where R/W = Right-of-Way; and P.I. = Point-of-Intersection where P.I. shall be located based upon a 90 degree angle of intersection between ultimate right-of-way lines.
  - a. Minimum right-of-way radius at intersections shall conform to City standards.
  - b. All minimum distances stated in the following sections shall be governed by sight distance requirements according to the Engineering Design Manual.
  - c. All minimum distances stated in the following sections shall be measured to the nearest easement line of the access or edge of travel lane of the access on both sides of the road.
  - d. All minimum distances between accesses shall be measured from existing or approved accesses on both sides of the road.
  - e. Minimum spacing between driveways shall be measured from Point "C" to Point "C" as shown below:



**FINDING:** Proposed street improvements and points of access to the site have been designed consistent with the standards cited above, as shown on Exhibit H and described in detail below. This standard is met.

**2. Roadway Access**

No use will be permitted to have direct access to a street or road except as specified below. Access spacing shall be measured from existing or approved accesses on either side of a street or road. The lowest functional classification street available to the legal lot, including alleys within a public easement, shall take precedence for new access points.

a. **Local Streets:**

Minimum right-of-way radius is fifteen (15) feet. Access will not be permitted within ten (10) feet of Point "B," if no radius exists, access will not be permitted within twenty-five (25) feet of Point "A." Access points near an intersection with a Neighborhood Route, Collector or Arterial shall be located beyond the influence of standing queues of the intersection in accordance with AASHTO standards. This requirement may result in access spacing greater than ten (10) feet.

b. **Neighborhood Routes:**

Minimum spacing between driveways (Point "C" to Point "C") shall be fifty (50) feet with the exception of single family residential lots in a recorded subdivision. Such lots shall not be subject to a minimum spacing requirement between driveways (Point "C" to Point "C"). In all instances, access points near an intersection with a Neighborhood Route, Collector or Arterial shall be located beyond the influence of standing queues of the intersection in accordance with AASHTO standards. This requirement may result in access spacing greater than fifty (50) feet.

**FINDING:** The site does not front along or take access from a Local street or Neighborhood Route. This standard is not applicable.

c. **Collectors:**

All commercial, industrial and institutional uses with one-hundred-fifty (150) feet or more of frontage will be permitted direct access to a Collector. Uses with less than one-hundred-fifty (150) feet of frontage shall not be permitted direct access to Collectors unless no other alternative exists.

Where joint access is available it shall be used, provided that such use is consistent with Section 16.96.040, Joint Access. No use will be permitted direct access to a Collector within one-hundred (100) feet of any present Point "A." Minimum spacing between driveways (Point "C" to Point "C") shall be one-hundred (100) feet. In all instances, access points near an intersection with a Collector or Arterial shall be located beyond the influence of standing queues of the intersection in accordance with AASHTO standards. This requirement may result in access spacing greater than one hundred (100) feet.

**FINDING:** The subject parcel does not have frontage along a Collector street. This standard is not applicable.

d. **Arterials and Highway 99W - Points of ingress or egress to and from Highway 99W and arterials designated on the Transportation Plan Map, attached as Figure 1 of the Community Development Plan, Part II, shall be limited as follows:**

- (1) **Single and two-family uses and manufactured homes on individual residential lots developed after the effective date of this Code shall not be granted permanent driveway ingress or egress from Highway 99W or arterials. If alternative public access is not available at the time of development, provisions shall be made for temporary access which shall be discontinued upon the availability of alternative access.**

**FINDING:** The subject proposal does not include single or two-family uses or manufactured homes on individual lots. This standard is not applicable.

- (2) **Other private ingress or egress from Highway 99W and arterial roadways shall be minimized. Where alternatives to Highway 99W or arterials exist or are proposed, any new or altered uses developed after the effective date of this Code shall be required to use the alternative ingress and egress. Alternatives include shared or crossover access agreement between properties, consolidated access points, or frontage or backage roads. When alternatives do not exist, access shall comply with the following standards:**

**FINDING:** The proposed subdivision anticipates one point of access to the highway that would enable “right-in” turn movements only, which has been approved by ODOT. An analysis of the proposed driveway is presented in the Traffic Impact Analysis submitted with the previously approved Site Plan Review application (SP16-10). The analysis demonstrates that allowing an access from the highway as proposed will improve vehicular circulation to and from the site when compared to a scenario where no access was allowed from the highway. This standard is met.

- (a) **Access to Highway 99W shall be consistent with ODOT standards and policies per OAR 734, Division 51, as follows: Direct access to an arterial or principal arterial will be permitted provided that Point 'A' of such access is more than six hundred (600) feet from any intersection Point 'A' or other access to that arterial (Point 'C').**
- (b) **The access to Highway 99W will be considered temporary until an alternative access to public right-of-ways is created. When the alternative access is available the temporary access to Highway 99W shall be closed.**

**FINDING:** The proposed access from SW Pacific Highway is approximately 550' from the intersection at SW Edy Road and SW Pacific Highway, and 615' from the existing private access that serves Tax Lot 1100 south of the site. As noted above, the site currently takes access from the highway at



three separate driveways. Consolidating those existing accesses to the single proposed access and locating it as proposed will require review and approval by ODOT through a “grant of access” review. As ODOT retains jurisdictional authority over operations of and access to SW Pacific Highway, ODOT can determine that locating the proposed access less than 600’ from the intersection at SW Edy Road and SW Pacific Highway is permissible. This standard is met.

- (3) All site plans for new development submitted to the City for approval after the effective date of this Code shall show ingress and egress from existing or planned local, neighborhood route or collector streets, including frontage or backage roads, consistent with the Transportation Plan Map and Chapter 6 of the Community Development Plan.**

**FINDING:** All ingress and egress points are shown on the plans and have been designed to be consistent with the Transportation Plan Map and Chapter 6 of the Community Development Plan, as shown on the applicants exhibits. This standard is met.

## **16.106.060 - Sidewalks**

### **A. Required Improvements**

- 1. Except as otherwise provided, sidewalks shall be installed on both sides of a public street and in any special pedestrian way within new development.**
- 2. For Highway 99W, arterials, or in special industrial districts, the City Manager or designee may approve a development without sidewalks if alternative pedestrian routes are available.**

**FINDING:** This proposed development includes plans to extend sidewalks across all property frontages along public streets, as is shown in the site plans. Along SW Pacific Highway, an existing sidewalk extends across the frontage of Tax Lot 700. This sidewalk is proposed to be extended along the entire property frontage on SW Pacific Highway. The new proposed sidewalk along Tax Lot 900 (and lot 800 to the east) will include planter strips. Sidewalks within the site are proposed through a separate site plan review (SP 16-10); no development is proposed on the lots, beyond public utilities improvements. This standard is met.

- 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.**

**FINDING:** This application does not propose cul-de-sacs serving dwelling units. This standard does not apply.

### **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.**

**FINDING:** The proposed development site has frontage along SW Pacific Highway, which is designated as a Principal Arterial. Additionally, right-of-way improvements are proposed along SW Edy Road, a collector street. As shown in the plans at Sheet C3.1 of Exhibit H, the sidewalks along SW Edy Road are proposed to be 8' in width. According to Figure 16 A of the Sherwood Transportation System Plan, the required right-of way improvements for Highway 99W include a 6' sidewalk; site plans for this area include a 6' sidewalk. ADA accessible ramps will 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.**

**FINDING:** Full street connections for pedestrian and bicycle paths are proposed along SW Edy Road and SW Pacific Highway, so connections on public easements are not required. This standard does not apply. However, a pedestrian pathway is proposed along the public easement portion of SW Madeira Terrace.

### 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.**

**FINDING:** As is shown on the applicant's exhibits, bicycle lanes will be reconstructed as part of street improvements along Highway 99W and SW Edy Road. Bicycle lanes will be 5' wide along SW Edy Road and 8' wide along Highway 99W. All new bicycle lanes will be separated from the road with a 12" stripe. This standard is met.

### 16.106.080 - Traffic Impact Analysis (TIA)

#### A. Purpose

The purpose of this section is to implement Sections 660-012-0045(2)(b) and -0045(2)(e) of the State Transportation Planning Rule (TPR), which require the City to adopt performance standards and a process to apply conditions to land use proposals in order to minimize impacts on and protect transportation facilities. This section establishes requirements for when a traffic impact analysis (TIA) must be prepared and submitted; the analysis methods and content involved in a TIA; criteria used to review the TIA; and authority to attach conditions of approval to minimize the impacts of the proposal on transportation facilities.

This section refers to the TSP for performance standards for transportation facilities as well as for projects that may need to be constructed as mitigation measures for a proposal's projected impacts. This section also relies on the City's Engineering Design Manual to provide street design standards and construction specifications for improvements and projects that may be constructed as part of the proposal and mitigation measures approved for the proposal.

**FINDING:** This proposal is for a subdivision; no buildings or uses are proposed on the subject lots through this application. No amendments are proposed to the Comprehensive plan or zoning map, and no new trips or traffic patterns will be generated by this subdivision.

#### 16.110 Sanitary Sewers

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

**FINDING:** The proposed development will install four-inch diameter sanitary sewer lines to connect the proposed buildings to adjacent public sanitary sewer mains. Sheet C2.3A in the applicants Exhibit H shows all proposed connections. Sanitary sewer service for the subdivision will be provided via connection to an existing sewer manhole at the southwest corner of the site and a public sewer extension will be provided within easement parallel to SW Pacific Highway to the new Providence lot line. As necessary, the applicant will record public access and maintenance easements over all new and existing public utility lines that enter or cross through the site to ensure these facilities can be maintained and function properly. The City has added a number of Conditions of approval to assure these standards are met. With these conditions of approval added (see below) this standard is met.

#### **CONDITIONS OF APPROVAL:**

- All public sanitary sewer mainline systems shall be constructed to City standards and shall terminate with manholes. Cleanouts are not acceptable.
- Prior to Sherwood Engineering Department final acceptance of the constructed public improvements, any public sanitary sewer to be located on private

property shall have a recorded public sanitary sewer easement encompassing the related public sanitary sewer improvements meeting Sherwood Engineering standards.

- Prior to Granting of Occupancy for any building, the proposed development shall provide storm sewer improvements as needed to serve new street widening improvements and service all parcels within the subject development meeting Sherwood Engineering standards.
- Prior to issuing of any building permit, the proposed development shall design for the extension of the public storm sewer system as necessary to provide service to all proposed lots in accordance with Sherwood Engineering standards.
- Prior to Granting of Occupancy, any private storm sewer services shall be installed in compliance with the current Oregon Plumbing Specialty Code.
- Prior to issuance of a Compliance Agreement for any particular Phase of development, the Sherwood Engineering Department shall provide review and approval of the related public sanitary sewer improvements plans. The public sanitary sewer infrastructure plans shall meet City of Sherwood standards.
- Prior to issuing of any building permit, the proposed development shall design for the extension of the public sanitary sewer system as necessary to provide service to all proposed lots in accordance with Sherwood Engineering standards.
- Prior to issuing of any building permit, the proposed development shall design for the extension of the public water sewer system as necessary to provide service to all proposed lots in accordance with Sherwood Engineering standards.
- Private sanitary sewer laterals shall be installed in compliance with the current Oregon Plumbing Specialty Code.
- Prior to issuance of a Compliance Agreement for any phase of development, the Sherwood Engineering Department shall provide review and approval of the related public storm sewer improvement plans. The public storm sewer infrastructure plans shall meet City of Sherwood standards.
- Prior to Sherwood Engineering Department final acceptance of the constructed public improvements, any public storm sewer to be located on private property shall have a recorded public storm sewer easement encompassing the related public storm sewer improvements meeting Sherwood Engineering standards.
- That all construction sites shall be maintained in a clean and sanitary condition at all times. Construction debris, including food and drink waste, shall be restricted from leaving the construction site through proper disposal containers

or construction fencing enclosures. Failure to comply with this condition may result in a “Stop Work” order until deficiencies have been corrected to the satisfaction of the Community Development.

- Prior to issuing any building permits for Phase 3 of the development, any septic system within the subject property shall either be abandoned/removed in accordance with all applicable regulations.

#### **16.112 Water Supply**

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

**FINDING:** As is shown in the utilities plan (sheet C2.3 in applicants Exhibit H), a new 8-inch diameter public water line will be extended into the site from an existing line located in SW Madeira Terrace. This new line will replace the existing line that extends into Tax Lot 700 from SW Edy Road. The water line will form a loop on site, connecting to the existing public waterline in SW Madeira Terrace in two locations – one location being where SW Madeira Terrace makes a 90-degree bend on site and the other approximately 430 feet southwest. The waterline loop through the site will be public and will be located within a 15-foot wide easement. There will be separate waterline taps to each of the lots.

Fire hydrants and water lines were designed in conformance with city and fire district standards. The applicant will record blanket access and maintenance easements over all new and existing public utility lines that enter or cross through the site to ensure these facilities can be maintained and function properly as previously conditioned. Additionally, the City has added a number of Conditions of approval to assure these standards are met. With these conditions of approval added (see below) this standard is met.

#### **CONDITIONS OF APPROVAL:**

- Private water services shall be installed in compliance with the current Oregon Plumbing Specialty Code.
- Prior to Sherwood Engineering Department final acceptance of the constructed public improvements, any public water line to be located on private property shall have a recorded public water line easement encompassing the related public water improvements meeting Sherwood Engineering standards.
- Prior to Sherwood Engineering Department final acceptance of the public improvements, the proposed development shall install a new public water mainline through the subject property to connect the 10-inch water line at Highway 99 to the 10-inch water line in SW Edy Road and to the 12-inch water line within SW Madeira Terrace. A minimum 20-foot wide recorded public water line easement is required for this line meeting the approval of the Sherwood Engineering Department.

- Prior to Granting of Occupancy for any buildings, the proposed development shall supply domestic, irrigation and fire water to each parcel of the development as needed meeting Sherwood Engineering standards.
- Prior to a Granting of Occupancy for each building, domestic water service for each building shall have a backflow device or reduced pressure backflow assembly installed meeting the approval of the Sherwood Public Works Department.
- Prior to issuance of a Building Permit for each building, water flows calculations (domestic, irrigation and fire) for the building seeking a permit shall be provided by the developer to the Building Department. Approval of the water flows calculations by Sherwood Public Works is required prior to issuance of a Building Permit.
- Prior to issuance of a Compliance Agreement for any phase of development, the Sherwood Engineering Department shall provide review and approval of the related public water improvement plans. The public water infrastructure plans shall meet City of Sherwood standards.
- Prior to Sherwood Engineering Department final acceptance of the constructed public improvements, the developer shall record a Private Stormwater Facility Access and Maintenance Covenant covering private water quality and detention facilities. Also an Operations and Maintenance Plan is required for all private water quality and detention facilities.
- Prior to Granting of Occupancy for any buildings, the developer shall provide water quality treatment for all new/redeveloped impervious area constructed unless otherwise approved by the City Engineer and Clean Water Services.
- No additional impervious area may be drained into the “Madeira” subdivision water quality pond without analysis showing that the water quality pond and water quality manhole have adequate capacity or can be modified to have adequate capacity for the additional flows. If this option is utilized, any analysis and submitted calculations must be performed and stamped by a Professional Civil Engineer registered in the State of Oregon.
- Prior to a Granting of Occupancy for each building, if on-site fire protection is required, backflow protection meeting Sherwood Engineering Department standards shall be installed by developer, and inspected and approved by Public Works.
- Prior to issuing any Building Permits within Phase 3 of the development, any active water well on the site shall either be either abandoned or isolated/maintained in accordance with all applicable regulations.

### **16.114 Storm Water**

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

**FINDING:** The utility plans (sheet C2.3A in applicants Exhibit H) show how each proposed lot will provide on-site stormwater quality and detention, and connect directly to public stormwater facilities. New water quality and detention facilities are proposed to manage run-off from the site in a manner that is consistent with applicable Clean Water Services design standards. Additionally, the City has added a number of Conditions of approval to assure these standards are met. With these conditions of approval added (see below) this standard is met.

**CONDITIONS OF APPROVAL:**

- Prior to Granting of Occupancy of any building, the developer shall detain storm water in compliance with Clean Water Services standards meeting the approval of ODOT for any storm water to be discharged to ODOT right-of-way from the subject property.
- Prior to Sherwood Engineering Department approval of the public improvement plans, a Storm Water Connection Permit Authorization shall be obtained as necessary for work associated with each phase of development.
- Prior to Sherwood Engineering Department approval of the public improvement plans for work within ODOT right-of-way, the developer shall obtain a facilities permit from ODOT for all improvements affecting ODOT right-of-way (street improvements, utilities, storm discharge, etc.).

**16.116.010 Fire Protection**

**When land is developed so that any commercial or industrial structure is further than 250 feet or any residential structure is further than 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. In addition capacity, fire flow, access to facilities and number of hydrants shall be consistent with 16.116.020 and fire district standards.**

**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.

**FINDING:** There is an existing 8-inch diameter water line running along SW Madeira Terrace, which will provide an adequate supply for fire protection. This line is within 250 feet of the site.

TVFR has reviewed this application for compliance with their standards, and indicated they have no comments. The drawings, as submitted, ensure that the development complies with the applicable standards of the Fire Code. Upon review, it doesn't appear compliance will result in changes to the plat and the proposal is feasible.

**16.118.020 Public and Private Utilities Standard**

- A. Installation of utilities shall be provided in public utility easements and shall be sized, constructed, located and installed consistent with this Code, Chapter 7 of the Community Development Code, and applicable utility company and City standards.**

**FINDING:** This proposed development requires public utility easements, which are shown in the utility plans. A new public waterline is proposed to connect the existing eight-inch diameter waterline along SW Madeira Terrace and a new public sewer line is proposed to run along the eastern side of the site, extending to the Providence property line (lot 700). Building B is served by public storm and sewer easements additional to those noted above. As is shown in the plans, a 15-foot wide easement will be provided over the proposed waterline connection, and a 10-foot wide easement is proposed over the proposed sewer line. Shared easements (storm and water) are



proposed at a 30' width. All easements were designed in compliance with the City of Sherwood Development Code, Chapter 7 of the Community Development Code, and applicable utility company and City standards. This standard is met.

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

**FINDING:** The applicant's preliminary plans provide the location of existing and relocated utilities as discussed above. These standard are met.

#### **16.128.010 Blocks**

##### **A. Connectivity**

##### **1. Block Size**

The length, width, and shape of blocks shall be designed to provide adequate building sites for the uses proposed, and for convenient access, circulation, traffic control and safety.

##### **2. Block Length**

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

##### **3. Pedestrian and Bicycle Connectivity. Paved bike and pedestrian accessways shall be provided on public easements or right-of-way consistent with Figure 7.401.**

**FINDING:** No new blocks are proposed. This standard is not applicable.

- B. Utilities Easements for sewers, drainage, water mains, electric lines, or other utilities shall be dedicated or provided for by deed. Easements shall be a minimum of ten (10) feet in width and centered on rear or side lot lines; except for tie-back easements, which shall be six (6) feet wide by twenty (20) feet long on side lot lines at the change of direction.**

**FINDING:** Public easements necessary for extending utilities to serve the proposed lots are shown on the applicant's exhibits. A public waterline easement, a public storm and waterline easement, a public sanitary easement, and a temporary storm easement are proposed to run through the site. The width of each easement is consistent with or exceeds the criterion cited above. This standard is met.

### **C. Drainages**

**Where a subdivision is traversed by a watercourse, drainage way, channel or street, drainage easements or rights-of-way shall be provided conforming substantially to the alignment and size of the drainage.**

**FINDING:** The subdivision is not traversed by a watercourse, drainage way, channel or street, drainage easement. This standard is not applicable.

### **16.128.020 Pedestrian and Bicycle Ways**

**Pedestrian or bicycle ways may be required to connect cul-de-sacs, divide through an unusually long or oddly shaped block, or to otherwise provide adequate circulation.**

**FINDING:** As noted above, Figure 7.401 does not specify a block length distance beyond which paved bike and pedestrian accessways must be provided between parallel public streets and/or cul-de-sacs. The proposed subdivision complies with the block length and perimeter standards cited above, therefore such accessways are not necessary. This standard is met.

### **16.128.030 Lots**

#### **A. Size and Shape**

**Lot size, width, shape, and orientation shall be appropriate for the location and topography of the subdivision or partition, and shall comply with applicable zoning district requirements, with the following exception:**

- 1. Lots in areas not served by public sewer or water supply shall conform to any special County Health Department standards.**

**FINDING:** Findings presented below demonstrate that the proposed lots are dimensioned to allow compliance with the applicable development standards of the RC zone. Access to necessary utilities will be facilitated by the public access and maintenance easements discussed above. This standard is met.

#### **B. Access**

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

**FINDING:** A blanket parking, circulation and access easement will exist over the entire site, as well as lots 800 and 700 to the northeast, as conditioned (discussed previously). Per Sherwood Municipal Code, a lot is defined as "a parcel of land of at least sufficient size to meet the minimum zoning requirements of this Code, and with frontage on a public street, or easement approved by the City." According to this definition, access to Lot 3 may be provided through an easement, so all proposed lots

meet public street access standards. (Notably, SUB 12-02, the Langer Farms Subdivision, was approved based on like reasoning.) This standard is met.

**C. Double Frontage**

**Double frontage and reversed frontage lots are prohibited except where essential to provide separation of residential development from railroads, traffic arteries, adjacent nonresidential uses, or to overcome specific topographical or orientation problems. A five (5) foot wide or greater easement for planting and screening may be required.**

**FINDING:** No double frontage lots are proposed. This standard is not applicable.

**D. Side lot lines shall, as far as practicable, run at right angles to the street upon which the lots face, except that on curved streets side lot lines shall be radial to the curve of the street.**

**FINDING:** Each of the proposed lots facing SW Pacific Highway will have side lot lines that are at right angles to that roadway. This standard is met.

**E. Grading**

**Grading of building sites shall conform to the following standards, except when topography of physical conditions warrants special exceptions:**

- 1. Cut slopes shall not exceed one (1) and one-half (1 1/2) feet horizontally to one (1) foot vertically.**
- 2. Fill slopes shall not exceed two (2) feet horizontally to one (1) foot vertically.**

**FINDING:** The proposed grading required for the right-of-way improvements will comply with this standard, as is shown in the applicant's exhibits. No grading of the building sites is proposed through this application. However, the lots have been dimensioned to allow compliance with the criterion cited above, as demonstrated by the exhibits, and materials submitted in support of the associated Site Plan Review application (SP16-10). This standard is met.

**D. Division VIII – Environmental Resources**

**16.134.010 - Floodplain (FP) Overlay**

**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.**

**FINDING:** The subject site is not located within the Floodplain Overlay regulated through Chapter 16.134. The corresponding standards are not applicable.

#### **Chapter 16.138 - Mineral Resources**

**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.**

**FINDING:** No mineral extraction or processing activities are proposed through the subject application. This standard is not applicable.

#### **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.**

**FINDING:** No solid waste facilities are proposed through the subject application. This standard is not applicable.

#### **16.142 Parks and Open Space**

##### **16.142.030 Single-Family or Duplex Residential Subdivisions**

- A. A minimum of five percent (5%) of the net buildable site (after exclusion of public right-of-way and environmentally constrained areas) shall be maintained as "open space". Open space must include usable areas such as public parks, swimming and wading pools, grass areas for picnics and recreational play, walking paths, and other like space. The following may not be used to calculate open space:**
- 1. Required yards or setbacks.**
  - 2. Required visual corridors.**
  - 3. Required sensitive areas and buffers.**
  - 4. Any area required to meet a standard found elsewhere in this code.**

**FINDING:** A separate approved Site Plan Review application for the site, SP 16-10, documented through the tree survey and arborist report, found that the site contains trees that are subject to regulation through Chapter 16.142. Additionally, the site has frontage along SW Pacific Highway, a Principal Arterial, and new development along this road must provide Visual Corridor landscape buffering. No changes are proposed to parks, trees, or open spaces through this subdivision application. All criterion related to parks, trees and open spaces were met through SP 16-10. Applicable standards are addressed below.

##### **16.142.040.A Visual Corridors**

###### **A. Corridors Required**

**New developments located outside of the Old Town Overlay with frontage on Highway 99W, or arterial or collector streets designated on Figure 8-1 of the Transportation System Plan shall be required to establish a landscaped visual corridor according to the following standards:**

	Category	Width
1	Highway 99	25 feet

**In residential developments where fences are typically desired adjoining the above described major street the corridor may be placed in the road right-of-way between the property line and the sidewalk. In all other developments, the visual corridor shall be on private property adjacent to the right-of-way.**

**FINDING:** Landscape Plans are not required for this project. All landscaping for the site was addressed with the Site Plan approval, including visual corridors. This is not applicable.

**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.**

**FINDING:** Landscape Plans are not required for this project. A commercial subdivision is not considered a development project as it is not authorizing construction of any use or structure (just streets and public utilities). All landscaping for the site was addressed with the Site Plan approval, including street trees. A separate Site Plan Review approval (SP 16-10) includes new street trees along the SW Edy Road (not abutting the subject site for this Subdivision application). Installation will occur either within new planter strips or behind the public sidewalk and within the front setback area. No additional street trees are proposed or required with this Subdivision application. This standard is met. This is not applicable.

**16.144.010 –Wetland, Habitat and Natural Areas**

**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.**

**FINDING:** The site does not contain any wetlands identified on the City's Wetland Inventory. This standard is not applicable.

**Chapter 16.146 – Noise**

**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.**

**FINDING:** No development is proposed through this application. However, the retail, commercial, and restaurant uses approved through a separate Site Plan Review application for this site 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). None of these potential noise sources requires issuance of permits from the State. This standard is met.

#### **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.**

**FINDING:** No building construction or uses are proposed through this Subdivision application. The subject site is zoned for commercial development and is immediately adjacent to existing residential developments north and west of the site. The proposed subdivision complements the approved development plan for this site (SP 16-10) by allowing each proposed building to be on a separate legal lot of record. As noted above, the noise sources anticipated in conjunction with this development are expected to be typical of a commercial shopping center. In comparison, commercial uses proposed in the southern portion of the site are separated from the west site boundary by a distance of at least 90 feet, and the passive side of the nearest building is oriented toward the neighborhood. These factors will also help to reduce potential noise impacts on the neighborhood. To date, City of Sherwood staff has not indicated whether, in their interpretation, the adjacent residential neighborhoods constitute a use that is "sensitive to noise impacts" or requested submittal of a noise level study. Such an interpretation and/or request of a noise study would have been requested during the approval of the site plan review (SP 16-10).

These provisions do not apply to land division review because this proposal to subdivide the Subject Property into seven lots, corresponding to the approved site plan for buildings, parking and landscaping in SP 16-10, which is final and unappealable, will not directly

result in any noise impacts. Noise impacts may arise instead from land use activities by future building occupants, whether property owners or leasehold tenants within the development; those firms or individuals will be responsible for their activities' compliance with these noise-related performance standards, and for implementing mitigation measures if necessary to achieve it. A Condition of approval has been added to assure that the noise does not become an issue to the neighboring residential areas. With the condition, these standards are met.

**CONDITION OF APPROVAL:**

- Noise shall be kept at the minimum level possible during construction. The developer shall agree to aggressively ensure that all vehicles working in the development shall have adequate and fully functioning sound suppression devices installed and maintained at all times.

**16.148 – Vibrations**

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

**FINDING:** No development is proposed through this Subdivision application. A separate Site Plan Review approval, SP 16-10, concluded that, with the exception of vibrations that may occur during site development and building construction, none of the proposed commercial uses is 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. This standard is met.

**16.150 - Air Quality**

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

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

**FINDING:** No development is proposed through this Subdivision application. A separate Site Plan Review approval, SP 16-10, concluded that all of the proposed uses are anticipated to achieve and maintain compliance with air quality standards contained in OAR 340-21-060. Use of an incinerator is not proposed or necessary as part of the daily operations of the proposed uses, and none of them require 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. With conditions of approval, this standard is met.

**CONDITION OF APPROVAL:**

- Dust shall be controlled within the development during construction and shall not be permitted to drift onto adjacent properties.

**Chapter 16.152 – Odors**

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

**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.

**FINDING:** No development is proposed through this Subdivision application. This standard does not apply.

**16.156.020- Energy Conservation**

- 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.**
- 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.**

**FINDING:** The existing development and street patterns determine the orientation of the buildings on the proposed lots. The proposed lots, and the majority of the existing residential lots surrounding the property are oriented in an east/west direction. This standard is met

**DECISION**

Based upon review of the applicant's submittal information, review of the code, and public and agency comments, staff finds that the proposed subdivision does not fully comply with the standards but can be conditioned, as follows, to comply. Therefore, staff **approves the Cedar Creek Plaza Subdivision (SUB 17-02) application subject to the following conditions.**



## 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. Development and construction on the site shall conform substantially to the preliminary plat development plans submitted by and dated August 8, 2017 except as modified in the conditions below. All plans shall comply with the applicable building, planning, engineering and fire protection codes of the City of Sherwood.
3. The developer is responsible for all costs associated with any remaining public facility improvements and shall assure the construction of all public streets and utilities within and adjacent to the plat as required by these conditions of approval, to the plans, standards, and specifications of the City of Sherwood. The developer shall also provide to the City financial guarantees for construction of all public streets and utilities within and adjacent to the plat, as required by the engineering compliance agreement.
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. Placement of construction trailers or temporary storage containers on the subject property shall require a Temporary Use Permit per Section 16.86 of the SZCDC.
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. Retaining walls within public easements or the public right-of-way shall require engineering approval. Retaining walls located on private property that support a surcharge or are over four feet in height measured from the bottom of the footing will require a permit from the Building Department.
8. All public sanitary sewer mainline systems shall be constructed to City standards and shall terminate with manholes. Cleanouts are not acceptable.
9. Private water services shall be installed in compliance with the current Oregon Plumbing Specialty Code.
10. Dust shall be controlled within the development during construction and shall not be permitted to drift onto adjacent properties.
11. Noise shall be kept at the minimum level possible during construction. The developer shall agree to aggressively ensure that all vehicles working in the development shall have adequate and fully functioning sound suppression devices installed and maintained at all times.

12. That all construction sites shall be maintained in a clean and sanitary condition at all times. Construction debris, including food and drink waste, shall be restricted from leaving the construction site through proper disposal containers or construction fencing enclosures. Failure to comply with this condition may result in a "Stop Work" order until deficiencies have been corrected to the satisfaction of the Community Development.
13. Prior to Sherwood Engineering Department final acceptance of the constructed public improvements, any public sanitary sewer to be located on private property shall have a recorded public sanitary sewer easement encompassing the related public sanitary sewer improvements meeting Sherwood Engineering standards.
14. Prior to Sherwood Engineering Department final acceptance of the constructed public improvements, any public water line to be located on private property shall have a recorded public water line easement encompassing the related public water improvements meeting Sherwood Engineering standards.
15. No additional impervious area may be drained into the "Madeira" subdivision water quality pond without analysis showing that the water quality pond and water quality manhole have adequate capacity or can be modified to have adequate capacity for the additional flows. If this option is utilized, any analysis and submitted calculations must be performed and stamped by a Professional Civil Engineer registered in the State of Oregon.
16. Provide a 6-foot wide sidewalk between the sidewalk along the south side of SW Madeira Terrace and the subject development.
17. Prior to the commencement of the design of any public improvements, the developer shall attend a predesign meeting with the Sherwood Engineering Department.

**B. Prior to Issuance of Grading or Erosion Control Permits From the Building Department:**

1. Obtain Building Department permits and approval for erosion control and grading on private property and Engineering Department permits and approval for all grading in the public right of way.
2. Prior to Sherwood Engineering Department approval of any phase of the public improvement plans and issuance of a Compliance Agreement, the developer shall obtain a DEQ NPDES 1200C permit.
3. Install tree protection fencing around any trees to be retained on site. The tree protection fencing shall be inspected and deemed appropriate by the arborist as verified in written documentation to be reviewed by the Planning Department.

**C. Prior to Approval of the Final Plat:**

1. The applicant shall record a blanket access easement to all lots as well as the property to the south with the County Assessor to facilitate future shared access.

2. The submittal by the applicant for final plat review and approval shall include but not be limited to the following: a final plat application; final plat review fee; narrative identifying how the required conditions of approval have or will be met; three copies of the final plat; and any other materials required to demonstrate compliance with the conditions of approval.
3. Dedication of additional right-of-way, to the satisfaction of the Sherwood Engineering Division is required along SW Edy Road in order to complete the proposed improvements.
4. The final plat shall show the following:
  - a. The Community Development Director as the City's approving authority within the signature block of the final plat.
  - c. Provide an 8-foot public utility easement (PUE) dedication adjacent and parallel to the dedicated right-of-way, noted above, for the length of the street right-of-way fronting the subject property, consistent with the previously approved site plan.
5. The public improvement plans must be approved and bonded for prior to the City's approval of the final plat.

**D. Prior to Approval of the Public Improvement Plans:**

1. Submit the final plat for review to the Planning Department.
2. Prior to issuance of a Compliance Agreement for any particular Phase of development, the Sherwood Engineering Department shall provide review and approval of the related public sanitary sewer improvements plans. The public sanitary sewer infrastructure plans shall meet City of Sherwood standards.
3. Prior to Sherwood Engineering Department approval of the public improvement plans, all public transportation infrastructure shall be designed to meet City of Sherwood and ODOT standards for the related phase as approved by the Sherwood Engineering Department/ODOT.
4. Prior to Sherwood Engineering Department approval of the public improvement plans, a Storm Water Connection Permit Authorization shall be obtained as necessary for work associated with each phase of development.
5. Prior to Sherwood Engineering Department approval of the public improvement plans for work within ODOT right-of-way, the developer shall obtain a facilities permit from ODOT for all improvements affecting ODOT right-of-way (street improvements, utilities, storm discharge, etc.).

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

1. All agreements required as conditions of this approval must be signed and recorded.
2. Prior to issuing of any building permit, the proposed development shall design for the

extension of the public sanitary sewer system as necessary to provide service to all proposed lots in accordance with Sherwood Engineering standards.

3. Prior to issuing of any building permit, the proposed development shall design for the extension of the public water sewer system as necessary to provide service to all proposed lots in accordance with Sherwood Engineering standards.
4. Private sanitary sewer laterals shall be installed in compliance with the current Oregon Plumbing Specialty Code.
5. Prior to issuing any building permits for Phase 3 of the development, any septic system within the subject property shall either be abandoned/removed in accordance with all applicable regulations.
6. Prior to issuance of a building permit for each building, water flows calculations (domestic, irrigation and fire) for the building seeking a permit shall be provided by the developer to the Building Department. Approval of the water flows calculations by Sherwood Public Works is required prior to issuance of a Building Permit.
7. Prior to issuing of any building permit, the proposed development shall design for the extension of the public storm sewer system as necessary to provide service to all proposed lots in accordance with Sherwood Engineering standards.
8. Prior to issuing of a building permit, the developer shall execute an Engineering Compliance Agreement.
9. Prior to issuing any Building Permits within Phase 3 of the development, any active water well on the site shall either be either abandoned or isolated/maintained in accordance with all applicable regulations.

**F. Prior to Grant of Occupancy:**

1. Prior to Grant of Occupancy of any building, the developer shall detain storm water in compliance with Clean Water Services standards meeting the approval of ODOT for any storm water to be discharged to ODOT right-of-way from the subject property.
2. Prior to Grant of Occupancy for any building, the proposed development shall provide storm sewer improvements as needed to serve new street widening improvements and service all parcels within the subject development meeting Sherwood Engineering standards.
3. Prior to Grant of Occupancy for any buildings, the developer shall provide water quality treatment for all new/redeveloped impervious area constructed unless otherwise approved by the City Engineer and Clean Water Services.
4. Prior to Grant of Occupancy, any private storm sewer services shall be installed in compliance with the current Oregon Plumbing Specialty Code.

5. Prior to Grant of Occupancy for any buildings, Sherwood Broadband utilities (vaults and conduits) shall be installed along the subject property's frontage per requirements set forth in City Ordinance 2005-017 and City Resolution 2005-074.
6. Prior to Grant of Occupancy for any buildings, existing overhead utilities along the subject property frontage of Highway 99 shall be relocated underground within the PUE unless otherwise approved by the City Engineer. All new utilities shall be placed underground.
7. Prior to a Grant of Occupancy for each building, if on-site fire protection is required, backflow protection meeting Sherwood Engineering Department standards shall be installed by developer, and inspected and approved by Public Works
8. Prior to Grant of Occupancy for any buildings, the proposed development shall supply domestic, irrigation and fire water to each parcel of the development as needed meeting Sherwood Engineering standards.
9. Prior to a Grant of Occupancy for each building, domestic water service for each building shall have a backflow device or reduced pressure backflow assembly installed meeting the approval of the Sherwood Public Works Department.
10. Prior to Grant of Occupancy within any phase of the development, the developer shall construct traffic signals at the SW Borchers Drive/SW Edy Road intersection and street improvements along SW Edy Road in compliance with the City and ODOT approved public improvement plans.
11. Prior to Grant of Occupancy, final acceptance of the constructed public improvements shall be obtained from the City of Sherwood Engineering Department.
12. Prior to Grant of Occupancy within Phase 3, the developer shall construct all required street improvements along Highway 99. Street improvements include an 8-foot wide bike lane (or as otherwise approved by ODOT), right turn lane and a 10-foot wide concrete sidewalk within a 25-foot wide landscape strip. The landscape strip will be measured from the outside of the 8-foot bike lane. Right-of-way shall be dedicated to the back of the 25-foot landscape strip.

**G. Prior to Sherwood Engineering Final Acceptance of the Constructed Public Improvements:**

1. Prior to Sherwood Engineering Department final acceptance of the public improvements, all public easements, not being provided on the plat, must be submitted to the City for review, signed by the City and the applicant and recorded by the applicant with a certified copy of the recorded easements on file at the City.
2. Prior to Sherwood Engineering Department final acceptance of the public improvements, all public easement dedication documents must be submitted to the City for review, signed by the City and the applicant, and recorded by the applicant with the original or a certified copy of the recorded easements on file at the City.

3. Prior to Sherwood Engineering Department final acceptance of the public improvements, the proposed development shall install a new public water mainline through the subject property to connect the 10-inch water line at Highway 99 to the 10-inch water line in SW Edy Road and to the 12-inch water line within SW Madeira Terrace. A minimum 20-foot wide recorded public water line easement is required for this line meeting the approval of the Sherwood Engineering Department.
4. Prior to Sherwood Engineering final acceptance of the constructed public improvements, the developer shall dedicate and record right-of-way along SW Edy Road as required and a minimum 8-foot wide PUE for areas along all street frontages where the existing PUE is less than 8-feet unless otherwise approved by the City Engineer.
5. Prior to Sherwood Engineering final acceptance of the constructed public improvements, the developer shall dedicate and record right-of-way along Highway as required and a minimum 8-foot wide PUE for areas along all street frontages where the existing PUE is less than 8-feet unless otherwise approved by the City Engineer or ODOT.
6. Prior to Sherwood Engineering Department final acceptance of the public improvements, the developer shall record any private access and utility easements associated with that phase of development. These easements shall encompass areas of the subject development where use of facilities by multiple properties occurs or where one parcels service is obtained through another parcel.
7. Prior to issuance of a Compliance Agreement for any phase of development, the Sherwood Engineering Department shall provide review and approval of the related public water improvement plans. The public water infrastructure plans shall meet City of Sherwood standards.
8. Prior to issuance of a Compliance Agreement for any phase of development, the Sherwood Engineering Department shall provide review and approval of the related public storm sewer improvement plans. The public storm sewer infrastructure plans shall meet City of Sherwood standards.
9. Prior to Sherwood Engineering Department final acceptance of the constructed public improvements, the developer shall record a Private Stormwater Facility Access and Maintenance Covenant covering private water quality and detention facilities. Also an Operations and Maintenance Plan is required for all private water quality and detention facilities.
10. Prior to Sherwood Engineering Department final acceptance of the constructed public improvements, any public storm sewer to be located on private property shall have a recorded public storm sewer easement encompassing the related public storm sewer improvements meeting Sherwood Engineering standards.
11. Prior to final acceptance of the constructed public improvements on Edy Road, the existing street lighting along SW Edy Road shall be replaced with new street lighting in a style in compliance with Sherwood Engineering standards with the construction of the street improvements to SW Edy Road as approved by the City Engineer and ODOT.

**VII. Exhibits**

- A. Applicant's submittal with narrative and supporting documents
- B. Letter from ODOT dated September 7, 2017
- C. Letter from State of Oregon dated August 31, 2017

**The preliminary plat approval is valid for a period of two (2) years from the date of the decision, per Section 16.120.050.**

**From:** [Harold Cox](#)  
**To:** [Eric Rutledge](#)  
**Subject:** Case File LU 2021-009 MM  
**Date:** Tuesday, August 31, 2021 5:26:25 PM

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Mr. Rutledge

I am in receipt of the Notice of the Public Hearing concerning a “Major Modification to the Approved Site Plan” scheduled for September 14, 2021 relating to the Deacon Development proposed apartment development on Tax Lot 2300 & 2700. Unfortunately, I received this notice this date as I have been traveling out of State. Further, I am leaving on Wednesday September 1, 2021 for a trip to the East Coast and will not be available to attend the hearing. Therefore I am submitting this e-mail.

Please note we own the adjoining property that the Planet Fitness Building is located; 16852 SW Edy Road, Building A, Sherwood, OR .

We oppose this “Major Modification of the Approved Site Plan”. When we purchased the property at 16852 SW Edy Road, it was represented by Deacon, that the vacant land would be developed with “compatible” commercial use, not apartments. The sales materials that Deacon provided us made it clear that the vacant land would be developed with a commercial use. Further, after some discussions with Deacon, they told us they were in talks with Trader Joe’s for this vacant parcel, which we believe would be very beneficial to the overall development. We are told a Trade Joe’s development would not be as profitable to Deacon as an Apartment development.

To make the proposed apartments work, Deacon has to do a “Major Modification” to a site plan that we as owners of the other lots previously approved and invested millions of dollars based upon said site plan. The approval of this “Major Modification” will potentially reduce the value of our property and the other properties in the development. Further, it may affect the loans that are on the various properties as our lenders have approved the CC&Rs and Master Plan as they now stand. The “Major Modification” could cause defaults on mortgages.

I will be communicating with other property owners in the development to see if we can jointly hire an attorney to oppose this “Major Modification”. Unfortunately, with my travel schedule and the shortness of time I do not know if it is possible to get an attorney up to speed in time.

At a minimum I request the City of Sherwood to postpone this hearing until all the owners of the Cedar Creek Plaza Development can be contacted properly and appropriate action taken. However, the best case scenario is for the City of Sherwood to “not approve” the request for a “Major Modification” and require the subject site (Tax Lot 2300 & 2700) to stand on its own and not use the robbed benefits of other properties that Deacon Development controls.

This “Major Modification” will have lasting financial effects on all the property owners of Cedar



Creek Plaza. Deacon is a merchant developer and has no interest in the future viability of the overall project. The City of Sherwood has a responsibility to its land owners and not to the profit of merchant developers.

We will do all we can to file the appropriate legal action in the short time we have, but again, ask the City of Sherwood at a minimum to postpone this until all the owners of Cedar Creek Plaza have an opportunity to come together for a proper response.

Thank you for your time on this.

Harold N. Cox  
President  
THE COX GROUP, LTD  
Commercial Real Estate...  
P. O. Box 1068, Wilsonville, OR 97070  
Phone: 503-223-1973 | [cox@coxgroupdx.com](mailto:cox@coxgroupdx.com)

**From:** [Mark Light](#)  
**To:** [Eric Rutledge](#)  
**Subject:** Case File : LU 2021-009 MM Cedar Creek Plaza  
**Date:** Wednesday, September 1, 2021 8:11:04 PM

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Pursuant to the Notice of Public Hearing attached to the fence of the vacant lot 2 in the retail plaza, along with the mailed notification to the residents surrounding the proposed development, we would like to submit here, in writing, our intent that as a citizen directly affected by this proposed development, we wish our comments heard and recorded at the virtual public hearing scheduled for Tuesday, September 14, 2021.

We also wish to make our comments part of testimony on the specific topic of the proposed multi housing project.

We have previously been in discussion with the developer, and our concerns were (without our knowledge or consent) added to the numerous documents that we have only been given 2 weeks to download and understand here.

We intend to make it known to the City of Sherwood issues pertaining to egress, carbon footprint, logistical concerns with regard to Fire Access and public safety along with the imprint of every day inconveniences to the surrounding residents should this development be approved.

Finally, a question for the Planning Commission - has the re-zoning from commercial to residential already been approved?

Thank you for your time,

Mark & Julia Light  
17117 SW Robinwood Place  
Sherwood, OR 97140

**From:** [Bruce Bebb](#)  
**To:** [Eric Rutledge](#)  
**Subject:** Opposing the Multi family development at Cedar Creek Plaza  
**Date:** Monday, September 6, 2021 9:49:22 AM

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

Eric,

I live at 21233 SW Houston Drive. From Houston Drive I travel East on Eddy Rd through the Borchers intersection several times daily.

At rush hours in the morning and evening and at times during mid-day, the intersection is blocked with traffic as I try to drive East on Eddy, with cars turning East from Borchers and East from Cedar Creek Plaza. Too many times I've witnessed cars jammed up in the middle of the intersection waiting for the through traffic to clear so they can access the Right turn lane headed South onto 99W, also the through traffic lane, as well as the left turn lane headed North on 99W.

This mid intersection blockage is hazardous now.... even without this proposed 84 unit complex, and requires some major intersection/lane adjustments.

An 84 unit multi family building at Cedar Creek Plaza with only one point of egress will add an inordinate amount of traffic to this already dangerous intersection.

The said proposal for the 84 unit complex is unacceptable and the developer needs to be denied.

Please contact me with any questions or discussions.

Bruce Bebb  
21233 SW Houston Drive  
Sherwood, OR 97140  
503.680.9568  
[brucebebb@gmail.com](mailto:brucebebb@gmail.com)



Staff Report

LU 2021-019 PA Recommendation to Adopt Economic Opportunities Analysis 2021-2041

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To: SHERWOOD PLANNING COMMISSION

From:



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Erika Palmer, Planning Manager

**Proposal:** For the Planning Commission to review, consider, and recommend to City Council the adoption of the Economic Opportunities Analysis (EOA) for the 2021 to 2041 planning period as a sub-element to the Comprehensive Plan.

## I. OVERVIEW

- A. Applicant: The City of Sherwood
- B. Location: The EOA is a technical long-range planning document to be adopted as a sub-element of the Comprehensive Plan; therefore, it applies citywide.
- C. Review Type: The proposal requires a Type V review, which involves public hearings before the Planning Commission and City Council. The Planning Commission will make a recommendation to the City Council, who will make the final decision. Any appeal of the City Council decision would go directly to the Oregon Land Use Board of Appeals.
- D. Public Notice and Hearing: The project is a legislative amendment. Notice of the first evidentiary hearing was provided to the Department of Land Conservation and Development (DLCD) and Metro on September 7, 2021. Notice of the October 12, 2021, Planning Commission hearing was published in The Times, a newspaper of general circulation, on September 23 and October 5, 2021. Notice was also posted in public locations around town, and a project page was created on the city's website on September 13, 2021.
- E. Review Criteria:  
The required findings for the Plan Amendment are identified in Section 16.80.030 of the Sherwood Zoning and Community Development Code (SZCDC). In addition, the amendment must be consistent with Goals 1 and 9 of the Statewide Planning Goals, Oregon Administrative Rule 66-009 that implements Goal 9, Metro Functional Plan, and Sherwood Zoning and Community Development Code Chapter 16.80, Plan Amendments.

F. Background:

The City's Economic Opportunities Analysis (EOA) was initially drafted in 2018-2019 as part of the background technical documents for the Comprehensive Plan update process. The City received a Technical Assistance Grant from DLCDC and entered into a contract with ECONorthwest to complete this task. The 2018 EOA was reviewed by the Comprehensive Plan Community Advisory Committee, Planning Commission, and City Council. However, it was not adopted at that time.

Exhibit A, attached to this staff report, presents an updated EOA for the planning period 2021-2041 consistent with the requirements of Statewide Planning Goal 9 and the Goal 9 Administrative Rule (OAR 660-009). Goal 9 describes the EOA as an analysis of the community's economic patterns, strengths and deficiencies related to state and national trends, and reviews competitive advantages of the place in which employment developments would be located.

The primary goals of the EOA are to 1) project the amount of land needed to accommodate the future employment growth within Sherwood Urban Growth Boundary between 2021-2041 and 2) evaluate the existing employment land supply within the city to determine if it is adequate to meet that need, and 3) to fulfill the state planning requirements for a twenty-year supply of employment land.

The EOA is organized into the following chapter elements:

Summary

Chapter 1 – Introduction

Chapter 2 – Buildable Lands Inventory

Chapter 3 – Factors Affecting Future Economic Growth

Chapter 4 – Employment Growth and Site Needs

Chapter 5 – Land Sufficiency and Conclusions

Appendix A – Buildable Lands Analysis

The 2018 EOA was prepared in conjunction with the City's Housing Needs Analysis which was adopted in 2020 for the preparation of the Comprehensive Plan Update. The Comprehensive Plan Community Advisory Committee (CAC) reviewed the EOA. The Planning Commission and the City Council were also briefed on the EOA in 2019. The EOA did not move forward with adoption hearings; instead, the intent was to update the document closer to Comprehensive Plan adoption as properties in the Tonquin Employment Area were starting to annex into the City for employment development.

The 2021-2041 EOA updates both the employment forecast and buildable lands inventory. The EOA contains a set of recommended goals, policies, and strategies to the Economic element of the Comprehensive Plan, which will be considered through a separate adoption process.

## II. PUBLIC COMMENTS

Notice was posted in The Times, a general newspaper of local circulation, in town and online, as stated above.

### III. AGENCY/DEPARTMENTAL COMMENTS

The City requested comments from affected departments and agencies on September 20, 2020. As of the date of this report, no comments have been received.

### IV. APPLICABLE DEVELOPMENT CODE CRITERIA

#### Sherwood Zoning and Community Development Code Chapter 16.80 Plan Amendments

#### 16.80.030 – Review Criteria

##### A. Text Amendment

**An amendment to the text of the Comprehensive Plan shall be based upon a need for such an amendment as identified by the Council or the Commission. Such an amendment shall be consistent with the intent of the adopted Sherwood Comprehensive Plan, and with all other provisions of the Plan, the Transportation System Plan, and this Code, and with any applicable State or City statutes and regulations, including this Section.**

**Response:** The 2021-2041 EOA was developed to comply with requirements of statewide planning policies that govern planning for economic development, Goal 9, its implementing administrative rule (OAR 660-009). The proposed EOA is needed to update and support the city's economic development goals and policies within the City's Comprehensive Plan, *Sherwood 2040*, which is expected to be adopted in the fall of 2021. The updated goals and policies in the Sherwood 2040 plan are reconciled with the information in this EOA to be consistent. The EOA was developed to understand the city's economic strengths, weaknesses, opportunities, and land sufficiency ensuring compliance with Goal 9.

**Finding:** The EOA meets the criteria of section 16.80.030.A and all other state regulations as described above and below in this staff report.

##### B. Map Amendment

**An amendment to the City Zoning Map may be granted, provided that the proposal satisfies all applicable requirements of the adopted Sherwood Comprehensive Plan, the Transportation System Plan and this Code, and that:**

- 1. The proposed amendment is consistent with the goals and policies of the Comprehensive Plan and the Transportation System Plan.**
- 2. There is an existing and demonstrable need for the particular uses and zoning proposed, taking into account the importance of such uses to the economy of the City, the existing market demand for any goods or services which such uses will provide, the presence or absence and location of other such uses or similar uses in the area, and the general public good.**
- 3. The proposed amendment is timely, considering the pattern of development in the area, surrounding land uses, any changes which may have occurred in the neighborhood or community to warrant the proposed amendment, and the availability of utilities and services to serve all potential uses in the proposed zoning district.**
- 4. Other lands in the City already zoned for the proposed uses are either unavailable or unsuitable for immediate development due to location, size or other factors.**

The proposed amendment to the Sherwood Comprehensive Plan does not include a map amendment(s).

**FINDING:** Provisions of B1-4 above are not applicable to the EOA.

### **C. Transportation Planning Rule Consistency**

**1. Review of plan and text amendment applications for effect on transportation facilities. Proposals shall be reviewed to determine whether it significantly affects a transportation facility, in accordance with OAR 660-12-0060 (the TPR). Review is required when a development application includes a proposed amendment to the Comprehensive Plan or changes to land use regulations.**

**FINDING:** While the EOA reviews commuting patterns, the availability of transportation for the efficient movement of goods, customers, and workers, the criteria above in C1 is not applicable to the EOA because the document does not affect the transportation network.

### **APPLICABLE STATEWIDE PLANNING GOALS**

#### **Goal 1 (Citizen Involvement)**

**Objective: To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.**

**Response:** Staff utilized the public notice requirements of the Sherwood Zoning and Community Development Code, Chapter 16.72, to notify the public of the proposed EOA adoption process. The City's public notice requirements comply with Goal 1. In addition, the Community Advisory Committee for the city's Comprehensive Plan Update process reviewed the 2018 EOA. The only updates to the 2018 document include an updated employment forecast and BLI. A Planning Commission work session was held on September 14, 2021, to review and discuss the updates of the document.

The Planning Commission and City Council will hold public hearings on this request prior to adopting the EOA and subsequent amendment to the Comprehensive Plan. Public comments received will be addressed and included as part of the record to the adoption of this Plan.

The adoption of the EOA provides technical and factual information and contains revisions to the city's Comprehensive Plan that will be adopted in the fall of 2022. A complete and robust public involvement program, consistent with Goal 1, is being implemented as part of the Comprehensive Plan update, *Sherwood 2040*, which addresses economic development goals and policies.

**Finding:** The process to develop and adopt the EOA meets the intent of Goal 1.

#### **Goal 2 (Land Use Planning)**

**Objective: To establish a land use planning process and policy framework as a basis for all decision and actions related to the use of land and to assure an adequate factual basis for such decisions and actions.**

**Response:** The proposed amendment does not alter any current goals and policies in the Comprehensive Plan, or changes to Sherwood Plan and Zoning Map and Zoning and Development



Code that are already consistent with Goal 2. The EOA provides a factual basis for future planning decisions, actions, and economic development strategies as the City's Comprehensive Plan is updated and adopted in the fall of 2021.

Notice was provided to DLCD 35 days prior to the first scheduled public hearing as required. The EOA was developed in coordination with DLCD, to be consistent with applicable regulations.

**Finding:** The process to develop and adopt meets the intent of Goal 2.

**Goal 3 (Agricultural Lands)**

**Goal 4 (Forest Lands)**

**Goal 5 (Natural Resources, Scenic and Historic Areas and Open Spaces)**

**Goal 6 (Air, Water and Land Resources Quality)**

**Goal 7 (Areas Subject to Natural Hazards)**

**Goal 8 (Recreational Needs)**

**FINDING:** The Statewide Planning Goals 3-8 do not specifically apply to the proposed plan adoption. There is no evidence to suggest that the proposed plan adoption is in conflict with these goals. The proposed plan adoption does not make any substantive changes to the Sherwood Comprehensive Plan or implementing ordinances that affect compliance with Goals 3-8.

**Goal 9 (Economic Development)**

**Objective: To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare and prosperity of Oregon's citizens.**

**Response:** Sherwood's EOA is consistent with the requirements of statewide planning Goal 9 and the Goal 9 administrative rule (OAR 660-009). Goal 9 describes the EOA as "an analysis of the community's economic patterns, potentialities, strengths, and deficiencies as they relate to state and national trends" and states that "a principal determinant in planning for major industrial and commercial developments should be the competitive advantage of the region within which the developments would be located."

The primary goals of the EOA are to (1) project the amount of land needed to accommodate the future employment growth within the Sherwood City Limit and employment land areas in the Urban Growth Boundary (UGB), namely Tonquin Employment Area and Brookman Annexation Area, between 2021 and 2041, (2) evaluate the existing employment land supply within Sherwood to determine if it is adequate to meet that need, and (3) to fulfill state planning requirements for a twenty-year supply of employment land.

The updated employment forecast for the 2021 to 2041 period uses Metro's 2050 Employment Forecast for Sherwood and the Tonquin Employment Area, which assumes an average annual growth rate of 1.42%. By 2041, there will be an increase of 2,987 employees or thirty-three percent (33%) of employees within Sherwood's UGB. If growth occurs at the rate projected, which is faster than Metro's forecast for population and housing growth used in the Sherwood Housing Needs Analysis, the population to employment ratio would decrease from about 3.2 residents per job to about 2.3 residents per job. Employment growth could even grow faster as Sherwood continues to support Economic Development goals and policies and strategies for job creation.

Sherwood has about 249 unconstrained buildable acres within the planning area, 25 of which are Commercial, 97 are Industrial, and the remaining 128 are in the Tonquin Employment Area or Brookman Annexation Area.

Goal 9 requires that cities provide for an adequate supply of commercial and industrial sites consistent with plan policies. To meet this requirement, Sherwood needs an estimate of the amount of commercial and industrial land that will be needed over the 2021-2041 planning period. Table 2, in the plan document, presents the forecast of employment growth by land use type in Sherwood from 2021 to 2041. Sherwood’s employment base was 9,175 employees in 2021. The forecast shows that by 2041, Sherwood will have 12,162 employees, an increase of 2,987 jobs over the planning period.

**Table 2. Forecast of employment growth by land use type, Sherwood City Limits, Tonquin, and Brookman, 2021-2041**

Land Use Type	2021		2041		Change 2021 to 2041
	Employment	% of Total	Employment	% of Total	
Industrial	2,547	28%	3,892	32%	1,345
Retail Commercial	1,397	15%	1,581	13%	184
Office & Commercial Services	4,567	50%	5,838	48%	1,271
Government	664	7%	851	7%	187
<b>Total</b>	<b>9,175</b>	<b>100%</b>	<b>12,162</b>	<b>100%</b>	<b>2,987</b>

Source: ECONorthwest

Note: The shaded percentages denote an assumption about the future change in the share of employment (as a percent of total) by land use type.

The forecast of growth of 2,987 new employees will result in the following demand for vacant employment land: 89 gross acres of industrial land and 63 gross acres of commercial land.

Table 3, in the plan document, compares the supply of suitable employment land with the demand for employment land:

- Industrial. Sherwood has a supply of 97 acres of suitable land designated for industrial uses. The employment forecast projects demand for 89 acres of industrial land. Sherwood has more industrial land than the City is projected to need over the 20-year period, with a surplus of 8 gross acres of industrial land.
- Commercial. Sherwood has 25 acres of land designated for commercial uses. The employment forecast projects demand for 63 acres of commercial land. Sherwood has less commercial land than the City is projected to need over the 20-year period, with a deficit of 38 gross acres of commercial land.
- Future Development. Sherwood has 127 acres of land designated for employment uses in future development designations in the Tonquin Employment Area and Brookman Annexation Area. *This supply will likely meet needs for both industrial and commercial demand, resulting in a 97-acre surplus of employment land.*

**Table 3. Comparison of the Capacity of Unconstrained Vacant and Potentially Redevelopable Land with Employment Land Demand by Land Use Type, Sherwood City Limit, Tonquin, and Brookman, 2021–2041**

Land Use Type	Land Supply (Suitable Gross Acres)	Demand (Gross Acres)	Land Sufficiency (Deficit)
Industrial	97	89	8
Retail Commercial	7	10	(3)
Office & Commercial Services	18	53	(35)
Future Development (Tonquin and Brookman)	127	-	127
<b>Total</b>	<b>249</b>	<b>152</b>	<b>97</b>

Source: ECONorthwest

The City of Sherwood provided information about properties included in the BLI that will likely develop after June 2021. Since these developments will capture a portion of the employment forecast for the 2021 to 2041 planning period, the land in these areas are included in the BLI as vacant or potentially redevelopable. About 60 acres are expected to develop after June 2021, with 17 acres of Light Industrial land and 43 acres of Future Development land in Tonquin Employment Area.

In total, the Future Development land in the Tonquin Employment Area and Brookman is likely to sufficiently meet both industrial and commercial demand over the next 20 years. However, if the rate of development increases beyond the EOA forecast, there will likely be a shortage of appropriate sites—particularly sites in excess of 10 acres—for employment growth in the City of Sherwood, thereby creating development opportunities in the future growth area of Sherwood West.

The target industries identified as having potential for growth in Sherwood are:

- Manufacturing. Sherwood’s attributes, especially its location in the Portland region and proximity to Hillsboro, may attract manufacturing firms, such as:
  - Technology and Advanced Manufacturing, such as semiconductors, electronic communication equipment, computer peripherals, and circuit boards.
  - Machinery Manufacturing (Metals and Machinery), such as food processing machinery, medical devices, component parts for manufacturing, and other specialized machinery for manufacturing.
  - Clean Tech, such as instruments manufacturing, electrical equipment manufacturing, and renewable energy equipment and components.
- Professional and business services. Sherwood’s high quality of life, access to quality schools, existing population and business base, and proximity to the Portland region may attract professional and business services that prefer to locate in a smaller city like Sherwood, such as:
  - Software and Media, such as software development, data processing, computer systems design, and motion picture and video production.
  - Clean Tech, such as scientific and technical research and services, engineering services, architectural design, and construction engineering services.
  - Athletics and Outdoors, such as design services, professional services, and marketing.
  - Other services, such as scientific research or environmental services.
- Wholesale. Sherwood’s access to Highway 99 may make the city attractive to the continued growth of wholesale businesses.

- Services for visitors: Emphasis on experiences and destinations in and near Sherwood, especially related to agriculture and wineries, will drive demand for services for visitors, including family-friendly events, farmers markets, specialty retail, wine tasting rooms, restaurants, or hotels.
- Services for residents: Growth in population in and around Sherwood will drive growth of businesses that serve residents, such as medical services, legal services, financial services, retail, personal services (e.g., barbers), and restaurants.

What are the recommendations to support economic development in Sherwood?

The following are recommendations from ECONorthwest to support economic development in Sherwood based on the economic opportunities analysis:

- **Update the Economy Element of the Comprehensive Plan.** The Economy Element has not been updated in more than a decade. We recommend that the Planning Commission and City Council review the revised policies in the Sherwood Economic Development Strategy and, after making additional necessary revisions to the policies, adopt the revised goals, objectives, and implementation strategies into the Economy Element.
- **Align the City's goals for economic development with planning for infrastructure development.** Aside from ensuring that there is sufficient land to support employment growth, one of the most important ways that the City can support economic development is through planning for and developing infrastructure (e.g., roads, water, sanitary sewer, and storm water systems). We recommend that the City align its goals for economic development with infrastructure development through updates to the City's Capital Improvements Plan.

Providing infrastructure in the TEA is necessary to allow employment growth to occur in the TEA. Without infrastructure, much of the TEA will remain undeveloped.

- **Identify opportunities to support the creation, growth, development, and retention of businesses in Sherwood.** Retention and expansion of new and existing businesses, including those that create destinations and experiences for residents and visitors, is one of Sherwood's key opportunities for economic growth. The City can support businesses by understanding businesses' opportunities for growth and expansion and lowering or eliminating the barriers in Sherwood that limit growth and expansion. Some barriers are beyond control of the City, such as access to capital. An example of this type of opportunity is the development of Sherwood's first semiconductor manufacturer in Cipole Industrial Park, along with warehousing and distribution facilities.
- **Work with partners to develop a broad economic development strategy for Sherwood.** The revisions to the Comprehensive Plan presented in the Sherwood Economic Development Strategy focus on land-based policies and actions. The city also needs a broader strategy for economic development that focuses on issues such as communication with existing businesses to identify barriers to expansion, economic development, marketing of Sherwood's businesses and business opportunities, building business and other partnerships, and coordinating economic development efforts with local and regional economic development organizations.

This strategy could be developed through leadership from the city leadership and city staff, with one or more staff members responsible for developing and implementing policies to

encourage economic growth. The strategy should identify a focused list of actions that the City Council wants to achieve over a limited time period (e.g., 5 years), with specific assignments to partners and identification of funding sources to implement the actions.

- **Monitor and replenish the total and short-term supply of commercial and industrial land on a regular, periodic basis.** The buildable lands inventory identifies the existing development status of employment land in Sherwood, as well as identifies the existing short-term land supply. While Sherwood will not completely update the buildable lands inventory on an annual basis, City staff should still monitor the development status of these employment lands and replenish short-term supply when possible.
- **Support infill and redevelopment of existing commercial and industrial land.** The buildable lands inventory identifies areas where infill and redevelopment are more probable over the 20-year planning period. Other opportunities for redevelopment may become apparent in the future. We recommend that the city support and encourage infill and redevelopment to make the most efficient use of employment land in Sherwood. The types of tools that the city offers in support of infill and redevelopment should be consistent with the city's development goals. In areas where the city wants to encourage higher intensity development, such as in Old Town, the city should offer more support for redevelopment, including financial and regulatory redevelopment incentives.

**Finding:** The City's 2021-2041 EOA meets the intent of Goal 9 and its Administrative Rule (OAR 660-009)

#### **Goal 10 (Housing)**

**Objective: To provide for the housing needs of citizens of the state.**

**Buildable land for residential use shall be inventoried and plans shall encourage the availability of adequate numbers of needed housing units at price ranges and rent levels which are commensurate with the financial capabilities of Oregon households and allow for flexibility of housing location, type and density.**

**Finding:** The City has an adopted Housing Needs Analysis 2019-2039 (Ordinance 2020-10) that meets the requirements of Goal 10 and its associated Administrative Rules.

#### **Goal 11 (Public Facilities and Services)**

#### **Goal 12 (Transportation)**

#### **Goal 13 (Energy Conservation)**

#### **Goal 14 (Urbanization)**

#### **Goal 15 (Willamette River Greenway)**

#### **Goal 16 (Estuarine Resources)**

#### **Goal 17 (Coastal Shorelands)**

#### **Goal 18 (Beaches and Dunes)**

#### **Goal 19 (Ocean Resources)**

**FINDING:** Goals 11-19 are not applicable to the adoption of the EOA.

## **METRO REGIONAL FRAMEWORK REQUIREMENTS AND URBAN GROWTH MANAGEMENT FUNCTIONAL PLAN**

Under the Metro Charter and state law, cities and counties within Metro's boundaries are required to comply and be consistent with Metro's adopted Urban Growth Management Functional Plans and the Regional Framework Plan.

### Chapter 1 -- Land Use

This chapter contains the policies that guide Metro in such areas as development of centers, corridors, station communities, and main streets; housing choices; employment choices and opportunities; economic vitality; urban and rural reserves; management of the Urban Growth Boundary (UGB); urban design and local plan and policy coordination. A livable region is an economically strong region. This chapter contains policies that support a strong economic climate through encouraging the development of a diverse and sufficient supply of jobs, especially family wage jobs, in appropriate locations throughout the region. The policies in this chapter are also a key component of the regional strategy to reduce per capita greenhouse gas emissions from light-duty vehicle travel.

#### **Policy 1.2 Centers, Corridors, Station Communities and Main Streets**

**It is the policy of the Metro Council to:**

##### **1.2.3. Encourage employment opportunities in Centers, Corridors, Station Communities and Main Streets by:**

- a. Improving access within and between Centers, Corridors, Station Communities and Main Streets;**
- b. Encouraging cities and counties to allow a wide range of employment uses and building types, a wide range of floor-to-area ratios and a mix of employment and residential uses; and**
- c. Encourage investment by cities, counties and all private sectors by complementing their investments with investments by Metro.**

**Finding:** The EOA is and the City's Development Code are consistent with this policy. The development code allows for a range of flexible uses and building types within employment areas. The EOA speaks to working with partners to develop a broad economic development strategy for Sherwood.

#### **Policy 1.4 Employment Choices and Opportunities**

**It is the policy of the Metro Council to:**

**1.4.1 Locate expansions of the UGB for industrial or commercial purposes in locations consistent with this plan and where, consistent with state statutes and statewide goals, an assessment of the type, mix and wages of existing and anticipated jobs within subregions justifies such expansion.**

**1.4.2 Balance the number and wage level of jobs within each subregion with housing cost and availability within that subregion. Strategies are to be coordinated with the planning and implementation activities of this element with Policy 1.3, Housing Choices and Opportunities and Policy 1.8, Developed Urban Land.**

**1.4.3 Designate, with the aid of leaders in the business and development community and local governments in the region, as Regionally Significant Industrial Areas those areas with**

site characteristics that make them especially suitable for the particular requirements of industries that offer the best opportunities for family-wage jobs.

**1.4.4 Require, through the Urban Growth Management Functional Plan, that local governments exercise their comprehensive planning and zoning authorities to protect Regionally Significant Industrial Areas from incompatible uses.**

**1.4.5 Facilitate investment in those areas of employment with characteristics that make them especially suitable and valuable for traded-sector goods and services, including brownfield sites and sites that are re-developable.**

**1.4.6 Consistent with policies promoting a compact urban form, ensure that the region maintains a sufficient supply of tracts 50 acres and larger to meet demand by traded-sector industries for large sites and protect those sites from conversion to non-industrial uses.**

**Finding:** The City has future growth areas for employment uses (Tonquin Employment Area and parcels within Brookman area). The planning for employment uses in these areas was coordinated with Metro through UGB expansions. The City's Development Code provides standards to protect these areas from incompatible uses. The City will continue to assess its Housing Needs Analysis and EOA to balance both housing and employment needs within the City. The EOA is consistent with these policies and is consistent with Title 4, Industrial and Other Employment Areas within the Urban Growth Management Functional Plan.

### **Policy 1.5 Economic Vitality**

**It is the policy of the Metro Council to:**

**1.5.1 Include all parts of the region in the region's economic development, including areas and neighborhoods which have been experiencing increasing poverty and social needs, even during periods of a booming regional economy.**

**1.5.2 Recognize that to allow the kinds of social and economic decay in older suburbs and the central city that has occurred in other larger and older metro regions is a threat to our quality of life and the health of the regional economy.**

**1.5.3 Ensure that all neighborhoods and all people have access to opportunity and share the benefits, as well as the burdens, of economic and population growth in the region.**

**1.5.4 Support economic vitality throughout the entire region, by undertaking the following steps:**

**a. Monitoring regional and subregional indicators of economic vitality, such as the balance of jobs, job compensation and housing availability.**

**b. Facilitating collaborative regional approaches which better support economic vitality for all parts of the region if monitoring finds that existing efforts to promote and support economic vitality in all parts of the region are inadequate.**

**1.5.5 Promote, in cooperation with local governments and community residents, revitalization of existing city and neighborhood centers that have experienced**

**disinvestment and/or are currently underutilized and/or populated by a disproportionately high percentage of people living at or below 80 percent of the region's median income.**

**Finding:** The City's EOA is not inconsistent with these policies. The primary goals of the EOA are to (1) project the amount of land needed to accommodate future employment growth within Sherwood and the UGB areas (TEA and Brookman) between 2021-2041, (2) evaluate the existing employment land supply within the area for this planning period to determine if it is adequate to meet employment needs, (3) to fulfill state planning requirements for a twenty-year supply of employment land. The EOA uses Metro's Buildable Lands Inventory that is refined by Sherwood Planning Staff to assess the buildable supply of employment lands. The EAO will help inform city policies and strategies for economic development. The EOA is consistent with these policies and Title 4, Industrial and Other Employment Areas in the Urban Growth Management Functional Plan.

## **V. RECOMMENDATION**

As proposed, the 2021-2041 Sherwood Economic Opportunities Analysis (EOA) supports and meets the intent of all applicable development code provisions, Statewide Planning Goals, and regional criteria. This EOA will be used to update the economic development element in the City's Comprehensive Plan, *Sherwood 2040*.

### **PLANNING COMMISSION ALTERNATIVES**

1. Approve the findings in this staff report and recommend approval to City Council.
2. Modify the findings and approve the staff report as modified in compliance with all applicable criteria and recommend approval to City Council.
3. Modify the findings and deny the proposed amendments based on the Commission's findings, and recommend denial of the proposal to City Council; or
4. Continue the Public Hearing to a date certain if more information is needed.

### **STAFF RECOMMENDATION**

Based on a review of the applicable code provisions, agency comments, and staff review, staff finds that the EOA is consistent with the applicable criteria. Therefore, staff **recommends that the Sherwood Planning Commission forward a recommendation of APPROVAL** of the 2021-2041 Economic Opportunities Analysis to the Sherwood City Council.

## **VI. EXHIBITS**

- A. 2021-2041 Economic Opportunities Analysis



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# Sherwood Economic Opportunities Analysis

Updated Draft Report

September 2021

Prepared for:

City of Sherwood

**ECONorthwest**  
ECONOMICS • FINANCE • PLANNING

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# Acknowledgments

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ECONorthwest prepared this report for the City of Sherwood. ECONorthwest and the City of Sherwood thank the many people who helped to develop the Sherwood Economic Opportunities Analysis.

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<p><b>Citizen Advisory Committee</b>          Susan Claus          John Davis          Patricia Distler          Angi Ford          Frank Funk          Jacqueline Head          Tess Kies          Paul Mayer          Melanie Mildemberger</p>	<p>Thomas Quesenberry          Rachel Schoening          Damon Starnes          Jamie Stasny          Matt Staten          Megan Thornton          Jason Wuertz          Russell Griffin, Sherwood City Council          Jean Simson, Sherwood Planning Commission</p>
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For over 40 years ECONorthwest has helped its clients make sound decisions based on rigorous economic, planning, and financial analysis. For more information about ECONorthwest: [www.econw.com](http://www.econw.com). For more information about this report, please contact:

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# Summary

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This report presents an economic opportunities analysis consistent with the requirements of statewide planning Goal 9 and the Goal 9 administrative rule (OAR 660-009). Goal 9 describes the EOA as “an analysis of the community's economic patterns, potentialities, strengths, and deficiencies as they relate to state and national trends” and states that “a principal determinant in planning for major industrial and commercial developments should be the competitive advantage of the region within which the developments would be located.”

The primary goals of the EOA are to (1) project the amount of land needed to accommodate the future employment growth within the Sherwood City Limit and employment land areas in the Urban Growth Boundary (UGB), namely Tonquin Employment Area and Brookman Annexation Area, between 2021 and 2041, (2) evaluate the existing employment land supply within Sherwood to determine if it is adequate to meet that need, and (3) to fulfill state planning requirements for a twenty-year supply of employment land. This project included preparation of the *Sherwood Economic Development Strategy*, which is presented in a separate document.

The report was drafted in December 2018 and this version provides an update to that draft. Economic development has been a top council goal over the last few years, and since 2018, Sherwood has seen the development of two industrial parks. This update includes the following changes: updated the employment forecast for the 2021 to 2041 period and updated the buildable lands inventory to reflect development that has occurred in Sherwood through June 2021.

The updated employment forecast for the 2021 to 2041 period uses Metro’s 2050 Employment Forecast for Sherwood and the Tonquin Employment Area, which assumes an average annual growth rate of 1.42%. By 2041, there will be an increase of 2,987 employees or thirty-three percent (33%) of employees within Sherwood’s UGB. If growth occurs at the rate projected, which is faster than Metro’s forecast for population and housing growth used in the Sherwood Housing Needs Analysis, the population to employment ratio would decrease from about 3.2 residents per job to about 2.3 residents per job. Employment growth could even grow faster as Sherwood continues to support Economic Development goals and policies and strategies for job creation.

## How much buildable employment land does Sherwood currently have?

Table 1 shows commercial and industrial land with development capacity (lands classified vacant or potentially redevelopable in Metro’s buildable lands inventory and verified by City staff). The results show Sherwood has about 249 unconstrained buildable acres within the planning area, 25 of which are Commercial, 97 are Industrial, and the remaining 128 are in the Tonquin Employment Area or Brookman Annexation Area.

**Table 1. Employment acres by classification and plan designation, Sherwood City Limits, Tonquin Employment Area, and Brookman Area, 2021**

Plan Designation	Tax Lots	Total Acres	Total Unconstrained		
			Acres with No Development Capacity	Constrained Acres	Buildable Acres
<b>Commercial</b>	<b>134</b>	<b>171</b>	<b>119</b>	<b>27</b>	<b>25</b>
General Commercial	31	62	38	10	14
Neighborhood Commercial	2	1	1	0	0
Office Commercial	11	16	6	5	5
Retail Commercial	90	92	74	12	6
<b>Industrial</b>	<b>115</b>	<b>478</b>	<b>290</b>	<b>91</b>	<b>97</b>
General Industrial	66	238	158	19	61
Light Industrial	49	240	132	72	36
<b>Tonquin</b>	<b>25</b>	<b>282</b>	<b>62</b>	<b>111</b>	<b>110</b>
Future Development	25	282	62	111	110
<b>Brookman</b>	<b>4</b>	<b>25</b>	<b>3</b>	<b>4</b>	<b>18</b>
Future Development	4	25	3	4	18
<b>Total</b>	<b>278</b>	<b>956</b>	<b>474</b>	<b>233</b>	<b>249</b>
<b>Percent of Total</b>		<b>100%</b>	<b>50%</b>	<b>24%</b>	<b>26%</b>

Source: Appendix A, Table 20.

## How much growth is Sherwood planning for?

Goal 9 requires that cities provide for an adequate supply of commercial and industrial sites consistent with plan policies. To meet this requirement, Sherwood needs an estimate of the amount of commercial and industrial land that will be needed over the 2021-2041 planning period. Table 2 presents the forecast of employment growth by land use type in Sherwood from 2021 to 2041. Sherwood's employment base was 9,175 employees in 2021. The forecast shows that by 2041, Sherwood will have 12,162 employees, an increase of 2,987 jobs over the planning period.

**Table 2. Forecast of employment growth by land use type, Sherwood City Limits, Tonquin, and Brookman, 2021-2041**

Land Use Type	2021		2041		Change 2021 to 2041
	Employment	% of Total	Employment	% of Total	
Industrial	2,547	28%	3,892	32%	1,345
Retail Commercial	1,397	15%	1,581	13%	184
Office & Commercial Services	4,567	50%	5,838	48%	1,271
Government	664	7%	851	7%	187
<b>Total</b>	<b>9,175</b>	<b>100%</b>	<b>12,162</b>	<b>100%</b>	<b>2,987</b>

Source: ECONorthwest

Note: The shaded percentages denote an assumption about the future change in the share of employment (as a percent of total) by land use type.

## How much land will be required for employment?

The forecast of growth of 2,987 new employees will result in the following demand for vacant employment land: 89 gross acres of industrial land and 63 gross acres of commercial land.



## Does Sherwood have enough land to accommodate employment growth?

Table 3 compares the supply of suitable employment land with the demand for employment land:

- **Industrial.** Sherwood has a supply of 97 acres of suitable land designated for industrial uses. The employment forecast projects demand for 89 acres of industrial land. Sherwood has more industrial land than the City is projected to need over the 20-year period, with a surplus of 8 gross acres of industrial land.
- **Commercial.** Sherwood has 25 acres of land designated for commercial uses. The employment forecast projects demand for 63 acres of commercial land. Sherwood has less commercial land than the City is projected to need over the 20-year period, with a deficit of 38 gross acres of commercial land.
- **Future Development.** Sherwood has 127 acres of land designated for employment uses in future development designations in the Tonquin Employment Area and Brookman Annexation Area. This supply will likely meet needs for both industrial and commercial demand, resulting in a 97-acre surplus of employment land.

**Table 3. Comparison of the Capacity of Unconstrained Vacant and Potentially Redevelopable Land with Employment Land Demand by Land Use Type, Sherwood City Limit, Tonquin, and Brookman, 2021–2041**

Land Use Type	Land Supply (Suitable Gross Acres)	Demand (Gross Acres)	Land Sufficiency (Deficit)
Industrial	97	89	8
Retail Commercial	7	10	(3)
Office & Commercial Services	18	53	(35)
Future Development (Tonquin and Brookman)	127	-	127
<b>Total</b>	<b>249</b>	<b>152</b>	<b>97</b>

Source: ECONorthwest

## What types of business does Sherwood want to attract?

The characteristics of Sherwood will affect the types of businesses most likely to locate in the city. Sherwood’s attributes that may attract firms are Sherwood’s location along Highway 99; quality of public facilities and services; availability of vacant, serviced land; quality of schools; and overall quality of life.

The target industries identified as having potential for growth in Sherwood are:

- **Manufacturing.** Sherwood’s attributes, especially its location in the Portland region and proximity to Hillsboro, may attract manufacturing firms, such as:
  - Technology and Advanced Manufacturing, such as semiconductors, electronic communication equipment, computer peripherals, and circuit boards.

- Machinery Manufacturing (Metals and Machinery), such as food processing machinery, medical devices, component parts for manufacturing, and other specialized machinery for manufacturing.
- Clean Tech, such as instruments manufacturing, electrical equipment manufacturing, and renewable energy equipment and components.
- **Professional and business services.** Sherwood’s high quality of life, access to quality schools, existing population and business base, and proximity to the Portland region may attract professional and business services that prefer to locate in a smaller city like Sherwood, such as:
  - Software and Media, such as software development, data processing, computer systems design, and motion picture and video production.
  - Clean Tech, such as scientific and technical research and services, engineering services, architectural design, and construction engineering services.
  - Athletics and Outdoors, such as design services, professional services, and marketing.
  - Other services, such as scientific research or environmental services.
- **Wholesale.** Sherwood’s access to Highway 99 may make the city attractive to continued growth of wholesale businesses.
- **Services for visitors:** Emphasis on experiences and destinations in and near Sherwood, especially related to agriculture and wineries, will drive demand for services for visitors including family-friendly events, farmers markets, specialty retail, wine tasting rooms, restaurants, or hotels.
- **Services for residents:** Growth in population in and around Sherwood will drive growth of businesses that serve residents, such as medical services, legal services, financial services, retail, personal services (e.g., barbers), and restaurants.

## What are the recommendations to support economic development in Sherwood?

The following are ECONorthwest’s recommendations to support economic development in Sherwood based on the economic opportunities analysis:

- **Update the Economy Element of the Comprehensive Plan.** The Economy Element has not been updated in more than a decade. We recommend that the Planning Commission and City Council review the revised policies in the Sherwood Economic Development Strategy and, after making additional necessary revisions to the policies, adopt the revised goals, objectives, and implementation strategies into the Economy Element.
- **Align the City's goals for economic development with planning for infrastructure development.** Aside from ensuring that there is sufficient land to support employment growth, one of the most important ways that the City can support economic

development is through planning for and developing infrastructure (e.g., roads, water, sanitary sewer, and storm water systems). We recommend that the City align its goals for economic development with infrastructure development through updates to the City's Capital Improvements Plan.

Providing infrastructure in the TEA is necessary to allow employment growth to occur in the TEA. Without infrastructure, much of the TEA will remain undeveloped.

- **Identify opportunities to support the creation, growth, development, and retention of businesses in Sherwood.** Retention and expansion of new and existing businesses, including those that create destinations and experiences for residents and visitors, is one of Sherwood's key opportunities for economic growth. The City can support businesses by understanding businesses' opportunities for growth and expansion and lowering or eliminating the barriers in Sherwood that limit growth and expansion. Some barriers are beyond control of the City, such as access to capital. An example of this type of opportunity is the development of Sherwood's first semiconductor manufacturer in Cipole Industrial Park, along with warehousing and distribution facilities.
- **Work with partners to develop a broad economic development strategy for Sherwood.** The revisions to the Comprehensive Plan presented in the Sherwood Economic Development Strategy focus on land-based policies and actions. The city also needs a broader strategy for economic development that focuses on issues such as communication with existing businesses to identify barriers to expansion, economic development, marketing of Sherwood's businesses and business opportunities, building business and other partnerships, and coordinating economic development efforts with local and regional economic development organizations.

This strategy could be developed through leadership from the city leadership and city staff, with one or more staff members responsible for developing and implementing policies to encourage economic growth. The strategy should identify a focused list of actions that the City Council wants to achieve over a limited time period (e.g., 5 years), with specific assignments to partners and identification of funding sources to implement the actions.

- **Monitor and replenish the total and short-term supply of commercial and industrial land on a regular, periodic basis.** The buildable lands inventory identifies the existing development status of employment land in Sherwood, as well as identifies the existing short-term land supply. While Sherwood will not completely update the buildable lands inventory on an annual basis, City staff should still monitor the development status of these employment lands and replenish short-term supply when possible.
- **Support infill and redevelopment of existing commercial and industrial land.** The buildable lands inventory identifies areas where infill and redevelopment are more probable over the 20-year planning period. Other opportunities for redevelopment may become apparent in the future. We recommend that the city support and encourage infill and redevelopment to make the most efficient use of employment land in Sherwood. The types of tools that the city offers in support of infill and redevelopment should be consistent with the city's development goals. In areas where the city wants to encourage

higher intensity development, such as in Old Town, the city should offer more support for redevelopment, including financial and regulatory redevelopment incentives.

The *Sherwood Economic Development Strategy* includes strategies to address these key issues, as well as other strategies to support economic development in Sherwood.

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# 1. Introduction

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This report presents an Economic Opportunities Analysis (EOA) for the City of Sherwood. The purpose of an EOA is to develop information as a basis for policies that capitalize on Sherwood opportunities and help address the City's challenges. The EOA includes technical analysis to address a range of questions that Sherwood faces in managing its commercial and industrial land. For example, the EOA includes an employment forecast that describes how much growth Sherwood should plan for over the 2021 to 2041 period and identifies the amount and type of employment land necessary to accommodate growth in Sherwood over that period. The EOA also includes an inventory of commercial and industrial land within Sherwood's urban growth boundary (UGB) to provide information about the amount of land available to accommodate employment growth.

This EOA complies with the requirements of statewide planning Goal 9, the Goal 9 administrative rules (OAR 660 Division 9), and the court decisions that have interpreted them. Goal 9 requires cities to state objectives for economic development (OAR 660-009-0020(1)(a)) and to identify the characteristics of sites needed to accommodate industrial and other employment uses (OAR 660-009-0025(1)) over the 20-year planning period. This approach could be characterized as a *site-based* approach that projects land need based on the forecast for employment growth, the City's economic development objectives, and the specific needs of target industries.

The report was drafted in December 2018 and this version provides an update to that draft. This update includes the following changes: updated the employment forecast for the 2021 to 2041 period and updated the buildable lands inventory to reflect development that has occurred in Sherwood through June 2021.

## Background

The City of Sherwood last evaluated economic trends in an Economic Development Strategy and EOA in 2006, based on the 2000 Census data. Substantial changes have occurred in the national and regional economy since 2006 that have implications for economic growth in Sherwood, including the recovery from the Great Recession and changes in retail and increased automation. Since then, Greater Portland Inc. completed a five-year economic development strategy for the Portland region in 2015, *Greater Portland 2020*, defining emerging industry clusters and policies for economic development in the region. The City of Sherwood completed a concept plan for the Tonquin Employment Area in 2010 and an implementation plan for the area in 2015, building on policies in the 2006 EOA and aligning with the target industries identified by Greater Portland Inc.

The purpose of this project was to develop a factual base to provide the City with information about current economic conditions. This factual basis, presented in this report, provides information necessary for updating the City's economic development Comprehensive Plan policies. This report identifies opportunities to meet the City's economic development objectives

and develop Comprehensive Plan policies and implementation strategies that capitalize on the City's comparative advantages and address areas of economic weakness.

The EOA provides information that the City can use to identify and capitalize on its economic opportunities. It also provides information essential to addressing the City's challenges in managing economic development, such as a lack of larger industrial sites to support growth of businesses that require large sites, underutilized commercial land, underutilized industrial land, and a lack of policy direction to address these issues.

The EOA draws on information from numerous data sources, such as the Oregon Employment Department, U.S. Bureau of Economic Analysis, U.S. Bureau of Labor Statistics, and the U.S. Census. The EOA also uses information from the following reports:

- *Tonquin Employment Area: Market Analysis, Business Recruitment Strategy, and Implementation Plan*, June 5, 2015
- *Urban Growth Report*, Discussion Draft, Metro, July 3, 2018
- *Greater Portland 2020 Economic Prosperity for All: Regional Trends in Greater Portland's Target Clusters (2017)*
- *City of Sherwood Economic Development Strategy Final Report*, 2006

## Framework for an Economic Opportunities Analysis

The content of this report is designed to meet the requirements of Oregon Statewide Planning Goal 9 and the administrative rule that implements Goal 9 (OAR 660-009). The analysis in this report is designed to conform to the requirements for an Economic Opportunities Analysis in OAR 660-009 as amended.

1. *Economic Opportunities Analysis (OAR 660-009-0015)*. The Economic Opportunities Analysis (EOA) requires communities to identify the major categories of industrial or other employment uses that could reasonably be expected to locate or expand in the planning area based on information about national, state, regional, county or local trends; identify the number of sites by type reasonably expected to be needed to accommodate projected employment growth based on the site characteristics typical of expected uses; include an inventory of vacant and developed lands within the planning area designated for industrial or other employment use; and estimate the types and amounts of industrial and other employment uses likely to occur in the planning area. Local governments are also encouraged to assess community economic development potential through a visioning or some other public input-based process in conjunction with state agencies.
2. *Industrial and commercial development policies (OAR 660-009-0020)*. Cities are required to develop commercial and industrial development policies based on the EOA. Local comprehensive plans must state the overall objectives for economic development in the planning area and identify categories or particular types of industrial and other



employment uses desired by the community. Local comprehensive plans must also include policies that commit the city or county to designate an adequate number of employment sites of suitable sizes, types, and locations. The plan must also include policies to provide necessary public facilities and transportation facilities for the planning area. Finally, cities within a Metropolitan Planning Organization (which includes Sherwood) must adopt policies that identify a competitive short-term supply of land for desired industrial and other employment uses as an economic development objective.

3. *Designation of lands for industrial and commercial uses (OAR 660-009-0025)*. Cities and counties must adopt measures to implement policies adopted pursuant to OAR 660-009-0020. Appropriate implementation measures include amendments to plan and zone map designations, land use regulations, public facility plans, and transportation system plans. More specifically, plans must identify the approximate number, acreage and characteristics of sites needed to accommodate industrial and other employment uses to implement plan policies, and must designate serviceable land suitable to meet identified site needs.

Plans for cities and counties within a Metropolitan Planning Organization, or cities and counties that adopt policies relating to the short-term supply of land must designate suitable land to respond to economic development opportunities as they arise.

## Organization of this Report

This report is organized as follows:

- **Chapter 2. Buildable Lands Inventory** presents a summary of the inventory of employment lands. This chapter was updated in August 2021.
- **Chapter 3. Factors Affecting Future Economic Growth** summarizes historic economic trends that affect current and future economic conditions in Sherwood as well as Sherwood's competitive advantages for economic development.
- **Chapter 4. Employment Growth and Site Needs** presents a forecast for employment growth in Sherwood and describes the City's target industries and site needs for potential growth in industries. This chapter was updated in August 2021.
- **Chapter 5. Land Sufficiency and Conclusions** compares the supply of and demand for buildable lands and presents key concluding recommendations for Sherwood. This chapter was updated in August 2021.

This report also includes one appendix:

- **Appendix A, Buildable Lands Inventory Methodology**

## 2. Buildable Lands Inventory

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This chapter provides a summary of the commercial and industrial buildable lands inventory (BLI) for the Sherwood City Limits, Tonquin Employment Area, and Brookman Annexation Area, as well as an analysis of the short-term supply of land. The City of Sherwood staff, in coordination with ECONorthwest staff, developed the buildable lands inventory analysis using Metro’s 2018 Buildable Lands Inventory as a starting point. The analysis complies with statewide planning Goal 9 policies that govern planning for employment uses. The full buildable lands inventory completed by City staff is presented in Appendix A.

This chapter was updated in August 2021 to include updated information about employment land developed through June 2021.

### Methods, Definitions, and Assumptions

The buildable lands inventory includes land in commercial and industrial Comprehensive Plan Designations within Sherwood’s city limits as well as in the Tonquin Employment Area and Brookman Annexation Area, which are outside of the city limits but expected to annex into Sherwood before development occurs.

#### Definitions

Metro developed the buildable lands inventory with a tax lot database from RLIS. The tax lot database is current as of March 2018. The inventory builds from the database to estimate buildable land by plan designation. A key step in the buildable lands inventory was to classify each tax lot into a set of mutually exclusive categories. Metro classified all tax lots in Sherwood into one of the following categories:

- *Vacant land.*<sup>1</sup> Any tax lot that is “fully vacant (Metro aerial photo)”; or “with less than 2,000 sq. ft. developed AND developed part is under 10% of entire tax lot”; or that is “95% or more ‘vacant’ from the GIS vacant land inventory.”
- *Potentially redevelopable land.*<sup>2</sup> For tax lots that were not classified vacant or exempt, Metro included all other employment land tax lots in the strike-price model. Tax lots with a value greater than zero in the “net\_emp\_acres\_strike\_price” field in the Metro BLI GIS layer were considered to have redevelopment potential. The value in that field for each tax lot is the number of acres that is potentially redevelopable, not including constrained acres. Tax lots with a “net\_emp\_acres\_strike\_price” value of zero were considered developed.

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<sup>1</sup> Appendix 2 Buildable Lands Inventory, 2018 Urban Growth Report (Discussion draft). Metro. June 2018. p. 20. [https://www.oregonmetro.gov/sites/default/files/2018/07/03/UGR\\_Appendix2\\_Buildable\\_Lands\\_Inventory.pdf](https://www.oregonmetro.gov/sites/default/files/2018/07/03/UGR_Appendix2_Buildable_Lands_Inventory.pdf).

<sup>2</sup> Appendix 2 Buildable Lands Inventory, 2018 Urban Growth Report (Discussion draft). Metro. June 2018. [https://www.oregonmetro.gov/sites/default/files/2018/07/03/UGR\\_Appendix2\\_Buildable\\_Lands\\_Inventory.pdf](https://www.oregonmetro.gov/sites/default/files/2018/07/03/UGR_Appendix2_Buildable_Lands_Inventory.pdf)

- *Developed land.*<sup>3</sup> Tax lots with a “net\_emp\_acres\_strike\_price” value of zero were considered developed.
- *Exempt land.*<sup>4</sup> Land that is classified as either, “tax exempt with property codes for city, state, federal and Native American designations; schools; churches and social organizations; private streets; rail properties; tax lots under 1,000 sq. ft. (0.023 gross acres); parks, open spaces and where possible private residential common areas.” Metro used GIS data and Assessor’s data to determine the status of exempt land. ECONorthwest included all tax lots classified as exempt land in the developed land tabular and mapping information, but these tax lots can still be distinguished in the GIS data layer.

ECONorthwest initially classified land using Metro’s categories and generated maps for City staff to review. City staff had previously reviewed Metro’s analysis for Sherwood, but there were a few updates to tax lots that had redeveloped since that review. ECONorthwest adjusted the classification accordingly and noted manual changes in the GIS data layer.

### Development constraints

The physical constraints used in the Sherwood buildable lands inventory include areas subject to landslides, areas with slopes greater than 15%,<sup>5</sup> lands within the 100-year flood plain, Metro’s Title 3 land (including Water Resource Conservation Areas), lands within Metro’s Title 13 Habitat Conservation Areas (Class I and II, A and B), Wetlands, and public facilities.

## Results of the Buildable Lands Inventory

As part of developing the buildable lands inventory, ECONorthwest staff worked with City staff to verify the results of the buildable land inventory. Staff carefully considered the accuracy of land identified as vacant and potentially redevelopable to ensure that these areas have capacity for additional development, given the development constraints present on each tax lot.

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<sup>3</sup> Appendix 2 Buildable Lands Inventory, 2018 Urban Growth Report (Discussion draft). Metro. June 2018. [https://www.oregonmetro.gov/sites/default/files/2018/07/03/UGR\\_Appendix2\\_Buildable\\_Lands\\_Inventory.pdf](https://www.oregonmetro.gov/sites/default/files/2018/07/03/UGR_Appendix2_Buildable_Lands_Inventory.pdf)

<sup>4</sup> Appendix 2 Buildable Lands Inventory, 2018 Urban Growth Report (Discussion draft). Metro. June 2018. pp. 20-21. [https://www.oregonmetro.gov/sites/default/files/2018/07/03/UGR\\_Appendix2\\_Buildable\\_Lands\\_Inventory.pdf](https://www.oregonmetro.gov/sites/default/files/2018/07/03/UGR_Appendix2_Buildable_Lands_Inventory.pdf).

<sup>5</sup> Metro’s calculation of constrained area for employment land includes slopes greater than 25%. Lands for commercial and industrial uses are typically developed on slopes no greater than 15%, so we used an “erase” function in GIS to determine any constrained areas that were not included in Metro’s calculation of constrained area. These additional constraints were subtracted from the “net\_emp\_strike\_price” value for tax lots designated as “potentially redevelopable,” and included in the total constraints layer and subtracted from the total area for tax lots designated as “vacant.”

## Land Base

Table 4 shows commercial and industrial land in Sherwood by classification (development status). The results show that Sherwood has 956 total acres in commercial and industrial plan designations. Of the 956 acres in the UGB, about 474 acres (50%) are in classifications with no development capacity, 233 acres (24%) are constrained, and 249 acres (26%) are buildable land with development capacity.

**Table 4. Employment acres by classification and plan designation, Sherwood City Limits, Tonquin Employment Area, and Brookman Annexation Area, 2021**

Plan Designation	Tax Lots	Total Acres	Acres with No		Total
			Development Capacity	Constrained Acres	Unconstrained Buildable Acres
<b>Commercial</b>	<b>134</b>	<b>171</b>	<b>119</b>	<b>27</b>	<b>25</b>
General Commercial	31	62	38	10	14
Neighborhood Commercial	2	1	1	0	0
Office Commercial	11	16	6	5	5
Retail Commercial	90	92	74	12	6
<b>Industrial</b>	<b>115</b>	<b>478</b>	<b>290</b>	<b>91</b>	<b>97</b>
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<b>Brookman</b>	<b>4</b>	<b>25</b>	<b>3</b>	<b>4</b>	<b>18</b>
Future Development	4	25	3	4	18
<b>Total</b>	<b>278</b>	<b>956</b>	<b>474</b>	<b>233</b>	<b>249</b>
<b>Percent of Total</b>		<b>100%</b>	<b>50%</b>	<b>24%</b>	<b>26%</b>

Source: Appendix A, Table 21

Note: The numbers on this table may not add up exactly as a result of rounding.

## Vacant Buildable Land

Table 5 shows unconstrained buildable acres for vacant and potentially redevelopable land by plan designation. The results show that Sherwood has about 249 net buildable acres in commercial and industrial plan designations. Of this, 10% (25 acres) is in the commercial designations, 39% (97 acres) is in industrial designations, and 51% (127 acres) is designated as future development in the Tonquin Employment Area and Brookman Annexation Area.

**Table 5. Employment land with unconstrained development capacity (Vacant, Potentially Redevelopable) by plan designation, Sherwood City Limits, Tonquin, and Brookman, 2021**

Plan Designation	Unconstrained Vacant Acres	Unconstrained Potentially Redevelopable Acres	Total Unconstrained Buildable Acres
<b>Commercial</b>	<b>11</b>	<b>14</b>	<b>25</b>
General Commercial	5	8	13
Office Commercial	4	1	5
Retail Commercial	2	5	7
<b>Industrial</b>	<b>31</b>	<b>66</b>	<b>97</b>
General Industrial	17	44	61
Light Industrial	14	22	36
<b>Tonquin</b>	<b>23</b>	<b>86</b>	<b>109</b>
Future Development	23	86	109
<b>Brookman</b>	<b>0</b>	<b>18</b>	<b>18</b>
Future Development	0	18	18
<b>Total</b>	<b>65</b>	<b>184</b>	<b>249</b>
<b>Percent of Total</b>	<b>26%</b>	<b>74%</b>	<b>100%</b>

Source: Appendix A: Table 22.

Note: The numbers on this table may not add up exactly as a result of rounding.

## Future Development

The City of Sherwood provided information about properties included in the BLI that will likely develop after June 2021. Since these developments will capture a portion of the employment forecast for the 2021 to 2041 planning period, the land in these areas are included in the BLI as vacant or potentially redevelopable. About 60 acres are expected to develop after June 2021, with 17 acres of Light Industrial land and 43 acres of Future Development land in Tonquin Employment Area.

In total, the Future Development land in the Tonquin Employment Area and Brookman is likely to sufficiently meet both industrial and commercial demand over the next 20 years. However, if the rate of development increases beyond the EOA forecast, there will likely be a shortage of appropriate sites—particularly sites in excess of 10 acres—for employment growth in the City of Sherwood, thereby creating development opportunities in the future growth area of Sherwood West.

Map 1 shows Sherwood’s employment land by classification with development constraints and areas with anticipated development after June 2021.

**Map 1. Employment land by classification with development constraints, Sherwood City Limits, Tonquin, and Brookman, 2021**

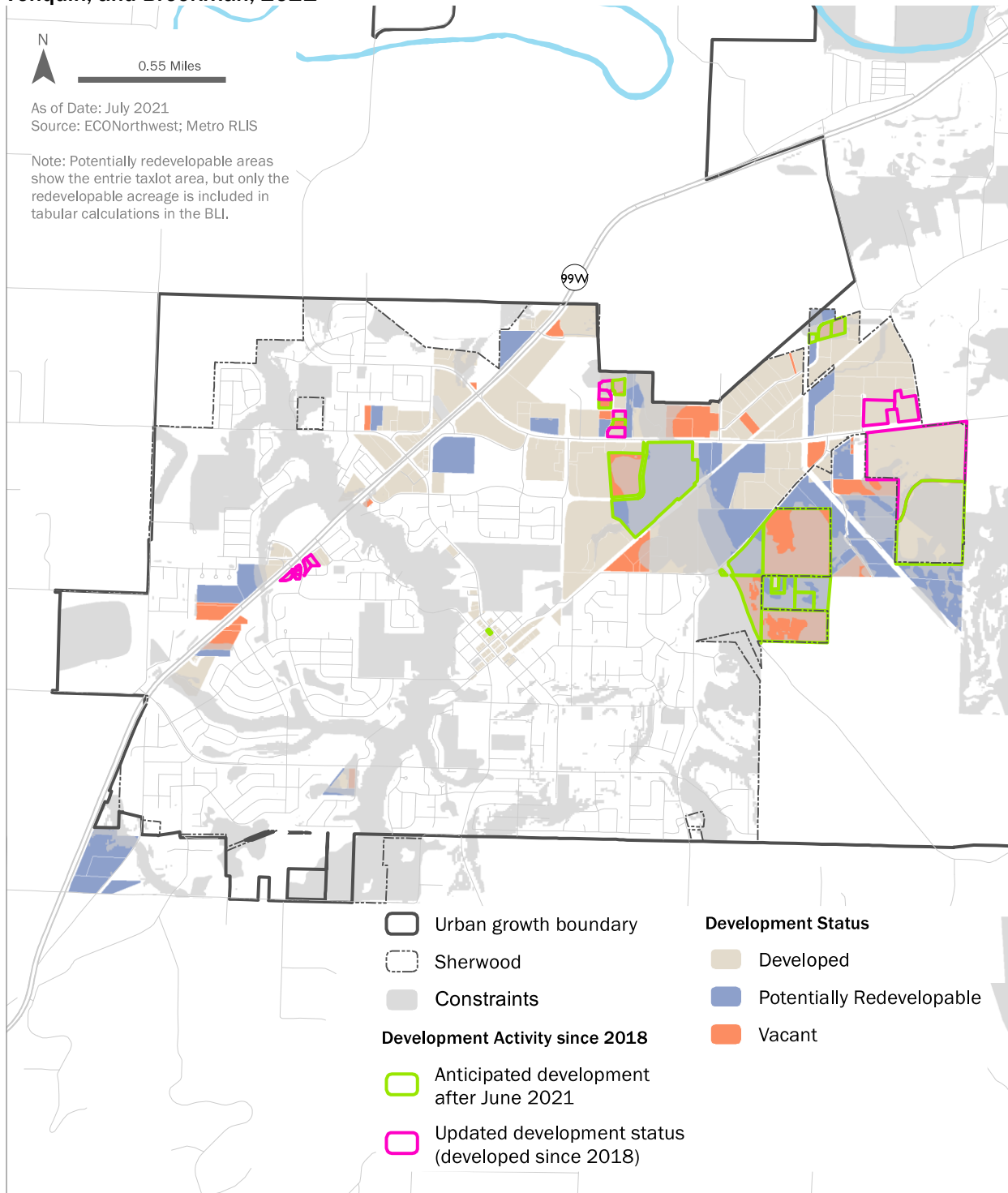


Table 6 shows the size of lots by plan designations for buildable employment land. Sherwood has 30 lots that are smaller than 2 acres (with 25 acres of land). Sherwood has 37 lots between 2 and 10 acres (183 acres of land), and 3 lots between 10 and 50 acres in size (42 acres of land).

**Table 6. Lot size by plan designation, buildable acres, Sherwood City Limits, Tonquin, and Brookman, 2021**

Plan Designation	Buildable Acres in Tax Lot				
	<1	1 - 1.99	2 - 4.99	5 - 9.99	10 - 49.99
<b>Acres</b>					
<b>Commercial</b>	<b>3</b>	<b>4</b>	<b>13</b>	<b>5</b>	<b>0</b>
General Commercial	1	0	7	5	0
Neighborhood Commercial	0	0	0	0	0
Office Commercial	2	1	3	0	0
Retail Commercial	0	3	3	0	0
<b>Industrial</b>	<b>6</b>	<b>7</b>	<b>29</b>	<b>13</b>	<b>42</b>
General Industrial	1	3	14	13	30
Light Industrial	5	4	15	0	12
<b>Tonquin</b>	<b>2</b>	<b>3</b>	<b>16</b>	<b>89</b>	<b>0</b>
Future Development	2	3	16	89	0
<b>Brookman</b>	<b>0</b>	<b>0</b>	<b>11</b>	<b>7</b>	<b>0</b>
Future Development	0	0	11	7	0
<b>Subtotal</b>	<b>11</b>	<b>14</b>	<b>69</b>	<b>114</b>	<b>42</b>
<b>Taxlots</b>					
<b>Commercial</b>	<b>6</b>	<b>3</b>	<b>4</b>	<b>1</b>	<b>0</b>
General Commercial	2	0	2	1	0
Neighborhood Commercial	0	0	0	0	0
Office Commercial	2	1	1	0	0
Retail Commercial	2	2	1	0	0
<b>Industrial</b>	<b>11</b>	<b>5</b>	<b>10</b>	<b>2</b>	<b>3</b>
General Industrial	3	2	5	2	2
Light Industrial	8	3	5	0	1
<b>Tonquin</b>	<b>3</b>	<b>2</b>	<b>4</b>	<b>12</b>	<b>0</b>
Future Development	3	2	4	12	0
<b>Brookman</b>	<b>0</b>	<b>0</b>	<b>3</b>	<b>1</b>	<b>0</b>
Future Development	0	0	3	1	0
<b>Subtotal</b>	<b>20</b>	<b>10</b>	<b>21</b>	<b>16</b>	<b>3</b>

Source: Appendix A: Table 23.

The data in Table 6 show that Sherwood has no commercial sites larger than 10 acres within the city limits. Sherwood does, however, have industrial sites larger than 10 acres (a total of 42 acres). In addition, the Tonquin Employment Area has 12 sites between 5 and 10 acres. The Brookman Annexation Area has 3 sites between 2 and 5 acres and 1 site between 5 and 10 acres.

The Tonquin Employment Area Concept Plan assumes that employment growth in the Tonquin Area will be predominantly industrial employment, with a total of 10 acres of land for retail and commercial uses to provide services to businesses and workers in the Tonquin Area.<sup>6</sup> The Brookman Addition Concept Plan assumes that employment growth in the Brookman Annexation Area will be about 13 acres of industrial use, 13 acres of office commercial use, and 2 acres of retail commercial use.<sup>7</sup>

<sup>6</sup> *Tonquin Employment Area Concept Plan: Preferred Concept Plan Report*, Final Report October 2010, Table IV-1.

<sup>7</sup> *Brookman Addition Concept Plan*. Final Report. May 2009. Pg. 16.

## Short-Term Land Supply

This section evaluates the short-term supply of employment land in Sherwood. It begins with an overview of the policy context that requires this analysis, and then it evaluates the short-term land supply.

### Policy context

The Goal 9 Administrative Rule (OAR 660-009) includes provisions that require certain cities to ensure an adequate short-term supply of industrial and other employment lands. OAR 660-009-005(10) defines short term supply as follows:

“...means suitable land that is ready for construction within one year of an application for a building permit or request for service extension. Engineering feasibility is sufficient to qualify land for the short-term supply of land. Funding availability is not required. "Competitive Short-term Supply" means the short-term supply of land provides a range of site sizes and locations to accommodate the market needs of a variety of industrial and other employment uses.”

The Goal 9 rule also requires cities in a Metropolitan Planning Organization (MPO, which includes Sherwood) to make a commitment to provide a competitive short-term supply of land and establishes targets for the short-term supply of land. Specifically, OAR 660-009-0020(1)(b) states:

“Cities and counties within a Metropolitan Planning Organization must adopt a policy stating that a competitive short-term supply of land as a community economic development objective for the industrial and other employment uses selected through the economic opportunities analysis pursuant to OAR 660-009-0015.”

The rule goes on to clarify short-term land supply targets for cities in an MPO (OAR 660-009-0025):

(3) Short-Term Supply of Land. Plans for cities and counties within a Metropolitan Planning Organization or cities and counties that adopt policies relating to the short-term supply of land must designate suitable land to respond to economic development opportunities as they arise. Cities and counties may maintain the short-term supply of land according to the strategies adopted pursuant to OAR 660-009-0020(2).

(a) Except as provided for in subsections (b) and (c), cities and counties subject to this section must provide at least 25% of the total land supply within the urban growth boundary designated for industrial and other employment uses as short-term supply.

(b) Affected cities and counties that are unable to achieve the target in subsection (a) above may set an alternative target based on their economic opportunities analysis.

(c) A planning area with 10 percent or more of the total land supply enrolled in Oregon's industrial site certification program pursuant to ORS 284.565 satisfies the requirements of this section.



In summary, the rule requires Sherwood to assess the short-term supply of employment land based on the criteria that land can be ready for construction within one year. The determination is based on “engineering feasibility.”

### Analysis of short-term supply of land

The City of Sherwood staff worked with the results of the buildable lands supply to identify commercial and industrial land that meet the definition of short-term supply of land. The City’s approach was to:

- Assume that lands considered redevelopable in the Metro BLI should be considered serviceable, and therefore in the short-term supply.
- Examine whether buildable land within the city limits is serviceable, and therefore in the short-term supply.
- Assume that land in Brookman and Tonquin areas are not in the short-term supply.

The City did not consider lands outside of the city limits, such as land in the Tonquin Employment Area or Brookman Annexation Area in this analysis because development of these lands may take longer than one year from submission of a building permit. Sherwood does not have any certified industrial sites, so the City does not need to meet the requirements of OAR 660-009-0025(3)(c).

The results show that Sherwood has 27 acres of commercial land (on 134 tax lots) in the short-term supply of land and 97 acres of industrial land (on 115 tax lots) in the short-term supply of land. In comparison to all unconstrained buildable employment land (from Table 5), 50% of Sherwood’s employment land is in the short-term supply. Of this land, 17 acres of light industrial land is in the development pipeline and is expected to develop later in 2021 or in 2022.

Table 7 shows the short-term supply of commercial and industrial land by plan designation.

**Table 7. Short-term Supply of Commercial and Industrial Land, Sherwood City Limits, 2021**

Plan Designation	Taxlots	Buildable Acres
<b>Commercial</b>	<b>134</b>	<b>27</b>
General Commercial	31	14
Neighborhood Commercial	2	0
Office Commercial	11	6
Retail Commercial	90	7
<b>Industrial</b>	<b>115</b>	<b>97</b>
General Industrial	66	61
Light Industrial	49	36
<b>Total</b>	<b>249</b>	<b>124</b>

Source: ECONorthwest analysis of Metro RLIS GIS data, BLI.

## 3. Factors Affecting Future Economic Growth

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Sherwood exists as part of the larger economy of the Portland region<sup>8</sup> and is strongly influenced by regional economic conditions. For many factors, such as access to labor, Sherwood does not differ significantly from the broader region. For other factors, such as income, it does. Thus, Sherwood benefits from being a part of the larger regional economy and plays a specific role in it.

This chapter describes the factors affecting economic growth in Sherwood, including national and regional economic trends. The analysis presents Sherwood’s competitive advantages for growing and attracting businesses, which forms the basis for identifying potential growth industries in Sherwood.

### Factors that Affect Economic Development<sup>9</sup>

The fundamental purpose of Goal 9 is to make sure that a local government plans for economic development. The planning literature provides many definitions of economic development, both broad and narrow. Broadly,

“Economic development is the process of improving a community’s well-being through job creation, business growth, and income growth (factors that are typical and reasonable focus of economic development policy), as well as through improvements to the wider social and natural environment that strengthen the economy.”<sup>10</sup>

That definition acknowledges that a community’s well-being depends in part on narrower measures of economic well-being (e.g., jobs and income) and on other aspects of quality of life (e.g., the social and natural environment). In practice, cities and regions trying to prepare an economic development strategy typically use a narrower definition of economic development; they take it to mean business development, job growth, and job opportunity. The assumptions are that:

- Business and job growth are contributors to and consistent with economic development, increased income, and increased economic welfare. From the municipal point of view,

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<sup>8</sup> In this analysis, the Portland region is defined as the three-county area including, Clackamas, Multnomah, and Washington Counties.

<sup>9</sup> The information in this section is based on previous Goal 9 studies conducted by ECONorthwest and the following publication: *An Economic Development Toolbox: Strategies and Methods*, Terry Moore, Stuart Meck, and James Ebenhoh, American Planning Association, Planning Advisory Service Report Number 541, October 2006.

<sup>10</sup> *An Economic Development Toolbox: Strategies and Methods*, Terry Moore, Stuart Meck, and James Ebenhoh, American Planning Association, Planning Advisory Service Report Number 541, October 2006.

investment and resulting increases in property tax are important outcomes of economic development.

- The evaluation of tradeoffs and balancing of policies to decide whether such growth is likely to lead to overall gains in well-being (on average and across all citizens and businesses in a jurisdiction, and all aspects of well-being) is something that decision makers do after an economic strategy has been presented to them for consideration.

That logic is consistent with the tenet of the Oregon land-use planning program: all goals matter, no goal dominates, and the challenge is to find a balance of conservation and development that is acceptable to a local government and state. Goal 9 does not dominate, but it legitimizes and requires that a local government focus on the narrower view of economic development that focuses on economic variables.

In that context, a major part of local economic development policy is about local support for business development and job growth; that growth comes from the creation of new firms, the expansion of existing firms, and the relocation or retention of existing firms. Thus, a key question for economic development policy is, *What are the factors that influence business and job growth, and what is the relative importance of each?* This document addresses that question in depth.

## What Factors Matter?

Why do firms locate where they do? There is no single answer—different firms choose their locations for different reasons. Key determinants of a location decision are a firm's *factors of production*. For example, a firm that spends a large portion of total costs on unskilled labor will be drawn to locations where labor is relatively inexpensive. A firm with large energy demands will give more weight to locations where energy is relatively inexpensive. In general, firms choose locations they believe will allow them to maximize net revenues: if demand for goods and services are held roughly constant, then revenue maximization is approximated by cost minimization.

The typical categories that economists use to describe a firm's production function are:

- **Labor.** Labor is often the most important factor of production. Other things equal, firms look at productivity—labor output per dollar. Productivity can decrease if certain types of labor are in short supply, which increases the costs by requiring either more pay to acquire the labor that is available, the recruiting of labor from other areas, or the use of the less productive labor that is available locally.
- **Land.** Demand for land depends on the type of firm. Manufacturing firms need more space and tend to prefer suburban locations where land is relatively less expensive and less difficult to develop. Warehousing and distribution firms need to locate close to interstate highways.
- **Local infrastructure.** An important role of government is to increase economic capacity by improving quality and efficiency of infrastructure and facilities, such as roads,

bridges, water and sewer systems, airport and cargo facilities, energy systems, and telecommunications.

- **Access to markets.** Though part of infrastructure, transportation merits special attention. Firms need to move their product (either goods or services) to the market, and they rely on access to different modes of transportation to do this.
- **Materials.** Firms producing goods, and even firms producing services, need various materials to develop products that they can sell. Some firms need natural resources (i.e., raw lumber) and others may need intermediate materials (i.e., dimensioned lumber).
- **Entrepreneurship.** This input to production may be thought of as good management, or even more broadly as a spirit of innovation, optimism, and ambition that distinguishes one firm from another even though most of their other factor inputs may be quite similar.

The supply, cost, and quality of any of these factors obviously depend on market factors: on conditions of supply and demand locally, nationally, and even globally. But they also depend on public policy. In general, public policy can affect these factors of production through:

- **Regulation.** Regulations protect the health and safety of a community and help maintain the quality of life. Overly burdensome regulations, however, can be disincentives for businesses to locate in a community. Simplified bureaucracies and straightforward regulations can reduce the burden on businesses and help them react quickly in a competitive marketplace.
- **Taxes.** Firms tend to seek locations where they can optimize their after-tax profits. Tax rates are not a primary location factor—they matter only after businesses have made decisions based on labor, transportation, raw materials, and capital costs. The costs of these production factors are usually similar within a region. Therefore, differences in tax levels across communities within a region are more important in the location decision than are differences in tax levels between regions.
- **Financial incentives.** Governments can offer firms incentives to encourage growth. Most types of financial incentives have had little significant effect on firm location between regions. However, for manufacturing industries with significant equipment costs, property or investment tax credit or abatement incentives can play a significant role in location decisions. Incentives are more effective at redirecting growth within a region than they are at providing a competitive advantage between regions.

This discussion may make it appear that a location decision is based entirely on a straight-forward accounting of costs, with the best location being the one with the lowest level of overall costs. Studies of economic development, however, have shown that location decisions depend on a variety of other factors that indirectly affect costs of production. These indirect factors include agglomerative economies (also known as industry clusters), quality of life, and innovative capacity.

- **Industry clusters.** Firms with similar business activities can realize operational savings when they congregate in a single location or region. Clustering can reduce costs by

creating economies of scale for suppliers. For this reason, firms tend to locate in areas where there is already a presence of other firms engaged in similar or related activities.

- **Quality of life.** A community that features many quality amenities, such as access to recreational opportunities, culture, low crime, good schools, affordable housing, and a clean environment can attract people simply because it is a nice place to be. A region's quality of life can attract skilled workers, and if the amenities lure enough potential workers to the region, the excess labor supply pushes their wages down so that firms in the region can find skilled labor for a relatively low cost. The characteristics of local communities can affect the distribution of economic development within a region, with different communities appealing to different types of workers and business owners. Sometimes location decisions by business owners are based on an emotional or historical attachment to a place or set of amenities, without much regard for the cost of other factors of production.
- **Innovative capacity.** Increasing evidence suggests that a culture promoting innovation, creativity, flexibility, and adaptability is essential to keeping U.S. cities economically vital and internationally competitive. Innovation is particularly important in industries that require an educated workforce. High-tech companies need to have access to new ideas typically associated with a university or research institute. Innovation affects both the overall level and type of economic development in a region. Government can be a key part of a community's innovative culture, through the provision of services and regulation of development and business activities that are responsive to the changing needs of business.

## How Important Are These Factors?

To understand how changes in public policies affect local job growth, economists have attempted to identify the importance for firms of different locational factors. They have used statistical models, surveys, and case studies to examine detailed data on the key factors that enter the business location decision.

Economic theory says that firms locate where they can reduce the costs of their factors of production (assuming demand for products and any other factors are held constant). Firms locate in regions where they have access to inputs that meet their quality standards, at a relatively low cost. Because firms are different, the relative importance of different factors of production varies both across industries and, even more importantly, across firms.

No empirical analysis can completely quantify firm location factors because numerous methodological problems make any analysis difficult. For example, some would argue simplistically that firms would prefer locating in a region with a low tax rate to reduce tax expenses. However, the real issue is the value provided by the community for the taxes collected. Because taxes fund public infrastructure that firms need, such as roads, water, and sewer systems, regions with low tax rates may end up with poor infrastructure, making it less attractive to firms. When competing jurisdictions have roughly comparable public services (type, cost, and quality) and quality of life, then tax rates (and tax breaks) can make a difference.

Further complicating any analysis is the fact that many researchers have used public expenditures as a proxy for infrastructure quality. But large expenditures on roads do not necessarily equal a quality road system. It is possible that the money has been spent ineffectively and the road system is in poor condition.

An important aspect of this discussion is that the business function at a location matters more than a firm's industry. A single company may have offices spread across cities, with headquarters located in a cosmopolitan metropolitan area, the research and development divisions located near a concentration of universities, the back office in a suburban location, and manufacturing and distribution located in areas with cheap land and good interstate access.

The location decisions of businesses are primarily based on the availability and cost of labor, transportation, raw materials, and capital. The availability and cost of these production factors are usually similar within a region. Most economic development strategies available to local governments, however, only indirectly affect the cost of these primary location factors. Local governments can most easily affect tax rates, public services, and regulatory policies. Economists generally agree that these factors do affect economic development, but the effects on economic development are modest. Thus, most of the strategies available to local governments have only a modest effect on the level and type of economic development in the community.

Local governments in Oregon also play a central role in the provision of buildable land through inclusion of lands in the Urban Growth Boundary, as well as through determination of plan designations and zoning, and through provision of public services. Obviously, businesses need buildable land to locate or expand in a community. Providing buildable land alone is not sufficient to guarantee economic development in a community – market conditions must create demand for this land, and local factors of production must be favorable for business activity. In the context of expected economic growth and the perception of a constrained land supply in Washington County, the provision of buildable land has the potential to strongly influence the level and type of economic development in Sherwood. The provision of buildable land is one of the most direct ways that the City of Sherwood can affect the level and type of economic development in the community.

# Summary of the Effect of National, State and Regional Trends on Economic Development in Sherwood

This section presents a summary and the implications of national, state, and regional economic trends on economic growth in Sherwood, which are presented in Section 3.3.

National, State, and Regional Economic Trends	Implications for Economic Growth in Sherwood
<p><b>Moderate growth rates and recovery from the national recession</b></p> <p>After the end of the recession in 2009, economic growth returned to the U.S. economy, with persistent increases in real GDP (a 2.3 percentage point growth in 2017 relative to 2016)<sup>11</sup>, a steady job growth (about 2.1 million jobs were added during 2017)<sup>12</sup>, and a decline in the unemployment rate (about 4.1% in 2017 compared to the recessionary peak of 9.9%).<sup>13</sup></p> <p>Unemployment at the national level has gradually declined since the height of the recession. Unemployment rates in Oregon are typically higher than those of the nation as a whole.</p> <p>The federal government’s economic forecast predicts a moderate pace of economic growth, with gradual increases in employment and real GDP (roughly 3% through the end of 2016).</p> <p>IHS Economic projects that Oregon’s economy will be the fifth fastest-growing among all states in the U.S., averaging annual growth of about 2.7% through 2023.<sup>14</sup></p>	<p>The rate of employment growth in Sherwood will depend, in part, on the rate of employment growth in Oregon and the nation. Sherwood’s employment growth is most closely tied to growth in Washington County, which has higher wages than the state average. The types of employment identified as having growth potential and higher than average wages in the Portland Region and in Washington County are Computer and Electronics, Software and Media, Clean Tech, Athletic and Outdoors, Metals and Machinery, and Health Science and Tech.</p> <p>The Oregon Employment Department forecasts that employment in Portland (which includes Clackamas, Multnomah, and Washington counties) will grow by about 13% from 2017 levels. Private Educational and Health Services, Trade, Transportation, and Utilities, Leisure and Hospitality, Construction, and Manufacturing will make up the majority of the region’s growth.</p>
<p><b>Growth of service-oriented sectors</b></p>	<p>The changes in employment in Washington County have followed similar trends as the changes in national and state employment. The service sector showed the greatest change in share of employment since 1980.</p>

<sup>11</sup> Federal Reserve Bank of St. Louis, FRED Economic Data, Real Gross Domestic Product (GDPC1), Billions of Chained 2009 Dollars, Seasonally Adjust Annual Rate. Retrieved from: <https://fred.stlouisfed.org/series/GDPC1#0>, on June 25, 2018.

<sup>12</sup> Bureau of Labor Statistics. Economic News Release, Employment Situation News Release, December 2017. Published on January 5, 2018. Retrieved from: [https://www.bls.gov/news.release/archives/empisit\\_01052018.htm](https://www.bls.gov/news.release/archives/empisit_01052018.htm), on June 25, 2018.

<sup>13</sup> Bureau of Labor Statistics. Current Population Survey, Unemployment Rate, Seasonally Adjusted, 16 years and over. Retrieved from <https://www.bls.gov/data/>, on June 25, 2018.

<sup>14</sup> Office of Economic Analysis. Oregon Economic and Revenue Forecast, March 2018. Vol. XXXVIII, No. 1, page 16. <https://www.oregon.gov/das/OEA/Documents/forecast0318.pdf>.

<b>National, State, and Regional Economic Trends</b>	<b>Implications for Economic Growth in Sherwood</b>
<p>Increased worker productivity and the international outsourcing of routine tasks led to declines in employment in the major goods-producing industries. Projections from the Bureau of Labor Statistics indicate that U.S. employment growth will continue to be strongest in healthcare and social assistance, professional and business services, and other service industries. Construction employment will grow with the economy, but manufacturing employment will decline. These trends are also expected to affect the composition of Oregon's economy, although manufacturing in Oregon will grow.</p>	<p>The Oregon Employment Department forecasts that the service sectors likely to have the most employment growth in Portland—the region that includes Washington County—over the 2017 to 2027 period are: Professional and Business Services, Private Education and Health Services, and Leisure and Hospitality. These sectors represent employment opportunities for Sherwood.</p>
<p><b>Importance of small businesses in Oregon's economy</b></p> <p>Small business, with 100 or fewer employees, account for 66% of private-sector employment in Oregon. Workers of small businesses typically have had lower wages than the state average.</p>	<p>The average size for a private business in Sherwood is 9 employees per business, compared to the State average of 11 employees per private business.</p> <p>Businesses with 50 or fewer employees account for roughly 57% of private employment in Sherwood. Businesses with 9 or fewer employees account for 20% of private employment and 4 or fewer account for 10% of private employment</p> <p>Growth of small businesses presents key opportunities for economic growth in Sherwood.</p>
<p><b>Availability of trained and skilled labor</b></p> <p>Businesses in Oregon are generally able to fill jobs, either from available workers living within the State, or by attracting skilled workers from outside of the State.</p> <p>Availability of labor depends, in part, on population growth and in-migration. Oregon added more than 1,299,000 new residents and about 605,000 new jobs between 1990 and 2016. The population-employment ratio for the State was about 2.3 residents per job over the 24-year period.</p> <p>Availability of labor also depends on workers' willingness to commute. Workers in Oregon typically have a commute that is 30 minutes or shorter.</p> <p>Availability of skilled workers depends, in part, on educational attainment. About 31% of Oregon's workers have a Bachelor's degree or higher.</p>	<p>Employment in Washington County grew at about 1.4% annually over the 2000 to 2016 period, while population grew at about 2.4% over the same period.</p> <p>About 48% of workers at businesses located in Sherwood lived in Washington County, and 8% lived within Sherwood city limits. Firms in Sherwood attracted workers from the Portland Region. Over 90% of workers in Sherwood commuted into the city from elsewhere, many from Portland (22% of Sherwood workers), Beaverton (8%), and Tigard (8%). These commuting patterns are similar to commuting in other cities in the Portland area. Businesses in Sherwood are able to pull data from across the Westside of the Portland Region and from across the rest of the Portland Region.</p> <p>Sherwood's residents were more likely to have earned a Bachelor's degree or higher (46%) than the State average (31%).</p> <p>With historically low unemployment rates, businesses in Sherwood may have difficulties attracting employees, consistent with the experience of other cities in the Region. However, the lower wages at businesses and Sherwood may make attracting employees more difficult</p>



<b>National, State, and Regional Economic Trends</b>	<b>Implications for Economic Growth in Sherwood</b>
<p><b>Aging of the population</b></p> <p>The number of Oregonians aged 65 and older will nearly double between 2015 and 2050, while the number of people under age 65 will grow by only about 29%. The economic effects of this demographic change include a slowing of the growth of the labor force, an increase in the demand for healthcare services, and an increase in the percent of the federal budget dedicated to Social Security and Medicare.</p> <p>Furthermore, people are retiring later than previous generations and continuing to work past 65 years old. This trend is seen both at the national and State levels. Even given this trend, the need for workers to replace retiring Baby Boomers will outpace job growth. Management occupations and teachers will have the greatest need for replacement workers because these occupations have older-than-average workforces.</p>	<p>The changes in the Washington County’s age structure are similar to that of the State, with the most growth observed in people 60 years and older.</p> <p>The State projects that the share of the population over the age of 60 in the Washington County will increase from 18% to 27% from 2015 to 2035.</p> <p>Firms in Sherwood will need to replace workers as they retire. Demand for replacement workers may outpace job growth in Sherwood, consistent with State trends. Given the CBO’s forecast of relatively low unemployment rates (about 4.9% through 2027), businesses in Sherwood (and throughout the State) may have difficulties finding replacement workers.</p>
<p><b>Increases in energy prices</b></p> <p>Although energy prices are relatively low by historical standards, over the long-term, energy prices are forecast to grow as the economy and the population grows.</p> <p>As energy prices increase over the planning period of 2017 to 2050, energy consumption for transportation may decrease. Though with expected increases in fuel economy, people will be able to travel longer distances while consuming less energy. The U.S. Energy Information Administration estimates that transportation energy consumption declines as a result of increasing fuel economy more than offsets the total growth in vehicle miles traveled (VMT). VMT for passenger vehicles is forecasted to increase through 2050.</p>	<p>In 2017, lower energy prices have decreased the costs of commuting. Over the long-term, if energy prices increase, these higher prices will likely affect the mode of commuting before affecting workers’ willingness to commute. For example, commuters may choose to purchase a more energy-efficient car, use the bus, or carpool.</p> <p>Very large increases in energy prices may affect workers’ willingness to commute, especially workers living the furthest from Sherwood or workers with lower paying jobs. In addition, very large increases in energy prices may make shipping freight long distances less economically feasible, resulting in a slow-down or reversal of off-shore manufacturing, especially of large, bulky goods.</p>
<p><b>Comparatively low wages</b></p> <p>The income of a region affects the workforce and the types of businesses attracted to the region. Average income affects workers and businesses in different ways. Workers may be attracted to a region with higher average wage or high wage jobs. Businesses, however, may prefer to locate in regions with lower wages, where the cost of doing business may be lower.</p> <p>Since the early 1980’s, Oregon’s per capita personal income has been consistently lower than the U.S. average. In 2016, Oregon’s per capita wage was 92% of the national average. From 2000 to 2016 nominal wages in the nation grew by 52% from \$35,300 to \$53,600, while wages in Oregon increased by 51% from \$32,800 to \$49,500.</p>	<p>Income in Oregon has historically been below national averages, and Washington County’s per capita personal income has remained above that of the State and the nation. While the county’s average wages followed a similar trend as personal income, they remained well above the State in both 2000 and 2016. In 2016, Washington County’s average wage was about \$65,908 compared to the State (\$49,467).</p> <p>There are two basic reasons that wages are higher in Washington County than in the U.S.: (1) wages for similar jobs tend to be higher; (2) the occupational mix of employment is weighted towards higher paying occupations such as manufacturing.</p>

National, State, and Regional Economic Trends	Implications for Economic Growth in Sherwood
	<p>In addition, wages in Washington County and Oregon tend to be more volatile than the national average. The major reason for this volatility is that the relative lack of diversity in the State and County economy.</p> <p>Average wages in Sherwood are lower than Washington County and Oregon. For example, the average wage in Sherwood in 2016 was \$38,696, compared to \$65,908 in Washington County and \$49,467 in Oregon.</p> <p>This difference is due to the larger share of lower-paying service sector jobs in Sherwood, compared to the Portland region.</p> <p>The median income in Sherwood (\$86,111), however, is higher than Washington County (\$69,743). This disparity in wages and income reflect that Sherwood residents are employed in other cities in the Portland region, but not in Sherwood.</p>
<p><b>Education as a determinant of wages</b></p> <p>The majority of the fastest growing occupations will require an academic degree, and on average, they will yield higher incomes than occupations that do not require an academic degree.</p> <p>The fastest-growing occupations requiring an academic degree will be registered nurses, software developers, general and operations managers, accountants and auditors, market research analysts and marketing specialists, and management analysts. Occupations that do not require an academic degree (e.g., retail salesperson, food preparation workers, and home care aides) will grow, accounting for approximately 71% of all new jobs by 2026. These occupations typically have lower pay than occupations requiring an academic degree.</p> <p>The national median income for people over the age of 25 in 2017 was about \$47,164. Workers without a high school diploma earned \$20,124 less than the median income, and workers with a high school diploma earned \$10,140 less than the median income. Workers with some college earned \$6,916 less than median income, and workers with a bachelor’s degree earned \$13,832 more than the median. Workers in Oregon experience the same patterns as the nation but pay is generally lower in Oregon than the national average.</p>	<p>Sherwood’s residents were more likely to have obtained a Bachelor’s degree or higher compared to Oregon residents as a whole (46% versus 31%).</p> <p>Businesses that want to locate in Sherwood can draw from the labor pool of the Portland region, especially the higher-educated population of workers living in Washington County.</p>

<b>National, State, and Regional Economic Trends</b>	<b>Implications for Economic Growth in Sherwood</b>
<p><b>Importance of high quality natural resources</b></p> <p>The relationship between natural resources and local economies has changed as the economy has shifted away from resource extraction. Increases in the population and in households' incomes, plus changes in tastes and preferences, have dramatically increased demands for outdoor recreation, scenic vistas, clean water, and other resource-related amenities. Such amenities contribute to a region's quality of life and play an important role in attracting both households and firms.</p>	<p>The region's high quality natural resources present economic growth opportunities for Sherwood, ranging from agriculture and wineries to amenities that attract visitors and contribute to the region's high quality of life.</p>

## National Trends

Economic development in Sherwood over the next 20 years will occur in the context of long-run national trends. The most important of these trends include:

- **Economic growth will continue at a moderate pace.** Analysis from the Congressional Budget Office (CBO) predicts moderate growth of just above 2.0% GDP throughout 2018 and over the next decade, assuming current laws remain intact, and a growth of around 1.9% per year until 2027.

The unemployment rate is expected to decrease to 4.3% by the end of 2017 and fall to 4.2% early 2018. Growth in hourly compensation may increase labor force participation, slowing its longer-term decline.

Unemployment is expected to be 4.9% from 2021-2027, which is slightly above the estimated natural rate of unemployment but considerably lower than unemployment rates for 2010 to 2015 (during the recovery from the 2007-2009 recession).<sup>15</sup>

- **The aging of the Baby Boomer generation, accompanied by increases in life expectancy.** As the Baby Boomer generation continues to retire, the number of Social Security recipients is expected to increase from 59 million in 2014 to over 90 million in 2035, a 53% increase. However, due to lower-birth rate replacement generations, the number of covered workers is only expected to increase 14.7% over the same time period, from 165 million to almost 190 million in 2035. Currently, there are 36 Social Security beneficiaries per 100 covered workers in 2014 but by 2035 there will be 58 beneficiaries per 100 covered workers. This will increase the percent of the federal budget dedicated to Social Security and Medicare.<sup>16</sup>

Baby boomers are expecting to work longer than previous generations. An increasing proportion of people in their early- to mid-50s expect to work full-time after age 65. In 2004, about 40% of these workers expect to work full-time after age 65, compared with about 30% in 1992.<sup>17</sup> This trend can be seen in Oregon, where the share of workers 65 years and older grew from 2.9% of the workforce in 2000 to 4.1% of the workforce in 2010, an increase of 41%. Over the same ten-year period, workers 45 to 64 years increased by 15%.<sup>18</sup>

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<sup>15</sup> Congressional Budget Office. An Update to the Budget and Economic Outlook: 2017-2027. June 2017. <https://www.cbo.gov/system/files/115th-congress-2017-2018/reports/52801-june2017outlook.pdf>.

<sup>16</sup> The Board of Trustees, Federal Old-Age and Survivors Insurance and Federal Disability Insurance Trust Funds, 2015, *The 2015 Annual Report of the Board of Trustees of the Federal Old-Age and Survivors Insurance and Federal Disability Insurance Trust Funds*, May 13, 2015.

<sup>17</sup> "The Health and Retirement Study," 2007, National Institute of Aging, National Institutes of Health, U.S. Department of Health and Human Services.

<sup>18</sup> Analysis of 2000 Decennial Census data and 2010 U.S. Census American Community Survey, 1-Year Estimates for the table Sex by Age by Employment Status for the Population 16 Years and Over

- **Need for replacement workers.** The need for workers to replace retiring baby boomers will outpace job growth. According to the Bureau of Labor Statistics, total employment in the United States will grow by about 11.5 million jobs over 2016 to 2026. Annually, they estimate there will be 18.7 million occupational openings over the same period. This exhibits the need for employees over the next decade as the quantity of openings per year is large relative to expected employment growth. About 71% of annual job openings are in occupations that do not require postsecondary education.<sup>19</sup>
- **The importance of education as a determinant of wages and household income.** According to the Bureau of Labor Statistics, a majority of the fastest growing occupations will require an academic degree, and on average, they will yield higher incomes than occupations that do not require an academic degree. The fastest-growing occupations requiring an academic degree will be registered nurses, software developers, general and operations managers, accountants and auditors, market research analysts and marketing specialists, and management analysts. Occupations that do not require an academic degree (e.g., retail salesperson, food preparation workers, and home care aides) will grow, accounting for approximately 71% of all new jobs by 2026. These occupations typically have lower pay than occupations requiring an academic degree.<sup>20</sup>

The national median income for people over the age of 25 in 2017 was about \$47,164. Workers without a high school diploma earned \$20,124 less than the median income, and workers with a high school diploma earned \$10,140 less than the median income. Workers with some college earned \$6,916 less than median income, and workers with a bachelor's degree earned \$13,832 more than median. Workers in Oregon experience the same patterns as the nation but pay is generally lower in Oregon than the national average.<sup>21</sup>

- **Increases in labor productivity.** Productivity, as measured by output per hour of labor input, increased in most sectors between 2000 and 2010, peaking in 2007. However, productivity increases were interrupted by the recession. After productivity decreases from 2007 to 2009, many industries saw large productivity increases from 2009 to 2010. Industries with the fastest productivity growth were Information Technology-related industries. These include wireless telecommunications carriers, computer and peripheral equipment manufacturing, electronics and appliance stores, and commercial equipment manufacturing wholesalers.<sup>22</sup>

Since the end of the recession (or 2010), labor productivity has increased across a handful of large sectors but has also decreased in others. In wholesale trade, productivity—measured in output per hour—increased by 19% over 2009 to 2017. Retail

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<sup>19</sup> “Occupational Employment Projections to 2016-2026,” Bureau of Labor Statistics, 2018.

<sup>20</sup> “Occupational Employment Projections to 2016-2026,” Bureau of Labor Statistics, 2018.

<sup>21</sup> Bureau of Labor Statistics, Employment Projections, March 2018. [http://www.bls.gov/emp/ep\\_chart\\_001.htm](http://www.bls.gov/emp/ep_chart_001.htm)

<sup>22</sup> Brill, Michael R. and Samuel T. Rowe, “Industry Labor Productivity Trends from 2000 to 2010.” Bureau of Labor Statistics, *Spotlight on Statistics*, March 2013.

trade gained even more productivity over this period at 25%. Food services, however, have remained stagnant since 2009, fluctuating over the nine-year period and shrinking by 0.01% over this time frame. Additionally, the Bureau of Labor Statistics reports multifactor productivity in manufacturing has been slowing down 0.3% per year over the 2004 to 2016 period. Much of this, they note, is due to slowdown in semiconductors, other electrical component manufacturing, and computer and peripheral equipment manufacturing.<sup>23</sup>

- **Increases in automation across sectors.** Automation is a long-running trend in employment, with increases in automation (and corresponding increases in productivity) over the last century and longer. The pace of automation is increasing, and the types of jobs likely to be automated over the next 20 years (or longer) is broadening. Lower paying jobs are more likely to be automated, with potential for automation of more than 80% of jobs paying less than \$20 per hour over the next 20 years. About 30% of jobs paying \$20 to \$40 per hour and 4% of jobs paying \$40 or more are at risk of being automated over the next 20 years.<sup>24</sup>

Low- to middle-skilled jobs that require interpersonal interaction, flexibility, adaptability, and problem solving will likely persist into the future as will occupations in technologically lagging sectors (e.g. production of restaurant meals, cleaning services, hair care, security/protective services, and personal fitness).<sup>25</sup> This includes occupations such as (1) recreational therapists, (2) first-line supervisors of mechanics, installers, and repairers, (3) emergency management directors, (4) mental health and substance abuse social workers, (5) audiologists, (6) occupational therapists, (7) orthotists and prosthetists, (8) healthcare social workers, (9) oral and maxillofacial surgeons, and (10) first-line supervisors of firefighting and prevention workers. Occupations in the service and agricultural or manufacturing industry are most at-risk of automation because of the manual-task nature of the work.<sup>26,27,28</sup> This includes occupations such as (1) telemarketers, (2) title examiners, abstractors, and searchers, (3) hand sewers, (4) mathematical technicians, (5) insurance underwriters, (6) watch repairers, (7) cargo and

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<sup>23</sup> Michael Brill, Brian Chanksy, and Jennifer Kim. "Multifactor productivity slowdown in U.S. manufacturing," *Monthly Labor Review*, U.S. Bureau of Labor Statistics, July 2018. Retrieved from: <https://www.bls.gov/opub/mlr/2018/article/multifactor-productivity-slowdown-in-us-manufacturing.htm>.

<sup>24</sup> Executive Office of the President. (2016). *Artificial Intelligence, Automation, and the Economy*.

<sup>25</sup> Autor, David H. (2015). Why Are There Still So Many Jobs? The History and Future of Workplace Automation. *Journal of Economic Perspectives*, Volume 29, Number 3, Summer 2015, Pages 3–30.

<sup>26</sup> Frey, Carl Benedikt and Osborne, Michael A. (2013). *The Future of Employment: How Susceptible Are Jobs to Computerisation?* Oxford Martin School, University of Oxford.

<sup>27</sup> Otekhile, Cathy-Austin and Zeleny, Milan. (2016). Self Service Technologies: A Cause of Unemployment. *International Journal of Entrepreneurial Knowledge*. Issue 1, Volume 4. DOI: 10.1515/ijek-2016-0005.

<sup>28</sup> PwC. (n.d.). Will robots really steal our jobs? An international analysis of the potential long-term impact of automation.

freight agents, (8) tax preparers, (9) photographic process workers and processing machine operators, and (10) accounts clerks.<sup>29</sup>

- **Consolidation of Retail.** Historical shift in retail businesses, starting in the early 1960s, was the movement from one-off, ‘mom and pop shops’ toward superstores and the clustering of retail into centers or hubs. Notably, we still see this trend persist; for example, in 1997, the 50 largest retail firms accounted for about 26% of retail sales and by 2007, they accounted for about 33%.<sup>30</sup> The more recent shift began in the late 1990s, where technological advances have provided consumers the option to buy goods through e-commerce channels. The trend toward e-commerce has become increasingly preferential to millennials and Generation X, who are easier to reach online and are more responsive to digital ads than older generations.<sup>31</sup> Since 2000, e-commerce sales grew from 0.9% to 6.4% (2014) and are forecasted to reach 12% by 2020. It is reasonable to expect this trend to continue. With it has come closures of retail stores. By 2027 for example, an estimated 15% of about 1,050 U.S. malls in smaller markets will close, impacting local employment levels, local government revenue streams (tax dollars), and neighborhood character.

The draft 2018 Metro Urban Growth Report<sup>32</sup> describes the uneven impact on retail from e-commerce. Overall, e-commerce accounts for 9% of national retail sales, with online sales growing at a faster rate than retail sales growth overall. Nationally, non-store retailers are negatively affecting furniture stores, electronics, clothing, and recreational goods (e.g., sporting goods, hobby supplies, and books and music). The retail types that grew strongly in the Portland Region between 2007 and 2017 were grocery stores, general merchandise stores, and miscellaneous specialty retailers.

While it is unclear what impact e-commerce will have on employment and brick and mortar retail, it seems probable that e-commerce sales will continue to grow, shifting business away from some types of retail. Over the next decades, communities must begin considering how to redevelop and reuse retail buildings in shopping centers, along corridors, and in urban centers.

The types of retail and related services that remain will likely be sales of goods that people prefer to purchase in person or that are difficult to ship and return (e.g., large furniture), specialty goods, groceries and personal goods that maybe needed immediately, restaurants, and experiences (e.g., entertainment or social experiences).

- **The importance of high-quality natural resources.** The relationship between natural resources and local economies has changed as the economy has shifted away from

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<sup>29</sup> Frey, Carl Benedikt and Osborne, Michael A. (2013). *The Future of Employment: How Susceptible Are Jobs to Computerisation?* Oxford Martin School, University of Oxford.

<sup>30</sup> Hortaçsu, Ali and Syverson, Chad. (2015). *The Ongoing Evolution of US Retail: A Format Tug-of-War.* *Journal of Economic Perspectives*, Volume 29, Number 4, Fall 2015, Pages 89-112.

<sup>31</sup> Pew Research Center (2010b). *Generations 2010.* Retrieved Online at: <http://www.pewinternet.org/Reports/2010/Generations-2010.aspx>

<sup>32</sup> *Urban Growth Report*, Discussion Draft, Metro, July 3, 2018, Appendix 4.

resource extraction. High-quality natural resources continue to be important in some states, especially in the Western U.S. Increases in the population and in households' incomes, plus changes in tastes and preferences have dramatically increased demands for outdoor recreation, scenic vistas, clean water, and other resource-related amenities. Such amenities contribute to a region's quality of life and play an important role in attracting both households and firms.<sup>33</sup>

- **Continued increase in demand for energy.** Energy prices are forecasted to increase over the planning period. While energy use per capita is expected to decrease through 2050, total energy consumption will increase with rising population. Energy consumption is expected to grow primarily from industrial (0.9%) and, to a lesser extent, commercial users (0.4%). Residential consumption is forecasted to stagnate (0.0%), and transportation will slightly decrease (-0.1%). This decrease in energy consumption for transportation is primarily due to increased federal standards and increased technology for energy efficiency in vehicles. Going forward through the projection period, potential changes in federal laws (such as decreases in car emissions) leave energy demand somewhat uncertain.

Energy consumption by type of fuel is expected to change over the planning period. By 2050, the U.S. will continue to shift from crude oil towards natural gas and renewables. For example, from 2017 to 2050, the Energy Information Administration projects that U.S. overall energy consumption will average a 0.4% annual growth rate, while consumption of renewable sources grows at 1.4% per year. With increases in energy efficiency, strong domestic production of energy, and relatively flat demand for energy by some industries, the U.S. will be able to be a net exporter of energy over the 2017 to 2050 period. Demand for electricity is expected to increase, albeit slowly, over 2017 to 2050 as population grows and economic activity increases.<sup>34</sup>

- **Impact of rising energy prices on commuting patterns.** As energy prices increase over the planning period, energy consumption for transportation will decrease. These increasing energy prices may decrease willingness to commute long distances, though with expected increases in fuel economy, it could be that people commute further while consuming less energy.<sup>35</sup> Over 2019 to 2035, the U.S. Energy Information Administration estimates in its forecast that the decline in transportation energy consumption as a result

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<sup>33</sup> For a more thorough discussion of relevant research, *see*, for example, Power, T.M. and R.N. Barrett. 2001. *Post-Cowboy Economics: Pay and Prosperity in the New American West*. Island Press, and Kim, K.-K., D.W. Marcouiller, and S.C. Deller. 2005. "Natural Amenities and Rural Development: Understanding Spatial and Distributional Attributes." *Growth and Change* 36 (2): 273-297.

<sup>34</sup> Energy Information Administration, 2018, *Annual Energy Outlook 2018 with Projections to 2050*, U.S. Department of Energy, February 2018. <https://www.eia.gov/outlooks/aeo/pdf/AEO2018.pdf>. Note, the cited growth rates are shown in the Executive Summary and can be viewed here: <https://www.eia.gov/outlooks/aeo/data/browser/#/?id=2-AEO2018&cases=ref2018&sourcekey=0>.

<sup>35</sup> Energy Information Administration, 2018, *Annual Energy Outlook 2018 with Projections to 2050*, U.S. Department of Energy, February 2018.



of increasing fuel economy more than offsets the total growth in vehicle miles traveled (VMT). VMT for passenger vehicles is forecasted to increase through 2050.

- **Potential impacts of global climate change.** The consensus among the scientific community that global climate change is occurring expounds important ecological, social, and economic consequences over the next decades and beyond.<sup>36</sup> Extensive research shows that Oregon and other western states already have experienced noticeable changes in climate and predicts that more change will occur in the future.<sup>37</sup>

In the Pacific Northwest, climate change is likely to (1) increase average annual temperatures, (2) increase the number and duration of heat waves, (3) increase the amount of precipitation falling as rain during the year, (4) increase the intensity of rainfall events, and 5) increase sea level. These changes are also likely to reduce winter snowpack and shift the timing of spring runoff earlier in the year.<sup>38</sup>

These anticipated changes point toward some of the ways that climate change is likely to impact ecological systems and the goods and services they provide. There is considerable uncertainty about how long it would take for some of the impacts to materialize and the magnitude of the associated economic consequences. Assuming climate change proceeds as today's models predict, however, some of the potential economic impacts of climate change in the Pacific Northwest will likely include:<sup>39</sup>

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<sup>36</sup> Karl, T.R., J.M. Melillo, and T.C. Peterson, eds. 2009. *Global Climate Change Impacts in the United States*. U.S. Global Change Research Program. June. Retrieved June 16, 2009, from [www.globalchange.gov/usimpacts](http://www.globalchange.gov/usimpacts); and Pachauri, R.K. and A. Reisinger, eds. 2007. *Climate Change 2007: Synthesis Report. Contribution of Working Groups I, II, and III to the Fourth Assessment Report of the Intergovernmental Panel on Climate Change*.

<sup>37</sup> Doppelt, B., R. Hamilton, C. Deacon Williams, et al. 2009. *Preparing for Climate Change in the Upper Willamette River Basin of Western Oregon*. Climate Leadership Initiative, Institute for a Sustainable Environment, University of Oregon. March. Retrieved June 16, 2009, from [http://climlead.uoregon.edu/pdfs/willamette\\_report3.11FINAL.pdf](http://climlead.uoregon.edu/pdfs/willamette_report3.11FINAL.pdf) and Doppelt, B., R. Hamilton, C. Deacon Williams, et al. 2009. *Preparing for Climate Change in the Rogue River Basin of Southwest Oregon*. Climate Leadership Initiative, Institute for a Sustainable Environment, University of Oregon. March. Retrieved June 16, 2009 from [http://climlead.uoregon.edu/pdfs/ROGUE%20WS\\_FINAL.pdf](http://climlead.uoregon.edu/pdfs/ROGUE%20WS_FINAL.pdf)

<sup>38</sup> Mote, P., E. Salathe, V. Duliere, and E. Jump. 2008. *Scenarios of Future Climate for the Pacific Northwest*. Climate Impacts Group, University of Washington. March. Retrieved June 16, 2009, from <http://cse.washington.edu/db/pdf/moteetal2008scenarios628.pdf>; Littell, J.S., M. McGuire Elsner, L.C. Whitely Binder, and A.K. Snover (eds). 2009. "The Washington Climate Change Impacts Assessment: Evaluating Washington's Future in a Changing Climate - Executive Summary." *In The Washington Climate Change Impacts Assessment: Evaluating Washington's Future in a Changing Climate*, Climate Impacts Group, University of Washington. Retrieved June 16, 2009, from [www.cse.washington.edu/db/pdf/wacciaexecsummary638.pdf](http://www.cse.washington.edu/db/pdf/wacciaexecsummary638.pdf); Madsen, T. and E. Figdor. 2007. *When it Rains, it Pours: Global Warming and the Rising Frequency of Extreme Precipitation in the United States*. Environment America Research & Policy Center and Frontier Group.; and Mote, P.W. 2006. "Climate-driven variability and trends in mountain snowpack in western North America." *Journal of Climate* 19(23): 6209-6220.

<sup>39</sup> The issue of global climate change is complex and there is a substantial amount of uncertainty about climate change. This discussion is not intended to describe all potential impacts of climate change but to present a few ways that climate change may impact the economy of cities in Oregon and the Pacific Northwest.

- *Potential impact on agriculture and forestry.* Climate change may impact Oregon’s agriculture through changes in growing season, temperature ranges, and water availability.<sup>40</sup> Climate change may impact Oregon’s forestry through an increase in wildfires, a decrease in the rate of tree growth, a change in the mix of tree species, and increases in disease and pests that damage trees.<sup>41</sup>
- *Potential impact on tourism and recreation.* Impacts on tourism and recreation may range from (1) decreases in snow-based recreation if snow-pack in the Cascades decreases, (2) negative impacts to tourism along the Oregon Coast as a result of damage and beach erosion from rising sea levels,<sup>42</sup> (3) negative impacts on availability of water-oriented river recreation (e.g., river rafting or sports fishing) as a result of lower summer river flows, and (4) negative impacts on the availability of water for domestic and business uses.

Short-term national trends will also affect economic growth in the region, but these trends are difficult to predict. At times, these trends may run counter to the long-term trends described above. A recent example is the downturn in economic activity in 2008 and 2009 following declines in the housing market and the mortgage banking crisis. One of the results of the economic downturn was a decrease in employment related to the housing market, such as construction and real estate. As these industries recover, they will continue to play a significant role in the national, state, and local economy over the long run. This report takes a long-run perspective on economic conditions (as the Goal 9 requirements intend) and does not attempt to predict the impacts of short-run national business cycles on employment or economic activity.

## State Trends

### Short-Term Trends

Oregon is on its way to recovery from the recent recession. According to the Oregon Office of Economic Analysis (OEA), the Oregon economy “continues to hit the sweet spot.” Wages remain below the national average, but they are at its highest point relative to the early 1980s. Over the past year, Oregon added over 39,000 jobs, a 2.1% growth rate. The leisure and hospitality, construction, professional and business services, and health services industries have accounted for over half of total growth in the State. Oregon continues to have an advantage in job growth compared to other states, due to its industrial sector and in-migration flows. Though

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<sup>40</sup> “The Economic Impacts of Climate Change in Oregon: A preliminary Assessment,” Climate Leadership Initiative, Institute for Sustainable Environment, University of Oregon, October 2005.

<sup>41</sup> “Economic Impacts of Climate Change on Forest Resources in Oregon: A Preliminary Analysis,” Climate Leadership Initiative, Institute for Sustainable Environment, University of Oregon, May 2007.

<sup>42</sup> “The Economic Impacts of Climate Change in Oregon: A preliminary Assessment,” Climate Leadership Initiative, Institute for Sustainable Environment, University of Oregon, October 2005.

Oregon's labor market is tight, it continues to gain more workers, signaled by an improving market participation rate relative to its low recessionary levels.<sup>43</sup>

The housing market continues to recover as Oregon's economy improves. Oregon is seeing an increase in household formation rates, which is good for the housing market. Though younger Oregonians are tending to live at home with their parents longer, the aging Millennial generation (from their early 20s to mid-to-late 30s) and the state's increase in migration will drive demand for homes in the coming years. The latter half of 2017 was the largest level of home construction since early 2007 levels. Through 2020, the OEA forecasts moderate to strong housing growth. Beyond this time frame, it forecasts an average growth of 24,000 units per year to satisfy the demand for Oregon's growing population and to make up for the underdevelopment of housing post-recession.<sup>44</sup>

The Oregon Index of Leading Indicators (OILI) has grown quite rapidly since January 2017. The leading indicators showing improvement are volume of air freight, help wanted advertisements, increases in housing permits, industrial productions, initial claims for unemployment, the manufacturing purchasing managers index (PMI), new incorporations of companies, the appreciating Oregon Dollar Index, semiconductor billings, and withholdings of wages and salaries. The one slowing indicator is consumer sentiment.<sup>45</sup>

Oregon's economic health is dependent on the export market. The value of Oregon exports in 2017 was \$21.9 billion. The countries that Oregon exports the most to are China (18% of total Oregon exports), Canada (11%), Malaysia (11%), South Korea (9%), Japan (8%), and Vietnam (7%).<sup>46</sup> With straining trade relations overseas, specifically with China, Oregon exports are left potentially vulnerable, as China is a top destination for Oregon exports.<sup>47</sup> An economic slowdown across many parts of Asia will have a spillover effect on the Oregon economy. Furthermore, with the United States' withdrawal from the Trans-Pacific Partnership in January 2017, it is unclear how much Pacific Northwest trade will be impacted in the years to come.

## Long-term Trends

State, regional, and local trends will also affect economic development in Sherwood over the next 20 years. The most important of these trends includes continued in-migration from other states, distribution of population and employment across the state, and change in the types of industries in Oregon.

- **Continued in-migration from other states.** Oregon will continue to experience in-migration (more people moving *to* Oregon than *from* Oregon) from other states,

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<sup>43</sup> Office of Economic Analysis. Oregon Economic and Revenue Forecast, March 2018. Vol. XXXVIII, No. 1, page 4 <http://www.oregon.gov/das/OEA/Documents/forecast0318.pdf>

<sup>44</sup> Office of Economic Analysis. Oregon Economic and Revenue Forecast, March 2018. Vol. XXXVIII, No. 1, page 12.

<sup>45</sup> Office of Economic Analysis. Oregon Economic and Revenue Forecast, March 2018 Vol. XXXVIII, No. 1, page 9.

<sup>46</sup> United States Census. State Exports from Oregon, 2014-2017. <https://www.census.gov/foreign-trade/statistics/state/data/or.html>.

<sup>47</sup> Office of Economic Analysis. Oregon Economic and Revenue Forecast, March 2018 Vol. XXXVIII, No. 1, page 13.

especially California and Washington. From 1990 to 2017, Oregon's population increased by about 1.3 million, 66% of which was from people moving into Oregon (net migration). The average annual increase in population from net migration over the same time period was just over 33,200. During the early- to mid-1990's, Oregon's net migration was highest, reaching over 60,000 in 1991, with another smaller peak of almost 42,100 in 2006. In 2017, net migration reached just over 58,800 persons. Oregon has not seen negative net migration since a period of negative net migration in the early- to mid-1980's.<sup>48</sup>

- **Forecast of job growth.** Total nonfarm employment is expected to increase from 1.87 million in 2017 to just below 1.98 million in 2021, an increase of 111,000 jobs. The industries with the largest growth will be Professional and Business Services, Health Services, and Manufacturing, accounting for 58% of the forecasted growth.<sup>49</sup>
- **Continued importance of manufacturing to Oregon's economy.** Oregon's exports totaled \$19.4 billion in 2008, nearly doubling since 2000, and reached almost \$22 billion in 2017. The majority of Oregon exports go to countries along the Pacific Rim, with China, Canada, Malaysia, South Korea, and Japan as top destinations. Oregon's largest exports are tied to high-tech manufacturing and mining, as well as agricultural products.<sup>50</sup> Manufacturing employment is concentrated in five counties in the Willamette Valley or Portland area: Washington, Multnomah, Lane, Clackamas, and Marion Counties.<sup>51</sup>
- **Shift in manufacturing from natural resource-based to high-tech and other manufacturing industries.** Since 1970, Oregon started to transition away from reliance on traditional resource-extraction industries. A significant indicator of this transition is the shift within Oregon's manufacturing sector, with a decline in the level of employment in the Lumber & Wood Products industry and concurrent growth of employment in other manufacturing industries, such as high-tech manufacturing (Industrial Machinery, Electronic Equipment, and Instruments), Transportation Equipment manufacturing, and Printing and Publishing.<sup>52</sup>
- **Income.** Oregon's income and wages are below that of a typical state. However, mainly due to the wage growth over the last two to three years, Oregon wages are at their highest point relative to other states since the recession in the early 1980's. In 2017, the

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<sup>48</sup> Portland State University Population Research Center. 2013 Annual Population Report. April 2014.  
<http://www.pdx.edu/prc/annual-oregon-population-report>

<sup>49</sup> Office of Economic Analysis. Oregon Economic and Revenue Forecast, March 2018. Vol. XXXVIII, No. 1, page 42  
<http://www.oregon.gov/das/OEA/Documents/forecast0318.pdf>.

<sup>50</sup> United States Census. State Exports from Oregon, 2014-2017.  
<https://www.census.gov/foreign-trade/statistics/state/data/or.html>.

<sup>51</sup> Oregon Employment Department. *Employment and Wages by Industry (QCEW)*. 2017 Geographic Profile, Manufacturing (31-33). Retrieved from: [qualityinfo.org](http://qualityinfo.org).

<sup>52</sup> Although Oregon's economy has diversified since the 1970's, natural resource-based manufacturing accounts for about 38% of employment in manufacturing in Oregon in 2017, with the most employment in Food Manufacturing (nearly 30,000) and Wood Product Manufacturing (nearly 23,000) (QCEW).

average annual wage in Oregon was \$51,117, and in 2016, the median household income was \$57,532 (compared to national average wages of \$53,621 in 2017, and national household income of \$57,617 in 2016).<sup>53</sup> Total personal income (all classes of income, minus Social Security contributions, adjusted for inflation) in Oregon is expected to increase by 35%, from \$192.6 billion in 2017 to \$260.6 billion in 2023. Per capita income is expected to increase by 25% over the same time period, from \$46,400 in 2017 to \$58,100 in 2023 (in nominal dollars).<sup>54</sup>

- **Small businesses continue to account for a large share of employment in Oregon.**

While small firms played a large part in Oregon's expansion between 2003 and 2007, they also suffered disproportionately in the recession and its aftermath (64% of the net jobs lost between 2008 and 2010 was from small businesses).

In 2017 small businesses (those with 100 or fewer employees) accounted for 95% of all businesses and 66% of all private-sector employment in Oregon. Said differently, most businesses in Oregon are small (in fact, 78% of all businesses have fewer than 10 employees), but the largest share of Oregon's employers work for large businesses.

The average annualized payroll per employee for small businesses was \$37,149 in 2015, which is considerably less than that for large businesses (\$54,329) and the statewide average for all businesses (\$47,278).<sup>55</sup>

Younger workers are important to continue growth of small businesses across the nation. More than one-third of Millennials (those born between 1980 - 1999) are self-employed, with approximately half to two-thirds interested in becoming an entrepreneur. Furthermore, in 2011, about 160,000 startup companies were created each month; 29% of these companies were founded by people between 20 to 34 years of age.<sup>56</sup>

- **The Portland Metro region is expected to continue to grow over the next 20 years.**

Metro forecasts growth of 524,000 new people between 2018 and 2038 and 209,000 more jobs over the same period. The sectors expected to have the most growth are Professional and Business Services, as well as Education and Health Services. Manufacturing employment is expected to decrease slightly over the 20-year period.<sup>57</sup>

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<sup>53</sup> Average annual wages are for "Total, all industries," which includes private and public employers. Oregon Quarterly Census of Employment and Wages, 2016. Retrieved from: <https://www.qualityinfo.org>; Bureau of Labor Statistics, Quarterly Census of Employment and Wages, 2016; Total, U.S. Census American Community Survey 1-Year Estimates, 2016, Table B19013.

<sup>54</sup> Office of Economic Analysis. Oregon Economic and Revenue Forecast, March 2018. Vol. XXXVIII, No. 1, page 44 <http://www.oregon.gov/das/OEA/Documents/forecast0318.pdf>.

<sup>55</sup> U.S. Census Bureau, 2015 Statistics of U.S. Businesses, Annual Data, Enterprise Employment Size, U.S. and States. <https://www.census.gov/data/tables/2015/econ/susb/2015-susb-annual.html>.

<sup>56</sup> Cooper, Rich, Michael Hendrix, Andrea Bitely. (2012). "The Millennial Generation Research Review." Washington, DC: The National Chamber Foundation. Retrieved from: <https://www.uschamberfoundation.org/sites/default/files/article/foundation/MillennialGeneration.pdf>.

<sup>57</sup> *Urban Growth Report*, Discussion Draft, Metro, July 3, 2018. The population and employment forecast are the "most likely growth" forecasts presented in the report.

## Regional and Local Trends

Throughout this section and the report, Sherwood is compared to the State of Oregon, Washington County, and the Portland Region (which is Multnomah, Washington, and Clackamas Counties). These comparisons are to provide context for changes in Sherwood's socioeconomic characteristics.

### Availability of Labor

The availability of trained workers in Sherwood will impact development of its economy over the planning period. A skilled and educated populace can attract well-paying businesses and employers and spur the benefits that follow from a growing economy. Key trends that will affect the workforce in Sherwood over the next 20 years include its growth in its overall population, growth in the senior population, and commuting trends.

### Growing Population

Population growth in Oregon tends to follow economic cycles. Oregon's population grew from 2.8 million people in 1990 to 4.1 million people in 2017, an increase of almost 1,300,000 people at an average annual rate of 1.40%. Oregon's growth rate slowed to 1.1% annual growth between 2000 and 2017.

Sherwood's population grew faster than that of the State or Portland Region since 1990. Sherwood's population grew from about 3,000 residents in 1990 to more than 19,000 residents in 2017, an increase of more than 16,000 people or more than 500%.

**Table 8. Population Growth, Sherwood, Portland Region, and Oregon, 1990 - 2017**

Geography	1990	2000	2010	2017	Number	Percent	AAGR
Sherwood	3,093	11,791	18,194	19,350	16,257	526%	7.03%
Portland Region	1,174,291	1,444,219	1,641,036	1,811,860	637,569	54%	1.62%
Oregon	2,842,321	3,421,399	3,831,074	4,141,100	1,298,779	46%	1.40%

Source: U.S. Census Bureau, 1990, 2000, and 2010. Portland State University Population Estimates, 2017.

### Age Distribution

The number of people aged 65 and older in the U.S. is expected to increase by nearly three-quarters by 2050, while the number of people under age 65 will only grow by 16%. The economic effects of this demographic change include a slowing of the growth of the labor force, need for workers to replace retirees, aging of the workforce for seniors that continue working after age 65, an increase in the demand for healthcare services, and an increase in the percent of the federal budget dedicated to Social Security and Medicare.<sup>58</sup>

Figure 1 through Figure 4 show the following trends:

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<sup>58</sup> The Board of Trustees, Federal Old-Age and Survivors Insurance and Federal Disability Insurance Trust Funds, 2017, *The 2017 Annual Report of the Board of Trustees of the Federal Old-Age and Survivors Insurance and Federal Disability Insurance Trust Funds*, July 13, 2017. *The Budget and Economic Outlook: Fiscal Years 2018 to 2028*, April 2018.

- Sherwood’s population is getting older faster than those of Washington County, the Portland Region, or Oregon. This suggests that Sherwood is attracting more people in mid-life and more people over 65 years old.
- Sherwood has a smaller percentage of population between 40 and 59 years old and a smaller percentage of population older than 60 years, compared with Washington County, the Portland Region, or Oregon. This shows that Sherwood is attractive to people in their mid-life, which affects potential availability of mid-career workers.
- Washington County’s population is expected to continue to age, with people 60 years and older increasing from 18% of the population in 2017 to 24% of the population in 2035. This is consistent with Statewide trends. Sherwood may continue to attract mid-life and older workers over the planning period. While Sherwood’s share of retirees may increase over the next 20 years, availability of people nearing retirement (e.g., 55 to 70 years old) is likely to increase. People in this age group may provide sources of skilled labor, as people continue to work until later in life. These skilled workers may provide opportunities to support business growth in Sherwood.

**Sherwood’s median age has increased by about six years since 2000.**

This change suggests that Sherwood is attracting more workers in mid-life and more people over 65 years old.

**Figure 1. Median Age, 2000 to 2012-2016**

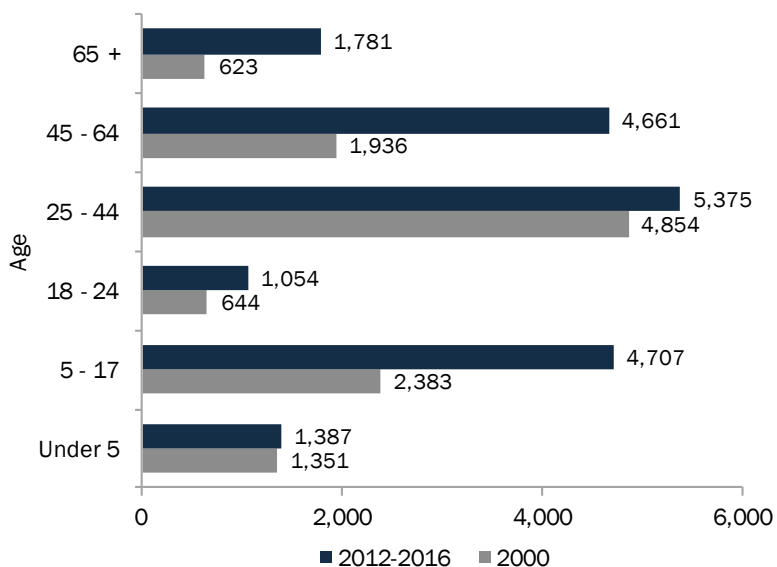
Source: U.S. Census Bureau, 2000 Decennial Census, Table P013; American Community Survey 2012-2016 5-year estimate, Table B01002.

<b>2000</b>	<b>31.4</b> Sherwood	<b>33.0</b> Wash. County	<b>34.9</b> Portland Region	<b>36.3</b> Oregon
<b>2012-16</b>	<b>37.0</b> Sherwood	<b>36.2</b> Wash. County	<b>34.9</b> Portland Region	<b>39.1</b> Oregon

**From 2000 to 2012-2016, Sherwood’s largest population increase was for the population aged 45 to 64 years old.** This is larger than statewide trends.

**Figure 2. Sherwood population change by age, 2000 to 2012-2016**

Source: U.S. Census Bureau, 2000 Summary File; American Community Survey 2012-2016 5-year estimate, Table B01001.

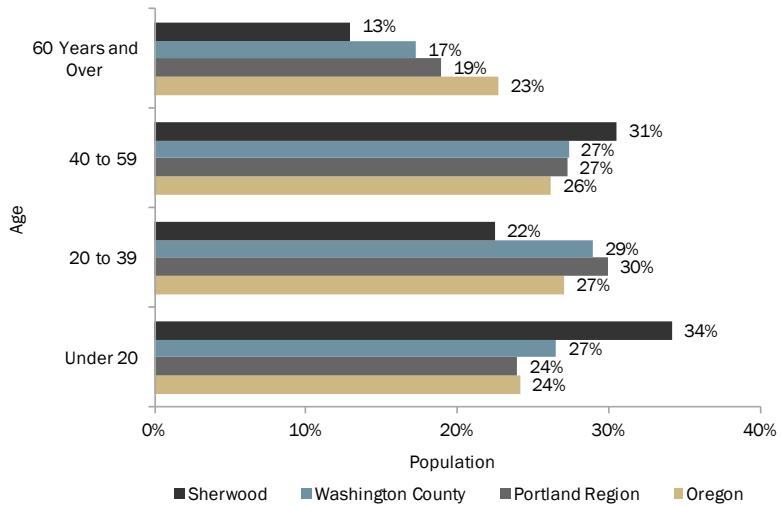


**From 2012 to 2016, 53% of Sherwood's residents were between 20 and 59 years old.**

Sherwood has a larger share of residents under the age of 20 than the Portland Region and the State. Sherwood has a comparatively small population of residents between the ages of 20 to 39 (22%).

**Figure 3. Population distribution by age, Sherwood, Washington County, Portland Region, and Oregon, 2012-2016**

Source: U.S. Census Bureau, American Community Survey, 2012-2016 5-year estimate, Table B01001.

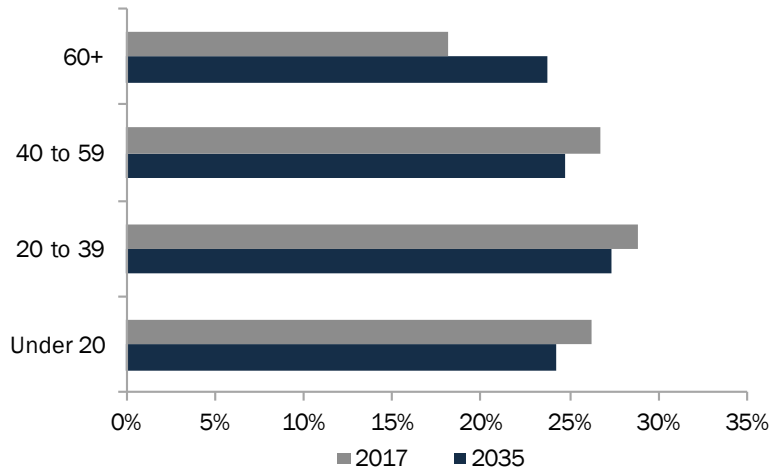


**By 2035, Washington County will have a larger share of residents older than sixty than it does today.**

The share of residents aged 60 years and older will account for 24% of Washington County's population, compared to 18% in 2017.

**Figure 4. Population Growth by Age Group, Washington County, 2017 - 2035**

Source: Oregon Population Forecast, 2017.





## Income

Income and wages affect business decisions for locating in a city. Per capita income<sup>59</sup> grew most years during the 34-year period, with the exception of a decrease during the recession. Between 1980 and 2016, Oregon's per capita personal income was consistently lower than the U.S. average. In 1980, Oregon's per capita personal income equaled the national average. By 2016, Oregon's per capita personal income reached 89% of the national average. Oregon's relatively low wages make the state attractive to businesses seeking to locate in areas with lower-than-average wages.

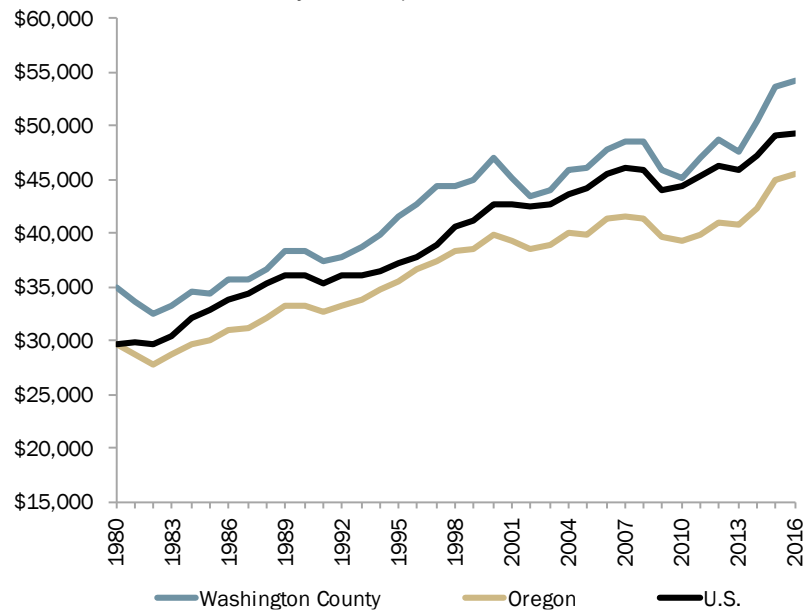
Washington County's per capita income remained consistently above the State average and the U.S. average.

### Per capita income (adjusted for inflation) in the nation, Oregon, and Washington County has grown since 1980.

Oregon's per capita income grew 15% in the post-recession period between 2009 and 2016, larger than the nation's 12% growth over the same period, but less than Washington County's 18% over this time frame. Washington County's per capita income was 117% of Oregon's average in 2016.

**Figure 5. Per Capita Personal Income, Washington County, Oregon, and U.S., 1980 to 2016, Inflation-adjusted 2016 Dollars**

Source: Bureau of Economic Analysis, Per Capita Personal Income, Table CA-1.



<sup>59</sup> Personal income includes wages, dividends and interest from investments, rent from investments, pension plan payments and transfer payments (e.g., social security payments). Per capita personal income is the personal income of the area divided by the total number of people in the area.

Between 2000 and 2016, Washington County’s per capita personal income grew, and its average wages increased. Over the same period, average wages increased in Oregon and the U.S. The increase in average wages in Washington County has many causes, but one cause is the change in mix of jobs in Washington County since 2001. The sectors in Washington County with the largest number of employees is Manufacturing and Business Services, both of which have above-average wages (see Table 10).

Sherwood’s wages are below average for the Portland Region and for the nearby cities of Tigard and Tualatin. The primary reason for lower wages at jobs in Sherwood is the mix of jobs in Sherwood, with Retail and Accommodations and Food Services having the largest number of employees in Sherwood but wages below the city average (see Figure 20).

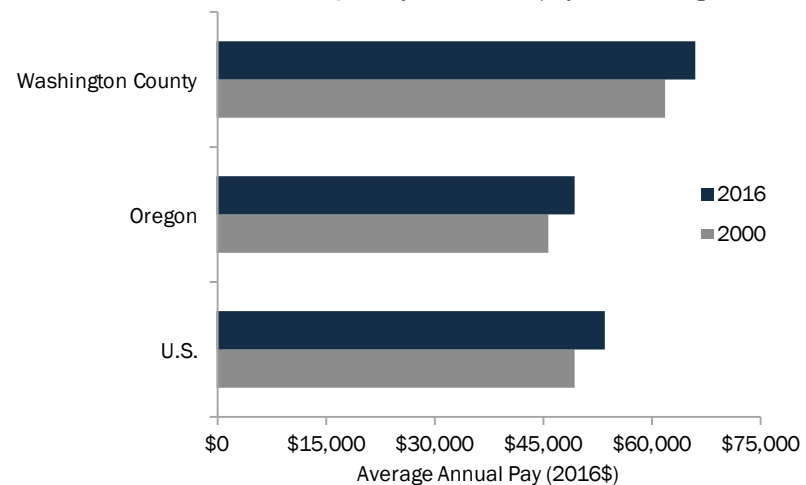
At the same time, median household income and median family income in Sherwood are considerably above those of Washington County. This suggests that many residents of Sherwood either work outside of Sherwood (where wages are higher) or have income from sources other than wages (such as investments). The commuting patterns in Sherwood show that only 8% of Sherwood’s working residents both live and work in Sherwood (see Figure 16).

**From 2000 to 2016, average annual wages rose in Washington County, Oregon, and the nation.**

In 2016, average annual wages were \$65,908 in Washington County, \$49,467 in Oregon, and \$53,621 across the nation.

**Figure 6. Average Annual Wage, Covered Employment, Washington County, Oregon, and U.S., 2000 to 2016, Inflation-adjusted 2016 Dollars**

Source: Bureau of Labor Statistics, Quarterly Census of Employment and Wages.



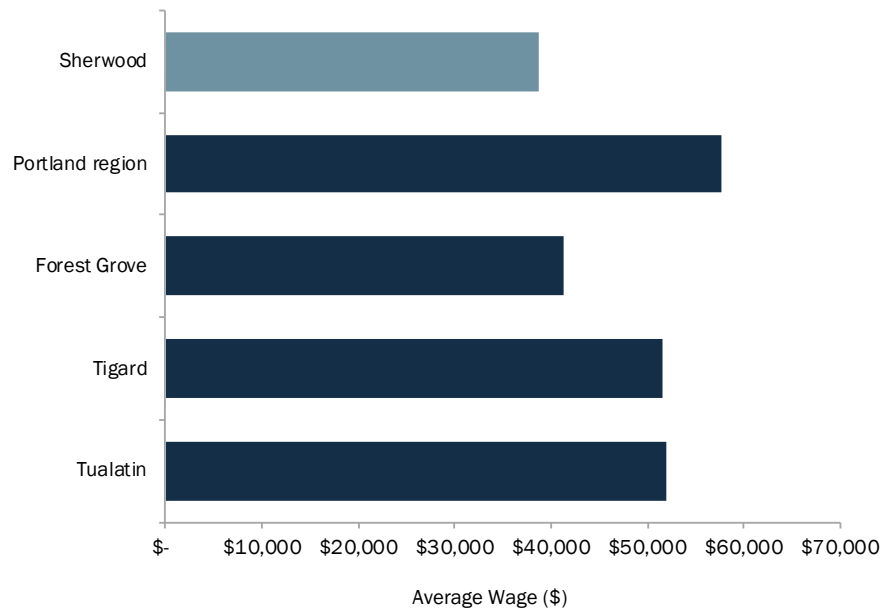
**In 2016, average annual wages in Sherwood were lower than other cities in the Portland region.**

In 2016, average annual wages were \$38,696 in Sherwood and \$57,616 in the Portland region. Average annual wages in cities such as Forest Grove, Tigard, and Tualatin were between Sherwood and the Portland region.

A large number of jobs in Sherwood (see Figure 20) are lower wage sectors, such as in Retail and Accommodations and Food Services.

**Figure 7. Average Annual Wage, Covered Employment, Sherwood and Portland region, 2016.**

Source: Oregon Quarterly Census of Employment and Wages.



**Over the 2012-2016 period, Sherwood's median household income was well above comparable cities in the region, as well as Washington County's, the Portland Region's, and the State's median household income.**

**Figure 8. Median Household Income,<sup>60</sup> 2012-2016**

Source: U.S. Census Bureau, American Community Survey, 2012-2016 five-year estimate, Table B19013.

<b>\$86,111</b> Sherwood	<b>\$69,743</b> Washington County	<b>\$53,270</b> Oregon	
<b>\$49,857</b> Forest Grove	<b>\$65,505</b> Tigard	<b>\$71,896</b> Tualatin	<b>\$63,097</b> Wilsonville

<sup>60</sup> The Census calculated household income based on the income of all individuals 15 years old and over in the household, whether they are related or not.

**Sherwood's median family income was well above that of Washington County's, the Portland Region's, and the State's median family income for the 2012-2016 period.**

**Figure 9. Median Family Income,<sup>61</sup> 2012-2016**

Source: U.S. Census Bureau, American Community Survey, 2012-2016 five-year estimate, Table B19113.

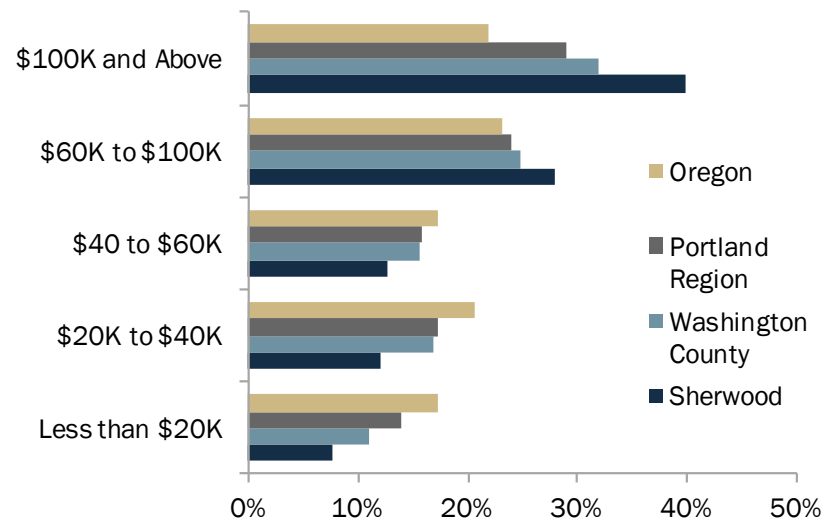


**During the 2012-2016 period, 40% of Sherwood households earned more than \$100,000.**

About 28% of Sherwood households had an income between \$60,000 and \$100,000 compared to 23% statewide, 24% in the Portland Region, and 25% in Washington County.

**Figure 10. Household Income by Income Group, Sherwood, Washington County, Portland Region, and Oregon, 2010-2016, Inflation-adjusted 2016 Dollars**

Source: U.S. Census Bureau, American Community Survey, 2012-2016 5-year estimates, Table B19001.



<sup>61</sup> The Census calculated family income based on the income of the head of household, as identified in the response to the Census forms, and income of all individuals 15 years old and over in the household who are related to the head of household by birth, marriage, or adoption.

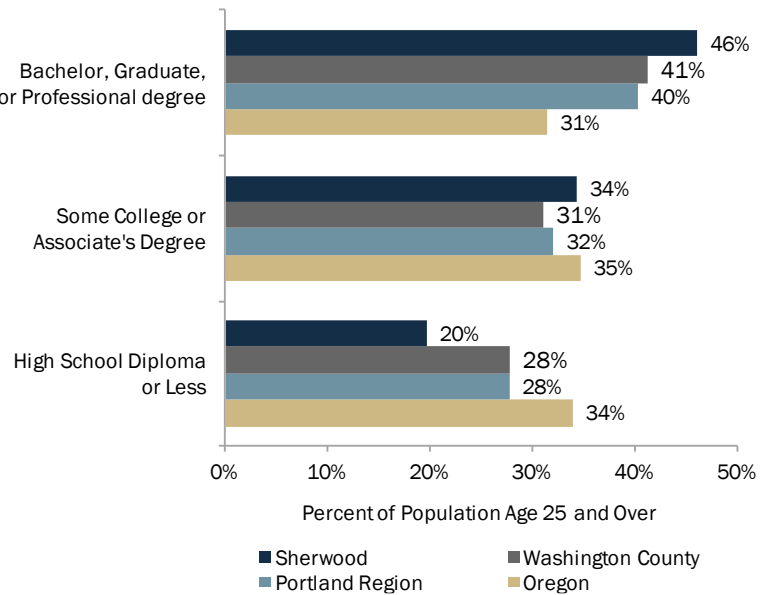
## Educational Attainment

The availability of trained, educated workers affects the quality of labor in a community. Educational attainment is an important labor force factor because firms need to be able to find educated workers.

**Sherwood has a larger share of residents with Bachelor, Graduate, or Professional school degrees (46%) relative to Washington County (41%), the Portland Region (40%), and Oregon (31%).**

**Figure 11. Educational Attainment for the Population 25 Years and Over, 2012-2016**

Source: U.S. Census Bureau, American Community Survey, 2012-2016 5-year estimate, Table B15003.



## Labor Force Participation and Unemployment

The current labor force participation rate is an important consideration in the availability of labor. The labor force in any market consists of the adult population (16 and over) who are working or actively seeking work. The labor force includes both the employed and unemployed. Children, retirees, students, and people who are not actively seeking work are not considered part of the labor force. According to the 2012-2016 American Community Survey, Sherwood has more than 9,700 people in its labor force.

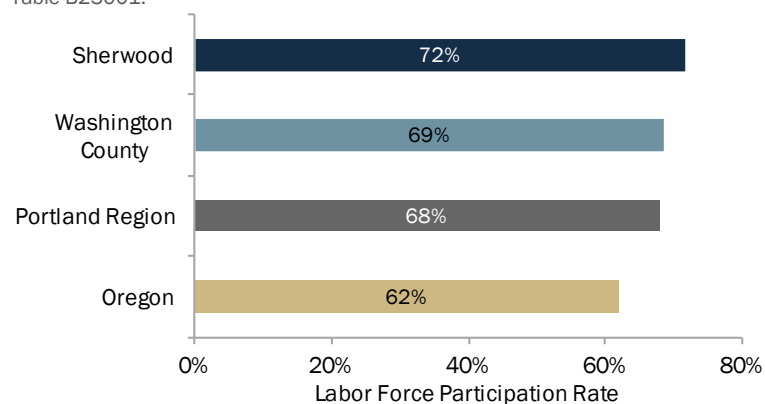
In 2017, the Oregon Office of Economic Analysis reported that 64% of job vacancies were difficult to fill. In the Portland Metro region, 51% of job vacancies were hard to fill. The most common reason for difficulty in filling jobs included a lack of applications (30% of employers' difficulties), lack of qualified candidates (17%), unfavorable working conditions (14%), a lack of soft skills (11%), and a lack of work experience (9%).<sup>62</sup> These statistics indicate a mismatch between the types of jobs that employers are demanding and the skills that potential employees can provide.

**Sherwood has a higher labor force participation rate (72%) than Washington County (69%), the Portland Region (68%) and Oregon (62%).**

The likely reason for the higher labor force participation rate is Sherwood's smaller share of people over 60 years old.

**Figure 12. Labor Force Participation, Sherwood, Washington County, Portland Region, Oregon, 2012-2016**

Source: U.S. Census Bureau, American Community Survey, 2010-2016 5-year estimate, Table B23001.



<sup>62</sup> Oregon's Current Workforce Gaps: Difficult-to-fill Job Openings, Oregon Job Vacancy Survey, Oregon Employment Department, June 2018.

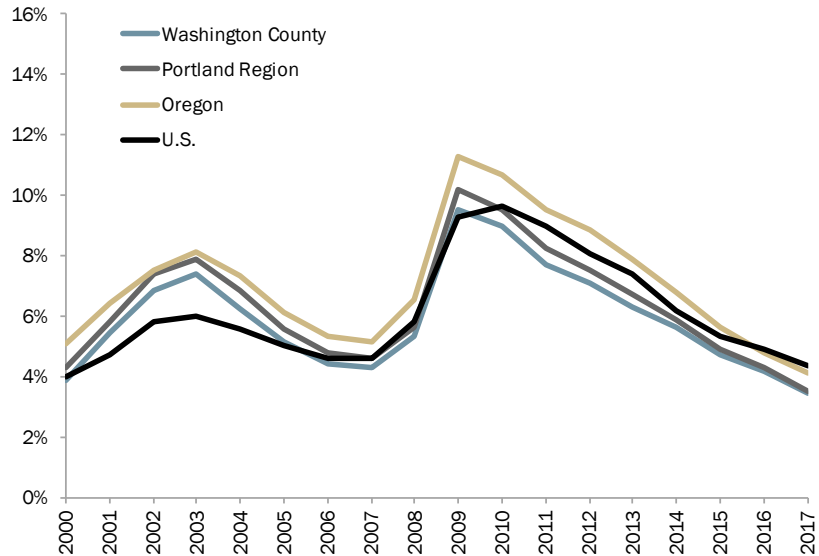
**The unemployment rate in Oregon and the U.S. has declined since the recession.**

**Unemployment rates for 2017 in Washington County, the Portland Region, and across the state are below 2000 rates.**

In 2017, the unemployment rate in Washington County was about 3.4%, lower than the Portland Region's rate of 3.5%, Oregon's rate of 4.1% and the national rate of 4.4%.

**Figure 13. Unemployment Rate, Washington County, Portland Region, Oregon, and US, 2000 - 2017**

Source: Bureau of Labor Statistics, Local Area Unemployment Statistics and Labor Force Statistics.



## Commuting Patterns

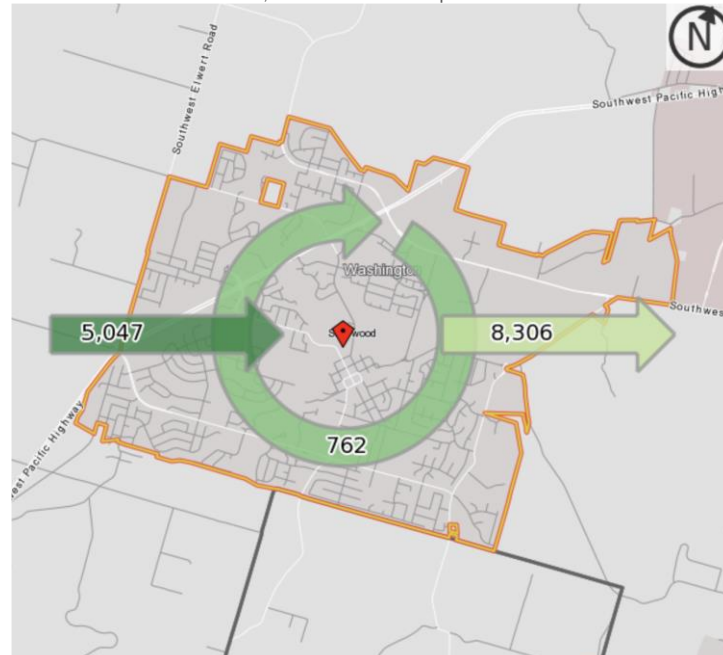
Commuting plays an important role in Sherwood's economy because employers in Sherwood are able to access workers from people living in the city and from across the Portland Metro Region. In the 2012-2016 period, about 23% of Sherwood's residents had a commute of less than 15 minutes compared to 26% of Washington County residents, 23% of Portland Region residents, and 32% of Oregon residents.

**Sherwood is part of an interconnected regional economy.**

Fewer people both live and work in Sherwood than commute into or out of the city. This commuting pattern is similar to that in similar-sized cities in the Portland Region.

**Figure 14. Commuting Flows, Sherwood, 2015**

Source: U.S. Census Bureau, Census On the Map.

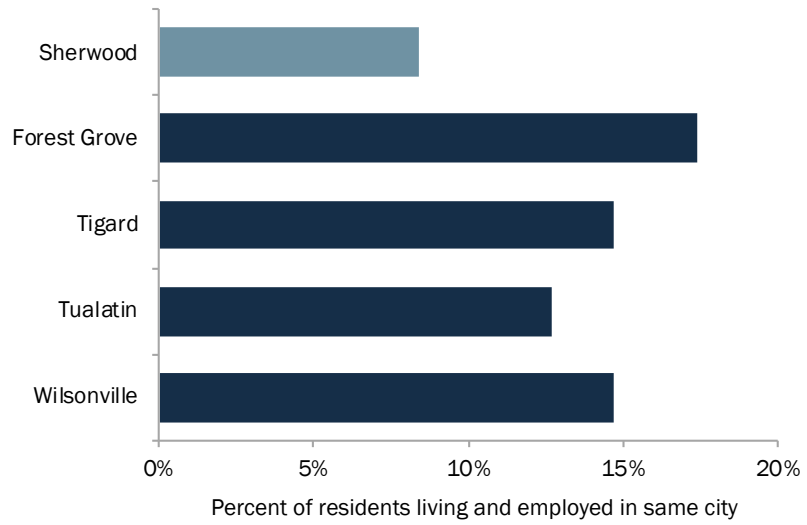


**About 8% of Sherwood residents also work in Sherwood.**

Other cities in the Portland region have a larger share of residents that work in the same city, but many still commute outside for employment.

**Figure 15. Residents that Live and Work in the Same City, Sherwood, 2015**

Source: U.S. Census Bureau, Census On the Map.



**About 13% of all people who work in Sherwood also live in Sherwood.**

**About 8% of residents who live in Sherwood also work in Sherwood.**

Twenty-two percent of Sherwood residents commute to Portland.

**Figure 16. Places Where Sherwood Workers Lived,<sup>63</sup> 2015**

Source: U.S. Census Bureau, Census On the Map.



**Figure 17. Places Where Sherwood Residents were Employed,<sup>64</sup> 2015**

Source: U.S. Census Bureau, Census On the Map.



<sup>63</sup> In 2015, 5,809 people worked at businesses in Sherwood, with 13% (762) people both living and working in Sherwood.

<sup>64</sup> In 2015, 9,068 residents of Sherwood worked, with 8% of Sherwood residents (762 people) both living and working in Sherwood.



Figure 16 shows 11% of people who work in Sherwood commute from Portland, 5% from Beaverton, and 5% from Tigard. The remaining workers commute from many other cities located across the Portland Metro area.

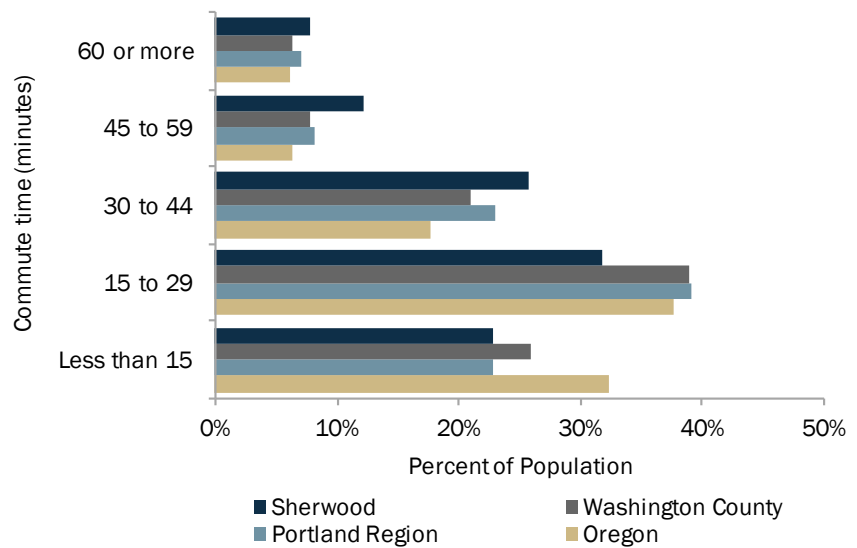
These findings are consistent with the commuting findings presented in the 2018 Draft Urban Growth Report. That report shows that most jobs in the region are in Multnomah County, with about 46% of workers who live in Washington County commuting to Multnomah County for work.<sup>65</sup>

**The majority of Sherwood residents have a commute time of less than 30 minutes.**

About 26% of Sherwood residents have commute times between 30 to 44 minutes, and about 20% commute for forty-five minutes or more.

**Figure 18. Commute Time by Place of Residence, 2012-2016**

Source: U.S. Census Bureau, American Community Survey, 2012-2016 5-year estimate, Table B08303.



<sup>65</sup> *Urban Growth Report*, Discussion Draft, Metro, July 3, 2018

## Changes in Employment in Washington County and Sherwood

The economy of the nation changed substantially between 1980 and 2016. These changes affected the composition of Oregon's economy, including both Washington County and Sherwood's economies. At the national level, the most striking change was the shift from manufacturing employment to service-sector employment. The most important shift in Oregon during this period has been the shift from a timber-based economy to a more diverse economy, with the greatest employment in services.

### Employment Trends in Washington County

Over the past few decades, employment in the U.S. has shifted from manufacturing and resource-intensive industries to service-oriented sectors of the economy. Increased worker productivity and the international outsourcing of routine tasks have led to declines in employment in the major goods-producing industries.

In the 1970s, Oregon started to transition away from reliance on traditional resource-extraction industries. An important indicator of this transition is the shift within Oregon's manufacturing sector, with a decline in the level of employment in the Lumber & Wood Products industry<sup>66</sup> and concurrent growth of employment in advanced manufacturing industries (Industrial Machinery, Electronic Equipment, and Instruments).<sup>67</sup>

As Oregon has transitioned away from natural resource-based industries, the composition of Oregon's employment has shifted from natural resource-based manufacturing and other industries to service industries. The share of Oregon's total employment in Service industries increased from its 1970s average of 19% to 30% in 2000, while employment in Manufacturing declined from an average of 18% of total employment in the 1970s to an average of 12% in 2000.

The changes in sectors and industries are shown in two tables: (1) between 1980 and 2000 and (2) between 2001 and 2016. The analysis is divided this way because of changes in industry and sector classification that made it difficult to compare information about employment collected after 2001 with information collected prior to 2000.

Employment data in this section is summarized by *sector*, each of which includes several individual *industries*. For example, the Retail Trade sector includes General Merchandise Stores, Motor Vehicle and Parts Dealers, Food and Beverage Stores, and other retail industries.

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<sup>66</sup> Lumber and Wood Products manufacturing is in Standard Industrial Classification (SIC) 24

<sup>67</sup> SIC 35, 36, 38

Table 9 shows changes in Washington County between 1980 and 2000. Over the total period, total employment in Washington County increased by 132% from about 93,916 to 218,125 employees. Between 1980 and 2000, employment in services as a share of total employment rose from 15% to 28%.

**Table 9. Covered Employment by SIC Industries, Washington County, 1980-2000**

Sector	1980	1990	2000	Change 1980 to 2000		
				Difference	Percent	AAGR
Agriculture, Forestry & Fishing	2,344	4,545	5,573	3,229	138%	4.4%
Mining	0	182	251	251	NA	NA
Construction	5,025	7,805	12,202	7,177	143%	4.5%
Manufacturing	32,990	33,636	50,020	17,030	52%	2.1%
Trans., Comm., & Utilities	2,445	4,624	8,173	5,728	234%	6.2%
Wholesale Trade	6,282	12,262	18,675	12,393	197%	5.6%
Retail Trade	18,087	27,480	39,253	21,166	117%	4.0%
Finance, Insurance, & Real Estate	4,025	6,877	12,528	8,503	211%	5.8%
Services	13,805	30,430	61,163	47,358	343%	7.7%
Non Classifiable	NA	NA	101	NA	NA	NA
Government	8,913	8,704	10,186	1,273	14%	0.7%
<b>Total</b>	<b>93,916</b>	<b>136,545</b>	<b>218,125</b>	<b>124,209</b>	<b>132%</b>	<b>4.3%</b>

Source: Bureau of Labor Statistics, Quarterly Census of Employment and Wages, 1980-2000.

Note: "ND" stands for "Not disclosed" and indicates that the data has been suppressed by the BLS due to confidentiality constraints. In most years, the non-disclosure is negligible.

Table 10 shows employment in NAICS-categorized industries in Washington County for 2001 and 2016. Employment increased by 54,440 jobs, or 24%, over this period. The private sectors with the largest increases in numbers of employees were professional and business services, health care and social assistance, accommodation and food services, and retail trade. Employment in higher wage industries, such as manufacturing, decreased by 2,369 jobs over the 2001 to 2016 time period. The health care and social assistance sector increased by 12,487 jobs.

The average wage for covered employment in Washington County in 2016 was about \$65,900.

**Table 10. Covered Employment by Industry, Washington County, 2001-2016**

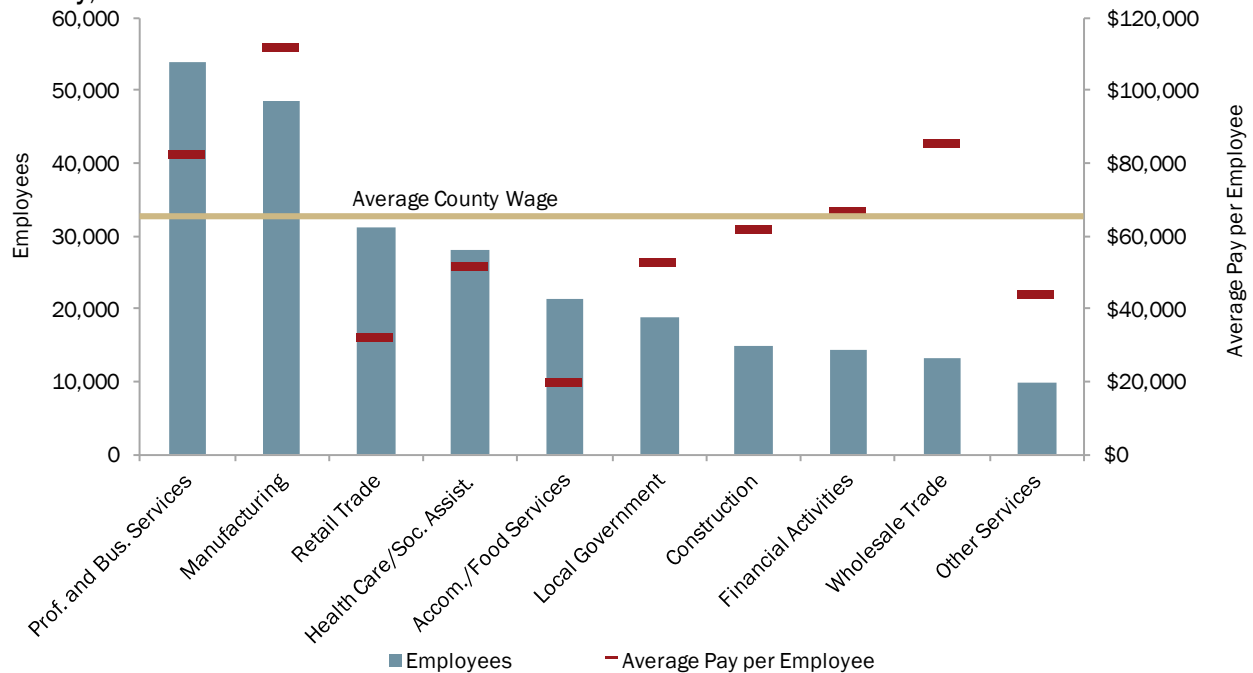
Sector	2001	2016	Change 2001 to 2016		
			Difference	Percent	AAGR
Natural Resources and Mining	3,607	3,237	-370	-10%	-0.7%
Construction	12,591	14,877	2,286	18%	1.1%
Manufacturing	50,872	48,503	-2,369	-5%	-0.3%
Wholesale trade	14,478	13,362	-1,116	-8%	-0.5%
Retail trade	26,864	31,134	4,270	16%	1.0%
Trade, Transportation, and Utilities	4,500	4,567	67	1%	0.1%
Information	8,687	7,439	-1,248	-14%	-1.0%
Financial Activities	13,139	14,397	1,258	10%	0.6%
Professional and Business Services	34,295	53,768	19,473	57%	3.0%
Educational Services	3,551	5,160	1,609	45%	2.5%
Health care and social assistance	15,532	28,019	12,487	80%	4.0%
Arts, entertainment, and recreation	2,369	4,205	1,836	78%	3.9%
Accommodation and food services	14,237	21,332	7,095	50%	2.7%
Other Services	7,188	9,947	2,759	38%	2.2%
Unclassified	75	45	-30	-40%	-3.3%
Government	16,516	22,949	6,433	39%	2.2%
<b>Total</b>	<b>228,501</b>	<b>282,941</b>	<b>54,440</b>	<b>24%</b>	<b>1.4%</b>

Source: Bureau of Labor Statistics, Quarterly Census of Employment and Wages, 2001-2016.

Note: "ND" stands for "Not Disclosed" and indicates that the data has been suppressed by the BLS due to confidentiality constraints. The total amount of not-disclosed employment is shown in the table.

Figure 19 shows covered employment and average wage for the 10 largest industries in Washington County. Jobs in professional and business services, which account for about 19% of the County’s covered employment, pay more per year than the county average (\$82,388 compared to \$65,553). Jobs in construction and financial activities approximately pay the 2016 County average annual amount. Retail trade, health care and social assistance, accommodation and food services, local government, and other services pay below the 2016 county average, while manufacturing and wholesale trade pay well above the County average.

**Figure 19. Covered Employment and Average Pay by Sector, 10 Largest Sectors Washington County, 2016**



Source: Bureau of Labor Statistics, Quarterly Census of Employment and Wages, 2016.

## Employment Trends in Sherwood

Table 11 shows a summary of covered employment data for the city of Sherwood in 2016. The sectors with the greatest number of employees were Retail Trade (17%), Accommodation and Food Services (13%), and Manufacturing (11%). These sectors accounted for 2,509 jobs or 41% of Sherwood’s employment.

The average size for a private business in Sherwood is 9 employees per business, compared to the State average of 11 employees per private business. Businesses with 50 or fewer employees account for roughly 57% of private employment in Sherwood. Businesses with 9 or fewer employees account for 20% of private employment and 4 or fewer account for 10% of private employment.

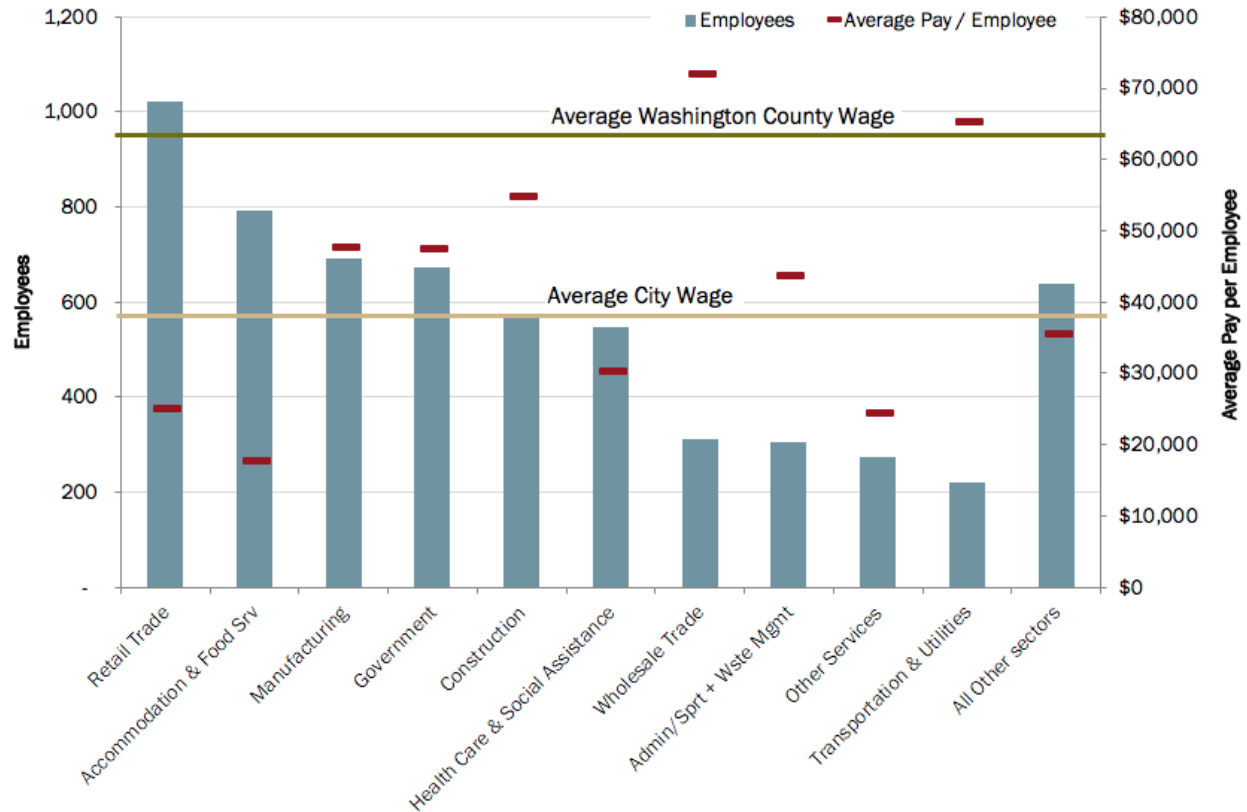
**Table 11. Covered Employment and Average Pay by Industry, Sherwood City Limits and Tonquin Employment Area, 2016**

Sector/Industry	Establishments	Employees	Payroll	Average Pay / Employee
Construction	60	569	\$ 31,381,520	\$ 55,152
Manufacturing	30	693	\$ 33,207,616	\$ 47,919
Wholesale Trade	62	312	\$ 22,593,328	\$ 72,415
Retail Trade	51	1,022	\$ 26,036,704	\$ 25,476
Transportation and Utilities	12	221	\$ 14,517,532	\$ 65,690
Information	10	37	\$ 947,471	\$ 25,607
Finance and Insurance	31	87	\$ 4,715,399	\$ 54,200
Real Estate and Rental and Leasing	28	112	\$ 4,394,547	\$ 39,237
Professional and Technical Services, Mgmt of Companies	60	138	\$ 9,106,105	\$ 65,986
Administrative and Support and Waste Mgmt Services	40	305	\$ 13,401,928	\$ 43,941
Private Education Services	12	73	\$ 1,299,774	\$ 17,805
Health Care and Social Assistance	57	547	\$ 16,787,634	\$ 30,690
Arts, Entertainment, and Recreation	9	191	\$ 2,442,711	\$ 12,789
Accommodation and Food Services	45	794	\$ 14,300,792	\$ 18,011
Other Services	96	275	\$ 6,790,400	\$ 24,692
Government	11	672	\$ 32,107,329	\$ 47,779
<b>Total</b>	<b>614</b>	<b>6,048</b>	<b>\$ 234,030,790</b>	<b>\$ 38,696</b>

Source: Oregon Employment Department, Quarterly Census of Employment and Wages, 2016.

Figure 20 shows the employment and average pay per employee for selected industrial sectors in Sherwood. Average pay for all employees (\$38,695) is shown as a light brown line across the graph and average pay for individual sectors as short red lines. The figure shows that Manufacturing; Government; Construction; Wholesale Trade; Administrative and Support and Waste Management; Other Services; and Transportation and Utilities have above average wages. The lowest wages are in Retail Trade and Accommodations and Food Services.

**Figure 20. Covered Employment and Average Pay by Industry, Sherwood City Limits and Tonquin Employment Area, 2016**



Source: Oregon Employment Department, Quarterly Census of Employment and Wages, 2016.

Sherwood developed with more housing than jobs. The largest industries in Sherwood, Retail and Accommodations and Food Services, not only have lower-than average wages but also generate less property tax revenue than industries that make significant investments in buildings or fixed machinery and equipment.

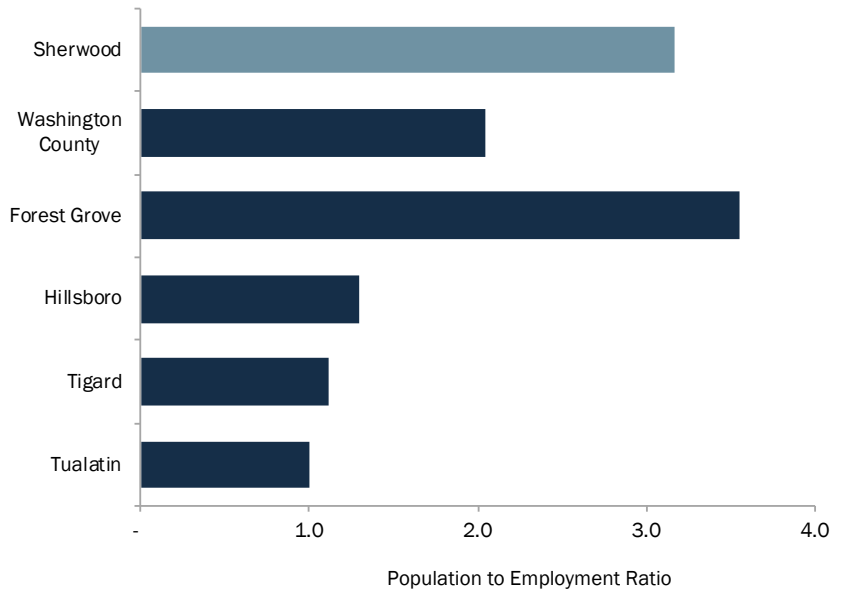
Figure 21 shows that Sherwood currently has 3.2 residents for every job. This is consistent with the commuting patterns shown in Figure 14, which shows that more than 90% of Sherwood’s working residents commute out of the City for work. Employment centers like Hillsboro, Tigard, and Tualatin have population to employment ratios closer to one resident for every job.

**In 2016, Sherwood had about 3.2 residents for every job.**

In comparison, Washington County had an average of 2.0 residents per job. Employment centers like Hillsboro, Tigard, and Tualatin had 1.0 to 1.3 residents per job.

**Figure 21. Ratio of Population to Employment, Sherwood and Portland region, 2016**

Source: Employment from Oregon Quarterly Census of Employment and Wages and Annual Population Estimates from Portland State University Population Research Center.





## Tourism in Portland Metro and Washington County

Longwoods International provides regional statistics on travel. The following information is from Longwoods International’s Oregon 2015 Regional Visitor Report for the Greater Portland Region.<sup>68</sup> Broadly, travelers to the Greater Portland Region account for:

- 10.6 million overnight trips annually; 32% of Oregon Travel.
- Primary market area for travelers is Oregon, Washington, California, and Idaho: 30% of Greater Portland Region visitors are from Oregon; 27% are from Washington; 16% are from California; and 4% are from Idaho.
- 50% stayed 2 or fewer nights; 35% stayed 3-6 days; and 15% stayed 7 or more days.
- Average per person expenditures on overnight trips range from \$12 to \$50 per night.
- About 66% of visits are by personally-owned automobiles; 22% by rental car; 3% by RV.
- Visitors are younger and well-educated: over half have college degrees; 44% of visitors are between the ages 25-44; 30% are 45-64; 43% earn less than \$50k; 21% earn between \$50k and \$75k; 15% earn between \$75k and \$100k; and 21% over \$100k.

### Washington County’s direct travel spending increased 78% from 2000 to 2016.

The Portland Metro Region’s direct travel spending increased by 81% over the same period.

**Figure 22. Direct Travel Spending (\$ millions), 2000 and 2016**

Source: Dean Runyan Associates, Oregon Travel Impacts, 1991-2016.

2000	\$2,700	\$410
	Portland Metro Region	Washington County
2016	\$4,900	\$728
	Portland Metro Region	Washington County

### Washington County’s lodging tax receipts increased 170% over 2006 to 2016.

**Figure 23. Lodging Tax Receipts, 2006 and 2016**

Source: Dean Runyan Associates, Oregon Travel Impacts, 1991-2016.

2006	\$4,537
	Washington County
2016	\$12,262
	Washington County

### Washington County’s largest visitor spending for purchased commodities is food services.

**Figure 24. Largest Visitor Spending Categories (\$ millions), Washington County, 2016**

Source: Oregon Travel Impacts.

\$199.6	\$133.3	\$96.7
Food Service	Accommodations	Retail

<sup>68</sup> “Oregon 2015 Regional Visitor Report, Greater Portland Region,” Longwoods International, 2015.

Washington County's largest employment generated by travel spending is in the accommodations and food service industry.

Figure 25. Largest Industry Employment Generated by Travel Spending, Washington County, 2016

Source: Oregon Travel Impacts.

<b>5,400 jobs</b>	<b>1,100 jobs</b>	<b>600 jobs</b>
Accommodations & Food Service	Arts, Entertainment, & Recreation	Retail

## Regional Business Clusters

One way to assess the types of businesses that are likely to have future growth in an area is to examine relative concentration and employment growth of existing businesses. This method of analysis can help determine relationships and linkages within industries, also called industrial clusters. Sectors that are highly concentrated (meaning there are more than the “average” number of businesses in a sector in a given area) and have had high employment growth are likely to be successful industrial clusters. Sectors with either high concentration of businesses or high employment groups may be part of an emerging cluster, with potential for future growth.

The U.S. Cluster Mapper is a database created by the Harvard Business School and the U.S. Economic Development Administration. It provides a snapshot of the business clusters in Washington County. Greater Portland Inc. (GPI) completed a cluster analysis for the Portland region in 2018 as part of the *Greater Portland 2020* economic development strategy.<sup>69</sup> The six target clusters it identified—and how these clusters align with U.S. Cluster Mapper results for Washington County—were:<sup>70</sup>

- **Clean Tech.** GPI identified Clean Tech as a cluster that accounts for 20% of the total cluster employment in the Portland region, as of 2016. Employment in this cluster increased by about 7% between 2006 and 2016. The average wage in Clean Tech in the Portland metropolitan statistical area was \$86,300 in 2016, which is above the average wage for Washington County.
- **Computer and Electronics.** The Computer and Electronics cluster accounted for the largest share of total cluster employment in the Portland region in 2016 at 24%. GPI identified this cluster as a “Growing Base Industry,” and it closely aligns with the Information Technology and Analytical Instruments cluster, from U.S. Cluster Mapper, which employed 13,267 people in Washington County in 2015. The average wage in Computer and Electronics in the Portland metropolitan statistical area was \$132,400 in 2016, above the average wage for Washington County.
- **Software and Media.** GPI identified the Software and Media cluster as an “emerging industry” in the Portland region. Employment in this cluster grew by about 67% between 2006 and 2016 and accounted for 19% of the total cluster employment in 2016. This cluster aligns with the Marketing, Design, and Publishing cluster, from U.S. Cluster

<sup>69</sup> Greater Portland Inc. *Greater Portland 2020*. “Regional Trends in Greater Portland’s Target Clusters.” Presentation. 2018.

<sup>70</sup> Ibid.

Mapper, which employed 2,974 people in Washington County in 2015. The average wage in Software and Media in the Portland metropolitan statistical area was \$101,700 in 2016, above the average wage for Washington County.

- **Athletic and Outdoor.** GPI identified the Athletic and Outdoor cluster as a “Growing Base Industry.” Employment in this cluster accounted for about 14% of the total cluster employment in the Portland region in 2016, and the Portland region has a higher-than-average average wage in this cluster at \$132,763, compared to the U.S. average at \$49,366. The Athletic and Outdoor cluster aligns with the Distribution and Electronic Commerce cluster, as defined in U.S. Cluster Mapper, which employed 21,367 people in Washington County in 2015. The average wage in the Athletics and Outdoors cluster in the Portland metropolitan statistical area was \$132,800 in 2016, above the average wage for Washington County.
- **Health Sciences and Technology.** Employment in the Health Sciences and Technology cluster grew by about 12% between 2006 and 2016, and GPI identified it as an “Emerging Industry.” This cluster aligns with the Education and Knowledge Creation cluster, from U.S. Cluster Mapper, which employed 9,638 people in Washington County in 2015. The average wage in Health Sciences and Technology in the Portland metropolitan statistical area was \$7,700 in 2016, just above the average wage for Washington County.
- **Metals and Machinery.** GPI identified the Metals and Machinery cluster as a “Growing Base Industry,” and employment in this cluster grew by about 5% between 2006 and 2016. The average wage in Metals and Machinery in the Portland metropolitan statistical area was \$79,900 in 2016, above the average wage for Washington County.

## Outlook for growth in Washington County

Table 12 shows the Oregon Employment Department's forecast for employment growth by industry for the Portland Region (Clackamas, Multnomah, and Washington Counties) over the 2017 to 2027 period. Employment in the region is forecasted to grow at an average annual growth rate of 1.2%.

The sectors that will lead employment in the region for the 10-year period are: Professional and Business Services (adding 28,100 jobs), Private Educational and Health Services (27,300), Trade, Transportation, and Utilities (21,400), Leisure and Hospitality (13,800), Construction (8,600), and Manufacturing (4,900). In sum, these sectors are expected to add 104,100 new jobs or about 85% of employment growth in the Portland Region.

**Table 12. Regional Employment Projections, 2017-2027, Portland Region (Clackamas, Multnomah, and Washington Counties)**

Industry Sector	2017	2027	Change 2017 - 2027		
			Number	Percent	AAGR
Total private	856,800	971,800	115,000	13%	1.3%
Natural resources and mining	9,800	10,600	800	8%	0.8%
Mining and logging	700	700	0	0%	0.0%
Construction	50,500	59,100	8,600	17%	1.6%
Manufacturing	101,100	106,000	4,900	5%	0.5%
Durable goods	76,300	79,200	2,900	4%	0.4%
Wood product manufacturing	2,300	2,300	0	0%	0.0%
Trade, transportation, and utilities	176,900	198,300	21,400	12%	1.1%
Wholesale trade	48,000	51,800	3,800	8%	0.8%
Retail trade	95,000	104,900	9,900	10%	1.0%
Transportation, warehousing, and utilities	33,900	41,600	7,700	23%	2.1%
Information	21,700	24,300	2,600	12%	1.1%
Financial activities	60,000	63,400	3,400	6%	0.6%
Professional and business services	155,500	183,600	28,100	18%	1.7%
Private educational and health services	140,800	168,100	27,300	19%	1.8%
Private educational services	22,800	26,700	3,900	17%	1.6%
Health care and social assistance	118,000	141,500	23,500	20%	1.8%
Leisure and hospitality	101,100	114,900	13,800	14%	1.3%
Accommodation and food services	86,300	97,800	11,500	13%	1.3%
Other services	39,400	43,500	4,100	10%	1.0%
Government	114,100	122,000	7,900	7%	0.7%
Federal government	14,200	14,900	700	5%	0.5%
State government	7,600	8,200	600	8%	0.8%
Local government	92,300	98,900	6,600	7%	0.7%
Local education	47,200	51,500	4,300	9%	0.9%
<b>Total payroll employment</b>	<b>970,900</b>	<b>1,093,800</b>	<b>122,900</b>	<b>13%</b>	<b>1.2%</b>

Source: Oregon Employment Department. Employment Projections by Industry 2017-2027.

## Sherwood's Competitive Advantages

Economic development opportunities in Sherwood will be affected by local conditions as well as the national and state economic conditions addressed above. Economic conditions in Sherwood relative to these conditions in other portions of the Portland region form Sherwood's competitive advantage for economic development. Sherwood's competitive advantages have implications for the types of firms most likely to locate and expand in the Area.

There is little that metropolitan area jurisdictions can do to influence national and state conditions that affect economic development, though they can influence local factors that affect economic development. Sherwood's primary competitive advantages are location, schools, and quality of life. These factors make Sherwood attractive to residents and businesses that want a high quality of life where they live and work.

The local factors that form Sherwood competitive advantage are summarized in the subsections below.

### Location

Sherwood's population was approximately 19,350 people in 2017. It is a city located in southern Washington County to the southwest of Tigard. Highway 99 runs southwest-northeast through the city. The highway provides access to Newberg in the southwest as well as Tigard in the northeast and Beaverton further north. Sherwood's location will impact the area's future economic development:

- Sherwood has access to 99W and the State's highway system and other transportation opportunities. Highway 99W runs southwest-northeast through the Sherwood UGB, which connects up to Interstate 5 in Tigard—residents can also access Interstate 5 by commuting east through Tualatin or southeast through the unincorporated community of Mulloy.
- Residents and businesses in Sherwood have access to other modes of transportation in Portland, including the TriMet Line 94 which transports passengers from Sherwood to and from Portland, the Portland airport, and Amtrak rail service. Though Sherwood is located in this transportation network, congestion issues on these routes presents barriers for residents commuting in and out of Sherwood, as well as for businesses that need to transport goods and supplies.
- Sherwood is located within Washington County, the second-most populated county in the State, with 595,860 people in 2017. Sherwood is about 17 miles southeast of Portland, the most populated city in Oregon with 639,100 people in 2017. Other nearby and relatively large cities include Beaverton, Tigard, and Lake Oswego. In 2015, about 92% of Sherwood's residents commuted out of the City for work. Residents and City staff have noted that the high-quality of schools is a factor for choosing to live in Sherwood.
- Sherwood is located south of Beaverton and near the South Cooper Mountain expansion area, where residential growth will occur in the near term. The proximity of Sherwood

to this residential growth may create demand for services to locate in Sherwood. In addition, this population growth may provide housing for workers at businesses that locate or grow in Sherwood.

- Residents of Sherwood have access to amenities, such as the Tualatin River National Wildlife preserve, that provide a high quality of life. As a city at the edge of the Metro UGB, residents of Sherwood have access to farm land that provides opportunities for agritourism activities.

Sherwood's location, quality of life and schools, and proximity to larger cities in the Portland Region are primary competitive advantages for economic development in Sherwood.

## **Availability of Transportation**

All firms are heavily dependent upon surface transportation for efficient movement of goods, customers, and workers. Access to an adequate highway and arterial roadway network is needed for all industries. Close proximity to a highway or arterial roadway is critical for firms that generate a large volume of truck or auto trips as well as firms that rely on visibility from passing traffic to help generate business.

Businesses and residents in Sherwood have access to a variety of modes of transportation: automotive (99W and local roads); bus (TriMet, Line 94); and air (Portland Airport and Hillsboro Airport). Businesses in Sherwood can ship freight through the Port of Portland via trucks. Sherwood does not currently have active rail access but may have rail access in the future when rail infrastructure is brought into use again.

While Sherwood has automotive access for commuting via 99W as it cuts through Sherwood, this route and other major roads, such as SW Roy Rogers Road and SW Tualatin-Sherwood Road, are frequently congested. This current transportation network is considered a disadvantage for both residents commuting to jobs both in and out of Sherwood and businesses that need a distribution route to access the region.

Sherwood's distance from I-5 is a disadvantage for attracting some types of businesses, such as warehouse and distribution or manufacturers that need close access to I-5 for heavy freight. Sherwood's distance from Portland International Airport is a disadvantage for businesses needing access to commercial air service or freight services offered at the Portland Airport only. Businesses needing access to a general aviation airport, such as those with corporate planes, can use the Hillsboro Airport, which is relatively near Sherwood.

## **Public Facilities and Services**

Provision of public facilities and services can impact a firm's decision regarding location within a region, but ECONorthwest's past research has shown that businesses make locational decisions primarily based on factors that are similar within a region. These factors are: the availability and cost of labor, transportation, raw materials, capital, and amenities. The availability and cost of these production factors are usually similar within a region.

Once a business has chosen to locate within a region, they consider the factors that local governments can most directly affect: tax rates, the cost and quality of public services, and regulatory policies. Economists generally agree that these factors do affect economic development, but the effects on economic development are modest. Thus, most of the strategies available to local governments have only a modest effect on the level and type of economic development in the community. Overall, Sherwood's local public facilities are relatively young and within the expected lifespan of the systems.

## Transportation Improvements

The City of Sherwood is bisected by two major transportation corridors that are not city-owned—Tualatin-Sherwood Road (Washington County) and Highway 99 (ODOT). Congestion on these main roads continues to increase, which creates more congestion on local roads within the City of Sherwood. Other than these transportation issues that will need to be addressed at a regional level, most roads that the City maintains are in good condition. The City's Transportation System Plan outlines system plans for Sherwood-owned and maintained roads only, not plans for the regional network, which includes Tualatin-Sherwood Road and Highway 99.

The *Tonquin Employment Area Implementation Plan* identifies the need for \$14.1 million in transportation improvements to serve the entire TEA. Transportation improvements include improvements on Oregon Street, Blake Road, the intersection of Oregon St. and Blake Rd., Tonquin Court, SW 124<sup>th</sup> Ave, and SW Dahike Lane. Of the \$14.1 million, about \$10 million is expected to be invested in the first 20 years of development of the Area.

## Water

Sherwood updated its *Water System Master Plan* in 2015, which evaluated water demand for the city limits and expansion areas within the UGB for a 20-year planning period. The City sources its main water supply from the Willamette River Water Treatment Plant in Wilsonville. The Plan identifies the need to expand the capacity of the existing plant, build new pump stations, and expand or replace water mains to meet future demand.

The *Tonquin Employment Area Implementation Plan* identifies the need for \$5.4 million in water improvements to serve the entire TEA. Water improvements include the construction of water lines and upgrades to the Willamette River Water Treatment Plant capacity. Of this \$5.4 million, about \$3 million is expected to be invested in the first 20 years of development of the Area.

Overall, there are no limiting factors in the City's water system when considering the location of new businesses in the proposed target industries. The existing supply and planned improvements within the City limits and the expansion areas will meet future water needs for employment uses.

## Wastewater

The *Sanitary System Master Plan*, updated in 2016, identifies current and future capacity and needs of the City's wastewater system. Sherwood's wastewater system is publicly owned, and

Clean Water Services provides treatment services. The Plan identifies needed projects to maintain the existing system and future improvements necessary to accommodate growth. These expansions and improvements will meet the needs of developed areas in the City limits as well as the Tonquin Employment Area and the Brookman Annexation Area.

The *Tonquin Employment Area Implementation Plan* identifies the need for \$1.7 million in waste water improvements to serve the entire TEA. Waste water improvements are construction of sewer lines along key streets in the TAC. The entire amount is expected to be invested in the first 20 years of development of the Area.

## Stormwater

Sherwood updated its *Stormwater System Master Plan* in 2016. While Clean Water Services manages stormwater at a district-level, Sherwood manages its local stormwater program, including areas in the City limits and expansion areas such as Tonquin and Brookman. The existing stormwater system does not have any major deficiencies, but the Plan identifies a few deficiencies that the City plans to address as areas are built out. Potential future changes to hydromodification requirements for new development could affect permitting and costs for new development.

The *Tonquin Employment Area Implementation Plan* identifies the need for \$1.9 million in stormwater improvements to serve the entire TEA. Stormwater improvements include construction of stormwater lines and construction of two regional treatment facilities. Of this \$1.9 million, about \$1.5 million is expected to be invested in the first 20 years of development of the Area.



## Availability of Vacant, Serviced Land

One of the key inputs for economic development is vacant, unconstrained land with urban services, such as those discussed in the prior sections. Businesses' needs for land vary from: need for an office in an existing building; need for a small site (such as a one-quarter acre site) for a new small building; or need for a large site (such as a 50-acre site) for one or more large buildings, parking, and other facilities. Businesses consider a range of factors when choosing a location, such as location within the city (and region), access to transportation, location of other businesses, amenities around the site (such as landscaping or access to retail and restaurants), and the characteristics of the site (such as site size and physical constraints)

Chapter 2 presents the buildable lands inventory for Sherwood. Sherwood has a total 310 acres of unconstrained land, 126 acres of which is vacant and 184 acres of which is potentially redevelopable. About 50% of the City's vacant unconstrained land is in the Tonquin Employment Area (TEA), and over 50% of the potentially redevelopable land is in either the TEA or the Brookman Annexation Area.

Sherwood has 17 sites in the five to ten-acre size, most of which are industrial use, in the TEA, or in Brookman. Sherwood has four vacant sites larger than 10 acres of unconstrained land. One of these sites is 45 acres in the TEA, and the other three sites are zoned for industrial uses with two sites designated as General Industrial (30 acres total) and one site designated as Light Industrial (12-acre site).

Although Sherwood has vacant unconstrained land that can support a substantial amount of development, much of that land lacks urban services (such as the services discussed in the prior section). The *Tonquin Employment Area Implementation Plan* documents the infrastructure necessary to support employment growth, as described in the prior section.

Sherwood's vacant unconstrained land base is an advantage for economic development, especially the larger industrial sites in Sherwood and the TEA. The lack of infrastructure to support employment growth is a disadvantage to economic development, as areas without infrastructure, especially the TEA, are unlikely to develop until infrastructure is developed.

## Quality of Life

Quality of life is difficult to assess because it is subjective—different people will have different opinions about factors that affect quality of life, desirable characteristics of those factors, and the overall quality of life in any community. Economic factors such as income, job security, and housing cost are often cited as important to quality of life. These economic factors and overall economic conditions are the focus of this report, so this section will focus on non-economic factors that affect quality of life.

Sherwood’s quality of life is a key comparative advantage for economic development. Key quality of life factors in Sherwood are:

- **Tualatin River National Wildlife Refuge.** This suburban nature preserve provides residents walking trails and opportunities for wildlife education.
- **Cultural amenities and events.** In addition to the Tualatin River National Wildlife Refuge and other outdoor-recreation opportunities, the City of Sherwood has a robust parks and trail system. The Sherwood Center for the Arts, a new facility located in Old Town, hosts community cultural activities throughout the year. Other amenities available to Sherwood residents are the high-quality sports facilities for local schools, small town character, high-quality neighborhoods with access to amenities, and both community and regional groups.<sup>71</sup>
- **Access to education.** Many residents live in Sherwood because of the high school quality for elementary, middle, and high school students. George Fox University, located in Newberg, and Clackamas Community College, located in Wilsonville, provide access to higher education to residents of Sherwood and the rest of the county.
- **Access to medical care.** Residents of Sherwood can access nearby medical care through the Providence Medical Plaza in Sherwood. About four miles northeast of Sherwood, residents can also access the Kaiser Permanente Tualatin Medical Office.

Sherwood’s quality of life makes the city attractive to in-migrants and businesses that are attracted to Washington County.

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<sup>71</sup> City of Sherwood Amenities. Retrieved from:  
<https://www.sherwoodoregon.gov/economicdevelopment/page/amenities>.

## 4. Employment Growth and Site Needs

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Goal 9 requires cities to prepare an estimate of the amount of commercial and industrial land that will be needed over a 20-year planning period. The estimate of employment land need and site characteristics for Sherwood is based on expected employment growth and the types of firms that are likely to locate in Sherwood over the 20-year period. This section presents an employment forecast and analysis of target industries that build from recent economic trends.

This chapter was updated in August 2021 to include an updated employment base and an updated employment forecast for the 2021 to 2041 period.

### Forecast of Employment Growth and Commercial and Industrial Land Demand

Demand for industrial and non-retail commercial land will be driven by the expansion and relocation of existing businesses and by the growth of new businesses in Sherwood. This employment land demand is driven by local growth independent of broader economic opportunities, including the growth of target industries.

The employment projections in this section build off of Sherwood's existing employment base, assuming future growth is similar to Washington and Multnomah Counties' long-term historical employment growth rates. The employment forecast does not take into account a major change in employment that could result from the location (or relocation) of one or more large employers in the community during the planning period. Such a major change in the community's employment would exceed the growth anticipated by the city's employment forecast and its implied land needs (for employment, but also for housing, parks, and other uses). Major economic events, such as the successful recruitment of a very large employer, are difficult to include in a study of this nature. The implications, however, are relatively predictable: more demand for land (of all types) and public services.

Projecting demand for industrial and non-retail commercial land has four major steps:

1. **Establish base employment for the projection.** We start with the estimate of covered employment in Sherwood presented in Table 11. Covered employment does not include all workers, so we adjust covered employment to reflect total employment in Sherwood.
2. **Project total employment.** The projection of total employment considers forecasts and factors that may affect employment growth in Sherwood over the 20-year planning period.
3. **Allocate employment.** This step involves allocating types of employment to different land-use types.
4. **Estimate land demand.** This step estimates general employment land demand based on employment growth and assumptions about future employment densities.

The remainder of this section follows this outline to estimate employment growth and commercial and industrial land demand for Sherwood.

## Employment Base for Projection

The purpose of the employment projection is to model future employment land need for general employment growth. The forecast of employment growth in Sherwood starts with a base of employment growth on which to build the forecast. Table 13 shows ECONorthwest's estimate of total employment in the Sherwood city limits, Brookman, and Tonquin Employment Area in 2019.

To develop the figures, ECONorthwest started with estimated covered employment in the Sherwood city limits, Brookman, and Tonquin Employment Area from confidential Quarterly Census of Employment and Wages (QCEW) data provided by the Oregon Employment Department. Based on this information, Sherwood had about 6,784 covered employees in 2019, accounting for 2.2% of covered employment in Washington County.

Covered employment, however, does not include all workers in an economy. Most notably, covered employment does not include sole proprietors. Analysis of data shows that *covered* employment reported by the Oregon Employment Department for Washington County is only about 77% of *total* employment reported by the U.S. Department of Commerce.<sup>72</sup> We evaluated this ratio for each industrial sector for Washington County and used the resulting ratios to determine the number of non-covered employees. This allowed us to determine the total employment in Sherwood. Table 13 shows Sherwood had an estimated 8,920 *total* employees within its UGB in 2019.

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<sup>72</sup> **Covered** employment includes employees covered by unemployment insurance. Examples of workers not included in covered employment are sole proprietors, some types of contractors (often referred to as "1099 employees"), or some railroad workers. Covered employment data is from the Oregon Employment Department.

Total employment includes all workers based on data from the U.S. Department of Commerce. Total employment includes all covered employees, plus sole proprietors and other non-covered workers.

**Table 13. Estimated total employment by sector, Sherwood City Limits, Brookman, and Tonquin Employment Area, 2019**

Employment Sector	Covered	Estimated	Covered % of Total
	Employment	Total Employment	
Construction	694	875	79%
Manufacturing	780	811	96%
Wholesale trade	355	448	79%
Retail trade	1,112	1,358	82%
Transportation and warehousing and Utilities	264	342	77%
Information	41	49	83%
Finance and insurance	87	149	58%
Real estate and rental and leasing	102	431	24%
Professional, scientific; mgmt of companies	186	334	56%
Admin. and waste mgmt services	315	395	80%
Educational services	93	186	50%
Health care and social assistance	568	710	80%
Arts, entertainment, and recreation	226	463	49%
Accommodation and food services	920	1,004	92%
Other services, except public administration	404	719	56%
Government	637	646	99%
<b>Total Non-Farm Employment</b>	<b>6,784</b>	<b>8,920</b>	<b>77%</b>

Source: 2019 covered employment from confidential Quarterly Census of Employment and Wage (QCEW) data provided by the Oregon Employment Department.

## Employment Projection

The employment forecast covers the 2021 to 2041 period, requiring an estimate of total employment for Sherwood in 2019.

The City of Sherwood does not have an existing employment forecast, and there is no required method for employment forecasting. Sherwood used the forecast growth rate (1.4%) for the 2021 to 2041 planning period based on Metro’s 2050 Employment Forecast (March 2021) forecast for Sherwood and the Tonquin Employment Area.<sup>73</sup> Sherwood assumes that the current number of jobs in the Sherwood urban area will grow during the 20-year planning period at a rate equal to the forecast growth rate for Sherwood in Metro’s most recent Employment Forecast, an average annual growth rate of 1.42%.

<sup>73</sup> The Metro forecast “2050 Employment Distributed Forecast” (March 2021) shows employment in Sherwood and the Transportation Analysis Zone (TAZ) that includes Tonquin Employment Area growing at an average annual growth rate of 1.42% for the 2020 to 2050 period.

The major difference between Metro’s forecast of employment growth and the forecast in Table 14 are: (1) Metro used 2018 QCEW data and Table 13 started with 2019 QCEW data; (2) Metro used an estimate of covered employment as the base for the forecast (the QCEW data) but this forecast uses an estimate of Total Employment, as described in Table 13; and (3) the employment base in Table 13 includes the small amount of existing employment in the Brookman and Tonquin Areas.

Table 14 shows employment growth in Sherwood between 2021 and 2041, based on the assumption that Sherwood will grow at an average annual growth rate of 1.4%. Sherwood will have 12,162 employees within the UGB by 2041, which is an increase of 2,987 employees (33%) between 2021 and 2041.

**Table 14. Employment growth in Sherwood City Limits, Tonquin Employment Area, and Brookman Annexation Area 2021–2041**

Year	Total Employment
2021	9,175
2041	12,162
<b>Change 2021 to 2041</b>	
Employees	2,987
Percent	33%
AAGR	1.42%

Source: ECONorthwest

The forecast of employment shows employment growing faster than Metro’s forecast for population and housing growth used in the Sherwood Housing Needs Analysis. If growth occurs at the rates projected, the population to employment ratio would decrease from about 3.2 residents per job to about 2.3 residents per job.

### Allocate Employment to Different Land Use Types

The next step in forecasting employment is to allocate future employment to broad categories of land use. Firms wanting to expand or locate in Sherwood will look for a variety of site characteristics, depending on the industry and specific circumstances. We grouped employment into four broad categories of land use based on North American Industrial Classification System (NAICS): industrial, retail commercial, office and commercial services, and government.

Table 15 shows the expected share of employment by land-use type in 2021 and the forecast of employment growth by land-use type in 2041 in the Sherwood City Limits, Tonquin Employment Area, and Brookman Annexation Area. The forecast shows growth in all categories of employment, with the following assumptions:

- **Industrial** employment will increase from 28% in 2021 to 32% of all employment by 2041. The increase is the result of the City’s policies to support growth of higher-wage industries, such as manufacturing. Included in these policies are support for development in the Tonquin Employment Area. These policies are beginning to pay off, with growth of industrial areas such as the T-S Corporate Park and Cipole Industrial Park. The T-S Corporate Park will include multitenant space in manufacturing, food processing, and technology, and the Cipole Industrial Park will have development in warehousing, distribution, and a semiconductor manufacturing facility. In addition, the City expects to see growth in the target industries described later in this chapter in both the Sherwood city limits and Tonquin Employment Area over the next two years. The

State forecast for the Portland Region in Table 12 shows the Portland Region adding 25,800 new jobs in industrial sectors over the 2017-2027 period.

- **Retail Commercial** employment will decrease from 15% in 2021 to 13% of all employment by 2041. While national trends show an overall decrease in retail businesses, some retail will continue to be needed locally. Growth in population in Sherwood and in surrounding areas will drive modest growth in retail businesses in the city over the 20-year period. The State forecast for the Portland Region in Table 12 shows the Portland Region adding 9,900 new jobs in retail over the 2017-2027 period.
- **Office and Commercial Services** employment will nearly hold steady at between 50% and 48% of Sherwood’s employment, accounting for the second largest number of new jobs through 2041. This employment group includes commercial jobs with lower than average pay (e.g., accommodations and food services) and service jobs with higher than average pay (e.g., professional services or financial services). The State forecast for the Portland Region in Table 12 shows the Portland Region adding 79,300 new jobs in office and commercial services over the 2017-2027 period, the largest and fastest growing employment grouping.
- **Government** employment will nearly hold steady at about 7% of Sherwood’s employment. Growth in employment will generally follow population growth, with the majority of government employment growth in public schools. The State forecast for the Portland Region in Table 12 shows the Portland Region adding 7,900 new jobs in government over the 2017-2027 period, more than half of which are forecast to be in public education.

**Table 15. Forecast of employment growth by land use type, Sherwood City Limits, Tonquin, and Brookman, 2021–2041**

Land Use Type	2021		2041		Change 2021 to 2041
	Employment	% of Total	Employment	% of Total	
Industrial	2,547	28%	3,892	32%	1,345
Retail Commercial	1,397	15%	1,581	13%	184
Office & Commercial Services	4,567	50%	5,838	48%	1,271
Government	664	7%	851	7%	187
<b>Total</b>	<b>9,175</b>	<b>100%</b>	<b>12,162</b>	<b>100%</b>	<b>2,987</b>

Source: ECONorthwest

Note: The shaded percentages denote an assumption about the future change in the share of employment (as a percent of total) by land use type.

## Estimate of Demand for Commercial and Industrial Land

Some employment growth in Sherwood will not require vacant employment land over the 20-year period. Table 16 shows that some employment will locate in residential plan designations, based on the location of existing employment. According to QCEW data, some employment in Sherwood in 2016 is located on land designated for residential uses. The following amounts of employment located in residential plan designations are: (1) 12% of industrial employment, such as home offices for construction companies; (2) 15% of retail employment, such as corner stores or other retail in neighborhoods, and (3) 21% of office and commercial services, such as medical offices or small personal service businesses such as banks or hair stylists.

This analysis assumes that the percentage of new employment locating in residential land designations will remain the same over the 20-year period: 12% of industrial, 15% of retail, and 21% of office and commercial service employment.

Using these assumptions, 456 new employees will be accommodated on land in residential designations and 2,344 new employees will require vacant (including partially vacant) land over the 2021 to 2041 period.

**Table 16. Forecast of employment growth by land use type, Sherwood City Limits, Tonquin, and Brookman 2021–2041**

Land Use Type	New Employment Growth	Emp. In Res. Designations	New Emp. on Vacant Land
Industrial	1,345	161	1,184
Retail Commercial	184	28	156
Office & Commercial Services	1,271	267	1,004
<b>Total</b>	<b>2,800</b>	<b>456</b>	<b>2,344</b>

Source: ECONorthwest

Table 17 shows demand for vacant (including partially vacant) land in Sherwood over the 20-year period. The assumptions used in Table 17 are:

- Employment density.** Employees per acre is a measure of employment density based on the ratio of the number of employees per acre of employment land that is developed for employment uses. Table 17 assumes the following numbers of net employees per acre: Industrial will have an average of 15 employees per acre, Retail Commercial will have an average of 20 employees per acre, and Office and Commercial Services will have an average of 25 employees per acre.

These employment densities are consistent with employment densities in Oregon cities of similar size as Sherwood. Some types of employment will have higher employment densities (e.g., a multistory office building), and some will have lower employment densities (e.g., a convenience store with a large parking lot).



- **Conversion from net-to-gross acres.** The data about employment density is in *net* acres, which does not include land for public right-of-way. Future land need for employment should include land in tax lots needed for employment plus land needed for public right-of-way. One way to estimate the amount of land needed for employment, including public right-of-way, is to convert from *net* to *gross* acres based on assumptions about the amount of land needed for public right-of-way.<sup>74</sup> A net-to-gross conversion is expressed as a percentage of gross acres that are in public right-of-way.

Based on empirical evaluation of Sherwood’s existing net-to-gross ratios, ECONorthwest uses a net-to-gross conversion factor of 11% for industrial and 24% for commercial and retail.

Using these assumptions, the forecasted growth of 2,344 new employees will result in the following demand for vacant (and partially vacant) employment land: 89 gross acres of industrial land, 10 gross acres of retail commercial land, and 53 gross acres of land for office and commercial services.

**Table 17. Demand for vacant land to accommodate employment growth, Sherwood City Limits, Tonquin, and Brookman, 2021–2041**

Land Use Type	New Emp. on Vacant Land	Employees per Acre (Net Acres)	Land Demand (Net Acres)	Land Demand (Gross Acres)
Industrial	1,184	15	79	89
Retail Commercial	156	20	8	10
Office & Commercial Services	1,004	25	40	53
<b>Total</b>	<b>2,344</b>		<b>127</b>	<b>152</b>

Source: ECONorthwest

Note: Vacant land includes land identified in the buildable lands inventory as vacant or potentially redevelopable.

<sup>74</sup> OAR 660-024-0010(6) uses the following definition of net buildable acre. “Net Buildable Acre” consists of 43,560 square feet of residentially designated buildable land after excluding future rights-of-way for streets and roads. While the administrative rule does not include a definition of a gross buildable acre, using the definition above, a gross buildable acre will include areas used for rights-of-way for streets and roads. Areas used for rights-of-way are considered unbuildable.

## Target Industries

The characteristics of Sherwood will affect the types of businesses most likely to locate in the city. Sherwood’s attributes that may attract firms are: Sherwood’s location in the Portland region; the existing employment base; access to workers from across the Portland region; arts and cultural opportunities; high quality of life; and high quality of schools.

Sherwood’s existing businesses are concentrated in the industries defined in Table 18. The industries in green highlight are industries with a high location quotient (i.e., highly specialized compared to national employment in the industry), high employment (i.e., have more than 200 employees in Sherwood), and higher than average wages in Sherwood. These industries have the highest potential for growth, given existing businesses and the higher concentration of employment.

Sherwood also has opportunities for employment growth in industries without a concentration of employment or a high location quotient, such as professional services or wholesale.

**Table 18. Concentration of Industries and Employment, City of Sherwood, 2016.**

	High Employment	Low Employment
<b>High Location Quotient</b>	<ul style="list-style-type: none"> <li>Waste Management and Remediation Services</li> <li>Specialty Trade Contractors</li> <li>Heavy and Civil Engineering Construction</li> <li>Machinery Manufacturing</li> <li>Merchant Wholesalers, Durable Goods</li> <li>Building Material and Garden Equipment and Supplies Dealers</li> <li>Amusement, Gambling, and Recreation Industries</li> <li>General Merchandise Stores</li> <li>Food and Beverage Stores</li> <li>Food Services and Drinking Places</li> </ul>	<ul style="list-style-type: none"> <li>Construction of Buildings</li> <li>Real Estate</li> <li>Wholesale Electronic Markets and Agents and Brokers</li> <li>Plastics and Rubber Products Manufacturing</li> <li>Personal and Laundry Services</li> </ul>
<b>Low Location Quotient</b>	<ul style="list-style-type: none"> <li>Merchant Wholesalers, Nondurable Goods</li> <li>Miscellaneous Store Retailers</li> <li>Truck Transportation</li> </ul>	<ul style="list-style-type: none"> <li>Professional, Scientific, and Technical Services</li> <li>Ambulatory Health Care Services</li> <li>Utilities</li> <li>Administrative and Support Services</li> <li>Nursing and Residential Care Facilities</li> <li>Social Assistance</li> </ul>

Source: Oregon Employment Department, Quarterly Census of Employment and Wages, 2016.

Greater Portland Inc. (GPI) identified the following regional clusters in their *Regional Trends in Greater Portland’s Target Clusters* analysis in 2018:

- Growing Base Industries
  - **Computers and Electronics**, such as semiconductors, electronic communication equipment, computer peripherals, circuit boards, and other electronics.
  - **Metals and Machinery**, such as food processing machinery, medical devices, component parts for manufacturing, and other specialized machinery for manufacturing.

- **Athletics and Outdoors**, such as design services, professional services, marketing, and some manufacturing of footwear and athletics goods.
- Emerging Industries
  - **Health Sciences Tech**, such as pharmaceutical manufacturing, chemical manufacturing, laboratory instrument manufacturing, medical equipment and supplies manufacturing, medical equipment and supplies wholesalers, engineering services, scientific research and development services, and medical and diagnostic laboratories.
  - **Clean Tech**, such as scientific and technical research and services, engineering services, architectural design, construction, instruments manufacturing, electrical equipment manufacturing, renewable energy equipment and components, architectural design, clean power generation, and waste remediation.
  - **Software and Media**, such as software development, data processing, computer systems design, and motion picture and video production.

These regional clusters from the GPI analysis align with some of the industries from the *Tonquin Employment Area Market Analysis, Business Recruitment Strategy, and Implementation Plan*. These industries are:

- Clean Tech
- Technology and Advanced Manufacturing
- Outdoor Gear and Active Wear

The potential growth industries in Sherwood will draw from existing industry concentration in the City and the Portland region, along with the City's economic development policies that align with changing or emerging industries and result in employment growth in Sherwood.

## Potential Growth Industries

An analysis of growth industries in Sherwood should address two main questions: (1) Which industries are most likely to be attracted to Sherwood? and (2) Which industries best meet Sherwood's economic development goals? The selection of target industries is based on Sherwood's goals for economic development, economic conditions in Sherwood and the Portland region, and the City's competitive advantages.

Given the current employment base, which is composed of moderately sized businesses, it is reasonable to assume that much of the city's business growth will come from moderate-sized businesses and potentially larger businesses depending on future development at the TEA. This growth will either come from businesses already in Sherwood or new businesses that start or relocate to Sherwood from within the Portland region or from outside of the region.

The industries identified as having potential for growth in Sherwood are:

- **Manufacturing.** Sherwood's attributes, especially its location in the Portland region and proximity to Hillsboro, may attract manufacturing firms, such as:

- Technology and Advanced Manufacturing, such as such as semiconductors, electronic communication equipment, computer peripherals, and circuit boards.
- Machinery Manufacturing (Metals and Machinery), food processing machinery, medical devices, component parts for manufacturing, and other specialized machinery for manufacturing.
- Clean Tech, such as instruments manufacturing, electrical equipment manufacturing, and renewable energy equipment and components.
- **Professional and business services.** Sherwood’s high quality of life, access to quality schools, existing population and business base, and proximity to the Portland region may attract professional and business services that prefer to locate in a smaller city like Sherwood, such as:
  - Software and Media, such as software development, data processing, computer systems design, and motion picture and video production.
  - Clean Tech, such as scientific and technical research and services, engineering services, architectural design, and construction engineering services.
  - Athletics and Outdoors, such as design services, professional services and marketing.
  - Other services, such as scientific research, environmental services, or other services.
- **Wholesale.** Sherwood’s access to Highway 99 may make the city attractive to continued growth of wholesale businesses.
- **Services for visitors:** Emphasis on experiences and destinations in and near Sherwood, especially related to agriculture and wineries, will drive demand for services for visitors such as family-friendly events, farmers markets, specialty retail, wine tasting rooms, restaurants, or hotels.
- **Services for residents:** Growth in population in and around Sherwood will drive growth of businesses that serve residents, such as medical services, legal services, financial services, retail, personal services (e.g., barbers), and restaurants.

Growth in industries such as the manufacturing, professional and business services, and wholesale, have the potential to increase the average wage and property tax collections in Sherwood.

## Sherwood's Economic Development Policies

To complement the findings and recommendations in the Economic Opportunities Analysis, ECONorthwest worked with Sherwood staff and the advisory committees to write Sherwood's Economic Development Strategy. The strategy provides a vision, goals, policies, objectives, and actions related to economic development activities in Sherwood. The goals and policies are listed below.

**Goal 1: Prioritize and promote economic development to increase the city tax base by providing and managing a supply of land to target growth industries and support Sherwood's desired economic growth.**

**Policy 1: Land Availability and Management:** The City will plan for a 20-year supply of suitable commercial and industrial land on sites with a variety of characteristics (e.g., site sizes, locations, visibility, and other characteristics) and manage the supply of employment land to make the most efficient use of commercial and industrial land.

**Goal 2: Plan and provide adequate infrastructure efficiently and timely to support employment growth.**

**Policy 2: Infrastructure Support:** Provide adequate infrastructure to support employment growth, with a focus on the Tonquin Employment Area.

**Goal 3: Support the growth of local businesses and attract new businesses that increase the City's tax base, provide stable, high wage jobs and capitalize on Sherwood's location and high-quality of life to create destinations and experiences for both residents and visitors of Sherwood.**

**Policy 3: Existing Business Retention, New Business Development, and Attraction of New Businesses:** The City will support retention and expansion of existing businesses, growth and creation of entrepreneurial business, and attraction of new businesses that align with Sherwood's revised Community Vision. The types of businesses the City wants to attract most are non-polluting businesses with wages at or above the Washington County average, such as the industries identified in the Economic Opportunities Analysis.<sup>75</sup>

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<sup>75</sup> The Economic Opportunities Analysis identifies the following potential growth industries for Sherwood: Technology and Advanced Manufacturing, Machinery Manufacturing, Clean Tech, Outdoor Gear and Active Wear, Professional and Business Services, Wholesale, Services for Visitors, and Services for Residents.

## Site Needs for Potential Growth Industries

ORAR 660-009-0015(2) requires the EOA to “identify the number of sites by type reasonably expected to be needed to accommodate the expected [20-year] employment growth based on the site characteristics typical of expected uses.” The Goal 9 rule does not specify how jurisdictions conduct and organize this analysis.

The rule, ORAR 660-009-0015(2), does state that “[i]ndustrial or other employment uses with compatible site characteristics may be grouped together into common site categories.” The rule suggests, but does not require, that the city “examine existing firms in the planning area to identify the types of sites that may be needed.” For example, site types can be described by: (1) plan designation (e.g., heavy or light industrial), (2) general size categories that are defined locally (e.g., small, medium, or large sites), or (3) industry or use (e.g., manufacturing sites or distribution sites). For purposes of the EOA, Sherwood groups its future employment uses into categories based on their need for land with a particular plan designation (i.e., industrial or commercial) and by their need for sites of a particular size.

Based on the forecasts of employment growth in Table 16 and the average business size of business in Sherwood in 2019 (using analysis of Quarterly Census of Employment and Wage data), employment growth in Sherwood will require:

- **Industrial** employment will grow by 1,345 employees, with 1,184 employees requiring vacant land. The average size of industrial employers in Sherwood in 2019 was 11.4 employees per business. At that average size, Sherwood will need 103 industrial sites.
- **Retail Commercial** employment will grow by 184 employees, with 156 employees requiring vacant land. The average size of retail employers in Sherwood in 2019 was 20.2 employees per business. At that average size, Sherwood will need 8 retail sites.
- **Office & Commercial Services** employment will grow by 1,271 employees, with 1,004 employees requiring vacant land. The average size of industrial employers in Sherwood in 2019 was 6.5 employees per business. At that average size, Sherwood will need 154 office and commercial sites.

The potential growth industries described in the prior section are a mixture of business sizes, from small businesses to larger businesses. For the most part, Sherwood’s potential growth industries need relatively flat sites, especially for industrial or manufacturing businesses, with access to arterial roads to connect with I-5 or key employment centers in Hillsboro or Portland.

Manufacturing and other industrial businesses likely to locate in Sherwood will have a range of space needs:

- **Small-scale manufacturing space.** Businesses would be located in an industrial building with many other users.
- **Space in a flex services building.**

- **Mid-sized manufacturing.** Businesses would be located potentially in a building with a few other businesses. Between 2015 and 2017, Greater Portland Inc. (GPI) reported manufacturing projects in its pipeline that requested an average square footage between 35,000 square feet (approximately two to four-acre sites) and 104,000 square feet (approximately eight to 10-acre sites).
- **Land for construction of a building designed for the manufacturer.** In 2017, of GPI's manufacturing projects five requested land for a new building and 21 requested locations in an existing space.

Professional and technical service businesses have a range of space needs, ranging from:

- **Space in an existing building.** Businesses would be located as one of several or many firms within the building. Between 2015 and 2017, GPI's projects—both office and manufacturing projects—consistently requested existing space over “greenfield” space to build new facility. In 2017, about 80% of GPI's projects requested existing space for their business.<sup>76</sup>
- **Space in a building dominated by one firm.** This could potentially be with manufacturing or other industrial space in the building.
- **Land for construction of a building designed for the firm.** However, in the case where the business needs to build a building, they are typically seeking existing space rather than land to build a new facility.

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<sup>76</sup> “2015-2017 Pipeline Trend Analysis,” Greater Portland Inc., February 2018.

## 5. Land Sufficiency and Conclusions

This chapter presents conclusions about Sherwood’s employment land sufficiency for the 2021-2041 period. The chapter then concludes with a discussion about Sherwood’s land base and its ability to accommodate growth over the next 20 years, as well as recommendations for the City to consider, ensuring it meets its economic growth needs throughout the planning period.

This chapter was updated in August 2021 to include an updated calculation of land sufficiency based on updates to the buildable lands inventory, employment base, and employment forecast for the 2021 to 2041 period.

### Land Sufficiency

Table 19 shows commercial and industrial land sufficiency within the Sherwood City Limits, Tonquin Employment Area (TEA), and Brookman Annexation Area. It shows:

- **Vacant and Potentially Redevelopable Unconstrained Land** from Table 5 for land within Sherwood, TEA, and Brookman. Table 19 shows that Sherwood has 97 gross acres of industrial land and 25 gross acres of commercial land (including retail commercial).
- **Demand for Commercial and Industrial Land** from Table 17. Table 19 shows Sherwood will need a total of 89 gross acres for industrial uses and 63 gross acres for commercial (including retail commercial) uses over the 2021-2041 period.

Table 19 shows that Sherwood has:

- An 8-acre surplus of industrial land.
- A 38-acre deficit of commercial land (including retail commercial).
- A 127-acre supply of future development land in TEA and Brookman. This supply will likely meet needs for both industrial and commercial demand, resulting in a 97-acre surplus of employment land.

**Table 19. Comparison of the Capacity of Unconstrained Vacant and Potentially Redevelopable Land with Employment Land Demand by Land Use Type, Sherwood City Limit, Tonquin, and Brookman, 2021–2041**

Land Use Type	Land Supply (Suitable Gross Acres)	Demand (Gross Acres)	Land Sufficiency (Deficit)
Industrial	97	89	8
Retail Commercial	7	10	(3)
Office & Commercial Services	18	53	(35)
Future Development (Tonquin and Brookman)	127	-	127
<b>Total</b>	<b>249</b>	<b>152</b>	

Source: ECONorthwest



## Conclusions and Recommendations

The conclusions about commercial and industrial land sufficiency are:

- **Sherwood is forecast for growth in both commercial and industrial employment sectors.** Sherwood is planning for growth of about 2,800 new jobs in the city over the 2021 to 2041 period. About 1,345 of the jobs will be in industrial land uses, 1,271 in office and commercial services, and 184 in retail. Growth of these jobs will result in demand for about 89 gross acres industrial land and 63 gross acres of commercial land.
- **Sherwood has enough employment land to accommodate growth.** Table 19 shows Sherwood has enough land for employment growth over the next 20 years. The Tonquin Employment and Brookman Annexation will provide both industrial and a limited amount of commercial employment, resulting in a 97-acre surplus of employment land. If the City continues to implement its economic development policies, the rate of development may lead to a shortage of appropriate sites—particularly sites in excess of 10 acres—for employment growth in the City of Sherwood, thereby creating development opportunities in the future growth area of Sherwood West.
- **Sherwood’s wages are below average for the Portland Region and for the nearby cities of Tigard and Tualatin.** The primary reason for lower wages at jobs in Sherwood is the mix of jobs in Sherwood, with Retail and Accommodations and Food Services having the largest number of employees in Sherwood but wages below the city average. Sherwood’s target industries generally have above average wages, except for some types of services for visitors and residents of Sherwood, such as Retail and Accommodations and Food Services. In addition, Sherwood’s target industries are generally more likely to increase the City’s property tax base, except for some types of services for visitors and residents of Sherwood, such as Retail and Accommodations and Food Services.
- **Most new businesses will be relatively small and will require small and mid-sized sites.** Sherwood’s businesses are generally small, averaging 9 employees per business. Businesses with 50 or fewer employees account for roughly 57% of private employment in Sherwood. Businesses with 9 or fewer employees account for 20% of private employment and 4 or fewer account for 10% of private employment. Growth of small businesses presents key opportunities for economic growth in Sherwood. Sherwood has about 51 sites smaller than five acres. Some of these sites may subdivide into smaller sites.
- **Sherwood will need to manage its industrial land base to ensure that there are sufficient small and mid-sized sites available for development.** Within the context of the site needs discussed at the end of Chapter 4, Sherwood will need to manage its industrial land base, including Tonquin Employment Area, to ensure that there are sufficient opportunities for small and mid-sized businesses, either through subdivision of larger sites (e.g., sites of ten acres and larger) industrial sites or through the development of some larger sites for many small businesses in one or more shared building.

- **Sherwood has a 38-acre deficit of land for commercial and retail uses.** Some of this land deficit may be accommodated in the Tonquin Employment Area, which is expected to accommodate about 380 commercial employees and which would address 15 to 19 acres of this deficit. The Brookman Annexation Area is also expected to designate about 15 acres of land for commercial and retail uses. The City will need to identify opportunities address the remaining deficit, through policies that encourage infill or redevelopment of existing commercial land or through redesignating land to commercial uses.
- **Sherwood will need to address key infrastructure needs in the City and in the development of the Tonquin Employment Area.** Transportation issues currently present barriers to business locating or expanding in Sherwood due to congestion and limited access to the major road networks. Additionally, the implementation of infrastructure development of the Tonquin Employment Area needs to be addressed to retain and attract the businesses and targeted industries in Sherwood’s economic development policies.
- **Sherwood will need to continue to provide flexibility in its development code to provide opportunities for growing and developing businesses that both provide services and are related to manufacturing businesses.** The line between commercial businesses (i.e., businesses that locate in an office space in downtown) and industrial businesses is blurring. Many of the types of business with growth potential in Sherwood have characteristics (and site needs) of both office businesses and industrial businesses, such as scientific and technical and engineering services for Clean Tech or design services for Athletics and Outdoors. Businesses in these industries produce traded-sector goods. They may prefer not to locate in traditional downtown office spaces, but their activities are not consistent with the traditional manufacturing activities allowed in industrial areas either.

The following are ECONorthwest’s recommendations to Sherwood based on the analysis and conclusions in this report.

- **Update the Economy Element of the Comprehensive Plan.** The Economy Element has not been updated in more than a decade. We recommend that the Planning Commission and City Council review the revised policies in the Sherwood Economic Development Strategy and, after making additional necessary revisions to the policies, adopt the revised goals, objectives, and implementation strategies into the Economy Element.
- **Align the City's goals for economic development with planning for infrastructure development.** Aside from ensuring that there is sufficient land to support employment growth, one of the most important ways that the City can support economic development is through planning for and developing infrastructure (e.g., roads, water, sanitary sewer, and storm water systems). We recommend that the City align its goals for economic development with infrastructure development through updates to the City’s Capital Improvements Plan.

Providing infrastructure in the TEA is necessary to allow employment growth to occur in the TEA. Without infrastructure, much of the TEA will remain undeveloped.

- **Identify opportunities to support the creation, growth, development, and retention of businesses in Sherwood.** Retention and expansion of new and existing businesses, including those that create destinations and experiences for residents and visitors, is one of Sherwood's key opportunities for economic growth. The City can support businesses by understanding businesses' opportunities for growth and expansion and lowering or eliminating the barriers in Sherwood that limit growth and expansion. Some barriers are beyond control of the City, such as access to capital. An example of this type of opportunity is the development of Sherwood's first semiconductor manufacturer in Cipole Industrial Park, along with warehousing and distribution facilities.
- **Work with partners to develop a broad economic development strategy for Sherwood.** The revisions to the Comprehensive Plan presented in the Sherwood Economic Development Strategy focus on land-based policies and actions. The city also needs a broader strategy for economic development that focuses on issues such as communication with existing businesses to identify barriers to expansion, economic development, marketing of Sherwood's businesses and business opportunities, building business and other partnerships, and coordinating economic development efforts with local and regional economic development organizations.

This strategy could be developed through leadership from the city leadership and city staff, with one or more staff members responsible for developing and implementing policies to encourage economic growth. The strategy should identify a focused list of actions that the City Council wants to achieve over a limited time period (e.g., 5 years), with specific assignments to partners and identification of funding sources to implement the actions.

- **Monitor and replenish the total and short-term supply of commercial and industrial land on a regular, periodic basis.** The buildable lands inventory identifies the existing development status of employment land in Sherwood, as well as identifies the existing short-term land supply. While Sherwood will not completely update the buildable lands inventory on an annual basis, City staff should still monitor the development status of these employment lands and replenish short-term supply when possible.
- **Support infill and redevelopment of existing commercial and industrial land.** The buildable lands inventory identifies areas where infill and redevelopment are more probable over the 20-year planning period. Other opportunities for redevelopment may become apparent in the future. We recommend that the city support and encourage infill and redevelopment to make the most efficient use of employment land in Sherwood. The types of tools that the city offers in support of infill and redevelopment should be consistent with the city's development goals. In areas where the city wants to encourage higher intensity development, such as in Old Town, the city should offer more support for redevelopment, including financial and regulatory redevelopment incentives.

# Appendix A. Buildable Lands Inventory

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The buildable lands inventory is intended to identify commercial and industrial lands that are available for development for employment uses within the Sherwood City Limits, Tonquin Employment Area, and Brookman Annexation Area. The inventory is sometimes characterized as *supply* of land to accommodate anticipated employment growth. Population and employment growth drive *demand* for land. The amount of land needed depends on the type of development and other factors.

This chapter presents results of the commercial and industrial buildable lands inventory for the City of Sherwood. The results are based on additional analyses of Metro’s 2018 BLI completed by ECONorthwest and reviewed by City staff. The remainder of this chapter summarizes key findings of the draft buildable lands inventory. This chapter includes tabular summaries, maps, and narrative descriptions.

## Methodology

The general structure of the buildable land (supply) analysis is based on the methods used for Metro’s buildable lands inventory included with the 2018 Urban Growth Report, Appendix 2.<sup>77</sup> ECONorthwest used GIS data with the Metro BLI as a starting point for determining buildable employment land in Sherwood. The buildable lands inventory uses methods and definitions that are consistent with OAR 660-009 and OAR 660-024. The steps in the inventory were:

- Generate employment “land base.” This involved “clipping” the tax lots in the Sherwood City Limits, Tonquin Employment Area, and Brookman Annexation Area that were designated as employment lands in the Metro BLI<sup>78</sup> and intersecting them with the comprehensive plan layer. The GIS function was followed by a quality assurance step to review the output and validate that the resulting dataset accurately represents all lands designated for employment use in the Sherwood City Limits, Tonquin Employment Area, and Brookman Annexation Area.
- Classify lands. Each tax lot was classified into one of the following categories, using Metro’s classification system as a starting point and reviewed by City staff:
  - Vacant land
  - Potentially redevelopable land<sup>79</sup>

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<sup>77</sup> Appendix 2 Buildable Lands Inventory, 2018 Urban Growth Report (Discussion draft). Metro. June 2018. [https://www.oregonmetro.gov/sites/default/files/2018/07/03/UGR\\_Appendix2\\_Buildable\\_Lands\\_Inventory.pdf](https://www.oregonmetro.gov/sites/default/files/2018/07/03/UGR_Appendix2_Buildable_Lands_Inventory.pdf)

<sup>78</sup> Metro defined employment land by zone as “ZONE\_GEN in ('COM','IND','MUR').”

<sup>79</sup> Metro used a “strike-price method” to determine redevelopment potential for each tax lot. A full description of the method is available in the 2018 Urban Growth Report:

[https://www.oregonmetro.gov/sites/default/files/2018/07/03/UGR\\_Appendix2\\_Buildable\\_Lands\\_Inventory.pdf](https://www.oregonmetro.gov/sites/default/files/2018/07/03/UGR_Appendix2_Buildable_Lands_Inventory.pdf).

- Developed or exempt land
- Identify constraints. The City identifies areas in steep slopes (over 15%), landslide hazard areas, wetlands, public facilities, floodways, Title 3 stream and floodplain protection areas, and Title 13 riparian corridors and upland habitats. These areas are deducted from lands that were identified as vacant or potentially redevelopable. To estimate the constrained area within each tax lot, all constraints listed above were merged into a single constraint file, which was overlaid on tax lots.<sup>80</sup>
- Evaluate redevelopment potential. According to statewide planning rules, redevelopable land is land on which development has already occurred, but on which, due to present or expected market forces, there is potential that existing development will be converted to more intensive uses during the planning period. Lands determined to be redevelopable have been categorized as “potentially redevelopable” for the purpose of this analysis.<sup>79</sup>
- Tabulation and mapping. The results are presented in tabular and map formats with accompanying narratives. The maps include lands by classification and maps of vacant and partially vacant lands with constraints.

## Definitions

Metro developed the buildable lands inventory with a tax lot database from RLIS. The tax lot database is current as of March 2018. The inventory builds from the database to estimate buildable land by plan designation. A key step in the buildable lands inventory was to classify each tax lot into a set of mutually exclusive categories. Metro classified all tax lots in Sherwood into one of the following categories:

- *Vacant land.*<sup>81</sup> Any tax lot that is “fully vacant (Metro aerial photo)”; or “with less than 2,000 sq. ft. developed AND developed part is under 10% of entire tax lot”; or that is “95% or more ‘vacant’ from the GIS vacant land inventory.”
- *Potentially redevelopable land.*<sup>82</sup> For tax lots that were not classified vacant or exempt, Metro included all other employment land tax lots in the strike-price model. Tax lots with a value greater than zero in the “net\_emp\_acres\_strike\_price” field in the Metro BLI GIS layer were considered to have redevelopment potential. The value in that field for each tax lot is the number of acres that is potentially redevelopable, not including

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<sup>80</sup> Net buildable acreage for taxlots designated as “potentially redevelopable” was determined using the “net\_emp\_strike\_price” field from the Metro 2018 BLI. This field already factors in constrained area, thus ECONorthwest did not deduct constrained area from this number. For taxlots designated as “vacant,” we calculated the constrained area of the taxlot and subtracted the constrained area from the total taxlot area.

<sup>81</sup> Appendix 2 Buildable Lands Inventory, 2018 Urban Growth Report (Discussion draft). Metro. June 2018. p. 20. [https://www.oregonmetro.gov/sites/default/files/2018/07/03/UGR\\_Appendix2\\_Buildable\\_Lands\\_Inventory.pdf](https://www.oregonmetro.gov/sites/default/files/2018/07/03/UGR_Appendix2_Buildable_Lands_Inventory.pdf).

<sup>82</sup> Appendix 2 Buildable Lands Inventory, 2018 Urban Growth Report (Discussion draft). Metro. June 2018. [https://www.oregonmetro.gov/sites/default/files/2018/07/03/UGR\\_Appendix2\\_Buildable\\_Lands\\_Inventory.pdf](https://www.oregonmetro.gov/sites/default/files/2018/07/03/UGR_Appendix2_Buildable_Lands_Inventory.pdf)

constrained acres. Tax lots with a “net\_emp\_acres\_strike\_price” value of zero were considered developed.

- *Developed land.*<sup>83</sup> Tax lots with a “net\_emp\_acres\_strike\_price” value of zero were considered developed.
- *Exempt land.*<sup>84</sup> Land that is classified as either, “tax exempt with property codes for city, state, federal and Native American designations; schools; churches and social organizations; private streets; rail properties; tax lots under 1,000 sq. ft. (0.023 gross acres); parks, open spaces and where possible private residential common areas.” Metro used GIS data and Assessor’s data to determine the status of exempt land. ECONorthwest included all tax lots classified as exempt land in the developed land tabular and mapping information, but these tax lots can still be distinguished in the GIS data layer.

ECONorthwest initially classified land using Metro’s categories and generated maps for City staff to review. City staff had previously reviewed Metro’s analysis for Sherwood, but there were a few updates to tax lots that had redeveloped since that review. ECONorthwest adjusted the classification accordingly and noted manual changes in the GIS data layer.

## Development constraints

The physical constraints used in the Sherwood buildable lands inventory include: areas subject to landslides, areas with slopes greater than 15%,<sup>85</sup> lands within the 100-year flood plain, Metro’s Title 3 land (including Water Resource Conservation Areas), lands within Metro’s Title 13 Habitat Conservation Areas (Class I and II, A and B), Wetlands, and public facilities.

## Land base

Table 20 summarizes all land included in the employment land base (e.g., lands with plan designations that allow employment). ECONorthwest used this land base in the buildable lands analysis for Sherwood. The land base includes traditional employment designations with Sherwood’s city limits—Commercial and Industrial—along with land designated for future development in the Tonquin Employment Area and Brookman Annexation Area as of May 2018. According to Metro RLIS data, within Sherwood’s city limits there are about 171 acres in 134 tax lots with a commercial plan designation, and about 478 acres in 115 tax lots with an industrial plan designation. The Tonquin Employment Area is located on the eastern edge of

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<sup>83</sup> Appendix 2 Buildable Lands Inventory, 2018 Urban Growth Report (Discussion draft). Metro. June 2018. [https://www.oregonmetro.gov/sites/default/files/2018/07/03/UGR\\_Appendix2\\_Buildable\\_Lands\\_Inventory.pdf](https://www.oregonmetro.gov/sites/default/files/2018/07/03/UGR_Appendix2_Buildable_Lands_Inventory.pdf)

<sup>84</sup> Appendix 2 Buildable Lands Inventory, 2018 Urban Growth Report (Discussion draft). Metro. June 2018. pp. 20-21. [https://www.oregonmetro.gov/sites/default/files/2018/07/03/UGR\\_Appendix2\\_Buildable\\_Lands\\_Inventory.pdf](https://www.oregonmetro.gov/sites/default/files/2018/07/03/UGR_Appendix2_Buildable_Lands_Inventory.pdf).

<sup>85</sup> Metro’s calculation of constrained area for employment land includes slopes greater than 25%. Lands for commercial and industrial uses are typically developed on slopes no greater than 15%, so we used an “erase” function in GIS to determine any constrained areas that were not included in Metro’s calculation of constrained area. These additional constraints were subtracted from the “net\_emp\_strike\_price” value for tax lots designated as “potentially redevelopable,” and included in the total constraints layer and subtracted from the total area for tax lots designated as “vacant.”

Sherwood’s city limits and is in the Metro UGB. It has about 282 acres in 25 tax lots. The Brookman Annexation Area, also within the Metro UGB, is located southwest of Sherwood’s city limits. It has about 25 acres designated for employment land in 4 tax lots.

**Table 20. Acres in Sherwood City Limit, Tonquin, and Brookman, 2018<sup>86</sup>**

Plan Designation/Area	Tax Lots	Total Acres
Commercial	134	171
Industrial	115	478
Tonquin	25	282
Brookman	4	25
<b>Total</b>	<b>278</b>	<b>956</b>

Source: Metro RLIS, 2018 BLI, & ECONorthwest analysis.

The next step in the inventory was to classify lands into mutually-exclusive categories that relate to their development status. The categories include:

- Vacant land
- Potentially redevelopable land
- Developed land
- Except land

ECONorthwest used the rules described in the prior section to perform a preliminary classification, based on Metro’s previous analysis. The next step was to show the results in map form for City staff to review and suggest changes. ECONorthwest completed the manual classification changes, as noted in the GIS data layer.

Table 21 shows commercial and industrial land in Sherwood by classification (development status). The results show that Sherwood has 956 total acres in commercial and industrial plan designations. Of the 956 acres in the UGB, about 474 acres (50%) are in classifications with no development capacity, 233 acres (24%) are constrained and 249 acres (26%) are buildable land with development capacity.

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<sup>86</sup> The original land base included 277 tax lots. The final version includes 278 tax lots, because City staff requested to split a tax lot in the Tonquin Employment Area into two tax lots. One tax lot is the planned water treatment plant, which was considered developed in the BLI, and the other remained designated as “vacant.” In addition, the “Langer Farms site” was originally included in the BLI with the northern portion of the site as potentially redevelopable and counted in the unconstrained buildable acreage. In the current version, the entire tax lot was classified as vacant after discussion with City staff about the development of the Fun Center and retail/commercial shopping plaza on the remainder of the site.

**Table 21. Employment acres by classification and plan designation, Sherwood City Limits, Tonquin, and Brookman Annexation Area, 2021**

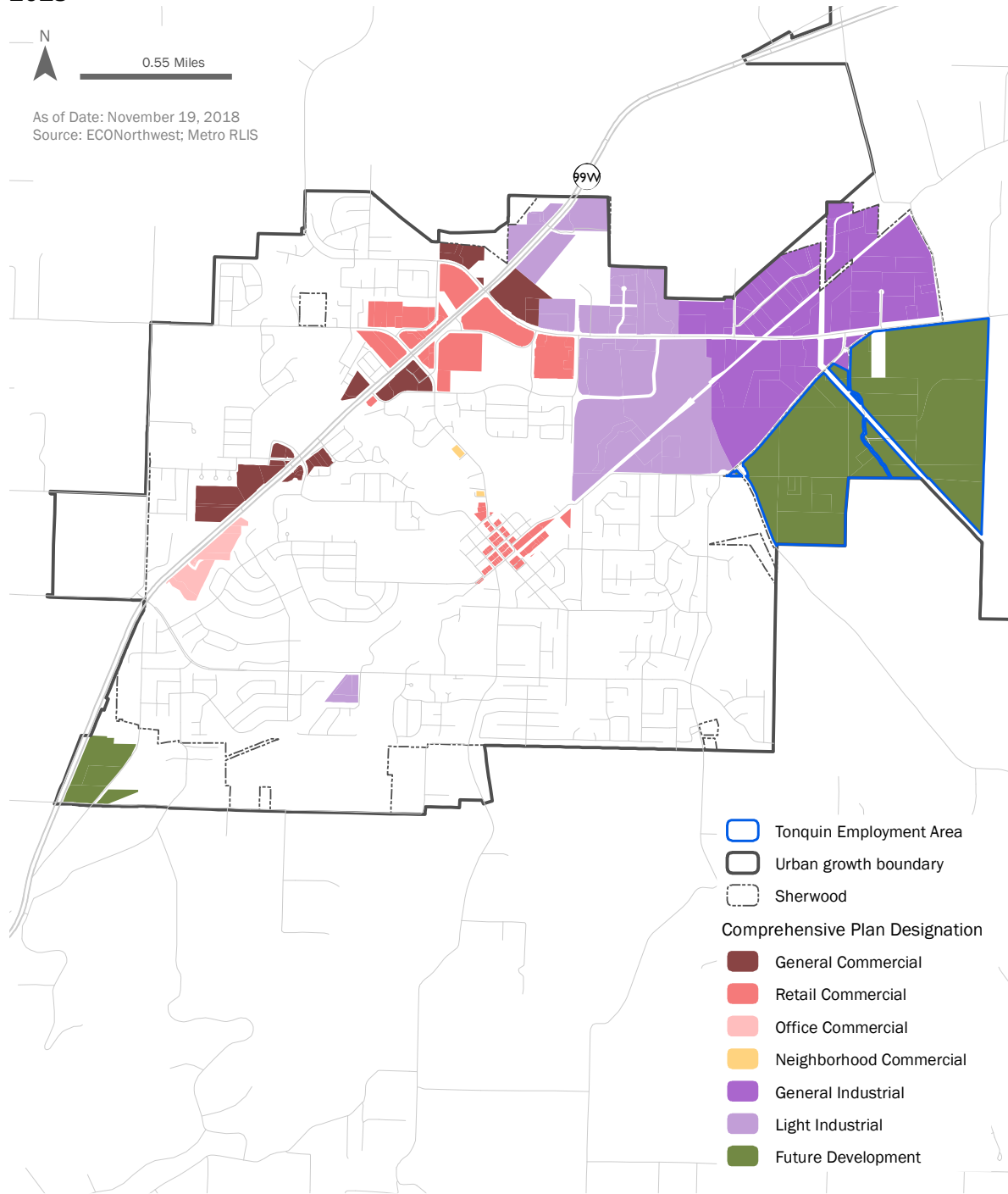
Plan Designation	Tax Lots	Total Acres	Acres with No		Total
			Development Capacity	Constrained Acres	Unconstrained Buildable Acres
<b>Commercial</b>	<b>134</b>	<b>171</b>	<b>119</b>	<b>27</b>	<b>25</b>
General Commercial	31	62	38	10	14
Neighborhood Commercial	2	1	1	0	0
Office Commercial	11	16	6	5	5
Retail Commercial	90	92	74	12	6
<b>Industrial</b>	<b>115</b>	<b>478</b>	<b>290</b>	<b>91</b>	<b>97</b>
General Industrial	66	238	158	19	61
Light Industrial	49	240	132	72	36
<b>Tonquin</b>	<b>25</b>	<b>282</b>	<b>62</b>	<b>111</b>	<b>110</b>
Future Development	25	282	62	111	110
<b>Brookman</b>	<b>4</b>	<b>25</b>	<b>3</b>	<b>4</b>	<b>18</b>
Future Development	4	25	3	4	18
<b>Total</b>	<b>278</b>	<b>956</b>	<b>474</b>	<b>233</b>	<b>249</b>
<b>Percent of Total</b>		<b>100%</b>	<b>50%</b>	<b>24%</b>	<b>26%</b>

Source: Metro RLIS, 2018 BLI, & ECONorthwest analysis.

Map 2 shows commercial and industrial land in Sherwood by plan designation.



**Map 2. Map of employment land by classification, Sherwood City Limits, Tonquin, and Brookman, 2018**



## Vacant buildable land

The next step in the commercial and industrial buildable land inventory was to net out portions of vacant tax lots that are unsuitable for development. Areas unsuitable for development fall into three categories: (1) developed areas of partially vacant tax lots, (2) areas with service constraints (5 tax lots within the UGB east of I-5 have no access to infrastructure such as water and sewer), (3) areas with physical constraints (areas with wetlands, floodways, riparian setback areas and steep slopes).

Table 22 shows unconstrained buildable acres for vacant and potentially redevelopable land by plan designation. The results show that Sherwood has about 249 net buildable acres in commercial and industrial plan designations. Of this, 10% (25 acres) is in the commercial designations, 39% (97 acres) is in industrial designations, and 51% (127 acres) is designated as future development in the Tonquin Employment Area and Brookman Annexation Area.

**Table 22. Employment land with unconstrained development capacity (Vacant, Potentially Redevelopable) by plan designation, Sherwood City Limits, Tonquin, and Brookman, 2021**

Plan Designation	Unconstrained Vacant Acres	Unconstrained Potentially Redevelopable Acres	Total Unconstrained Buildable Acres
<b>Commercial</b>	<b>11</b>	<b>14</b>	<b>25</b>
General Commercial	5	8	13
Office Commercial	4	1	5
Retail Commercial	2	5	7
<b>Industrial</b>	<b>31</b>	<b>66</b>	<b>97</b>
General Industrial	17	44	61
Light Industrial	14	22	36
<b>Tonquin</b>	<b>23</b>	<b>86</b>	<b>109</b>
Future Development	23	86	109
<b>Brookman</b>	<b>0</b>	<b>18</b>	<b>18</b>
Future Development	0	18	18
<b>Total</b>	<b>65</b>	<b>184</b>	<b>249</b>
<b>Percent of Total</b>	<b>26%</b>	<b>74%</b>	<b>100%</b>

Source: Metro RLIS, 2021 BLI, & ECONorthwest analysis.

Map 3 shows commercial and industrial land in Sherwood by development status with development constraints.

**Map 3. Map of employment land by classification with development constraints, Sherwood City Limits, Tonquin, and Brookman, 2021**

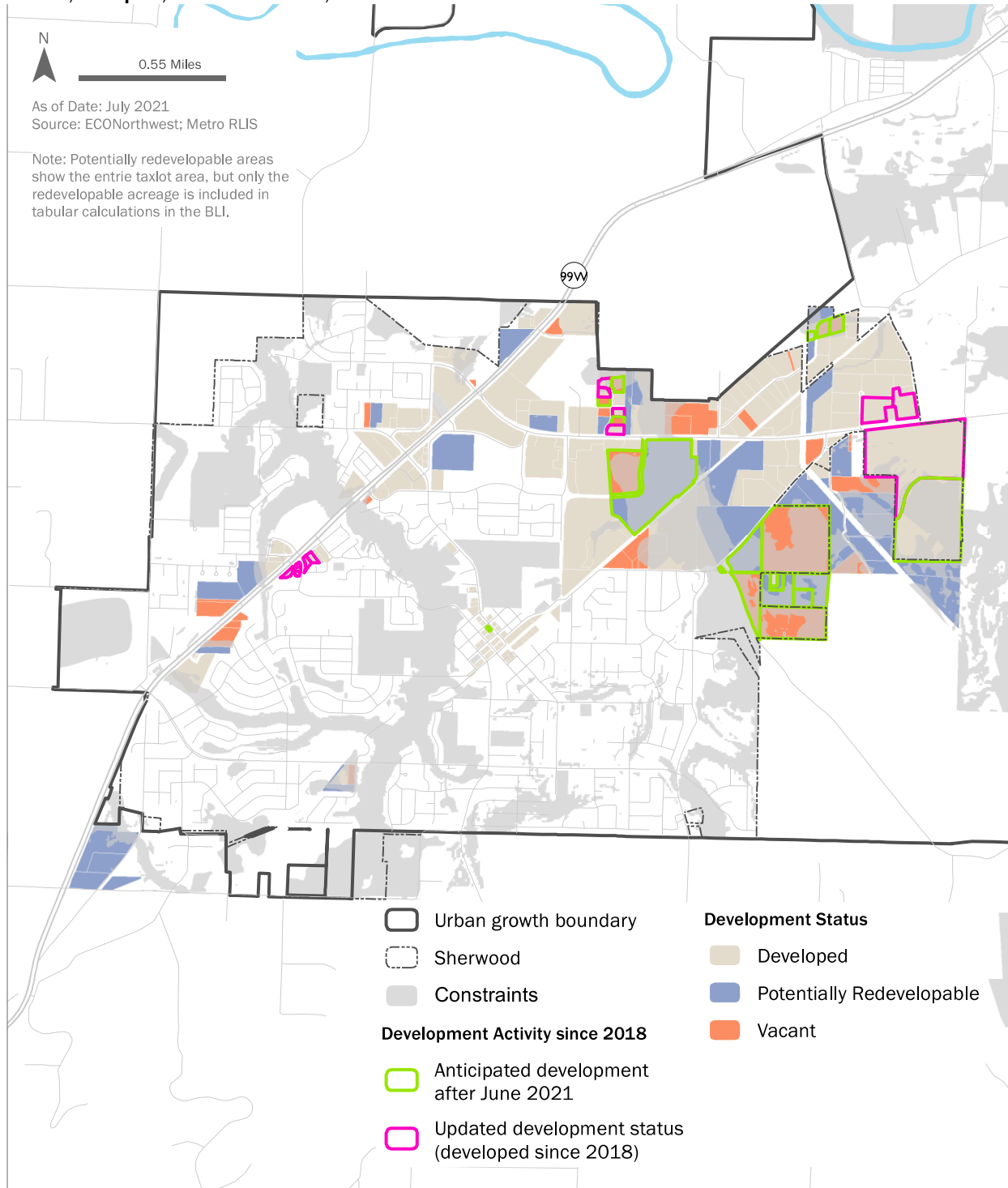


Table 23 shows the size of lots by plan designations for buildable employment land. Sherwood has 30 lots that are smaller than 2 acres (with 25 acres of land). Sherwood has 37 lots between 2 and 10 acres (183 acres of land) and 3 lots between 10 and 50 acres in size (42 acres of land).

**Table 23. Lot size by plan designation, buildable acres, Sherwood City Limits, Tonquin, and Brookman, 2021**

Plan Designation	Buildable Acres in Tax Lot				
	<1	1 - 1.99	2 - 4.99	5 - 9.99	10 - 49.99
<b>Acres</b>					
<b>Commercial</b>	<b>3</b>	<b>4</b>	<b>13</b>	<b>5</b>	<b>0</b>
General Commercial	1	0	7	5	0
Neighborhood Commercial	0	0	0	0	0
Office Commercial	2	1	3	0	0
Retail Commercial	0	3	3	0	0
<b>Industrial</b>	<b>6</b>	<b>7</b>	<b>29</b>	<b>13</b>	<b>42</b>
General Industrial	1	3	14	13	30
Light Industrial	5	4	15	0	12
<b>Tonquin</b>	<b>2</b>	<b>3</b>	<b>16</b>	<b>89</b>	<b>0</b>
Future Development	2	3	16	89	0
<b>Brookman</b>	<b>0</b>	<b>0</b>	<b>11</b>	<b>7</b>	<b>0</b>
Future Development	0	0	11	7	0
<b>Subtotal</b>	<b>11</b>	<b>14</b>	<b>69</b>	<b>114</b>	<b>42</b>
<b>Taxlots</b>					
<b>Commercial</b>	<b>6</b>	<b>3</b>	<b>4</b>	<b>1</b>	<b>0</b>
General Commercial	2	0	2	1	0
Neighborhood Commercial	0	0	0	0	0
Office Commercial	2	1	1	0	0
Retail Commercial	2	2	1	0	0
<b>Industrial</b>	<b>11</b>	<b>5</b>	<b>10</b>	<b>2</b>	<b>3</b>
General Industrial	3	2	5	2	2
Light Industrial	8	3	5	0	1
<b>Tonquin</b>	<b>3</b>	<b>2</b>	<b>4</b>	<b>12</b>	<b>0</b>
Future Development	3	2	4	12	0
<b>Brookman</b>	<b>0</b>	<b>0</b>	<b>3</b>	<b>1</b>	<b>0</b>
Future Development	0	0	3	1	0
<b>Subtotal</b>	<b>20</b>	<b>10</b>	<b>21</b>	<b>16</b>	<b>3</b>

Source: Metro RLIS, 2021 BLI, & ECONorthwest analysis.

The data in Table 23 show that Sherwood has no commercial sites larger than 10 acres within the city limits. Sherwood does, however, have industrial sites larger than 10 acres (a total of 42 acres). In addition, the Tonquin Employment Area has 12 sites between 5 and 10 acres and no sites larger than 10 acres. The Brookman Annexation Area has 3 sites between 2 and 5 acres and 1 site between 5 and 10 acres.