

PLANNING DEPARTMENT

App. Submitted:	December 5, 2024
App. Complete:	August 29, 2025
120-Day Deadline:	December 27, 2025
60-Day Extension:	February 25, 2026
30-Day Extension:	March 27, 2026

Proposal: An application for a Type II – Minor Land Partition to create three (3) parcels approximately 0.502 (Parcel 1), 0.161 (Parcel 2), and 0.227 (Parcel 3) acres in size. The subject parcel, prior to partitioning, is ± 1.35-acres in size, zoned Low Density Residential (LDR), and located at 15379 SW Sunset Boulevard (Washington County Assessor’s Map and Tax Lot 2S132DC13400).

I. BACKGROUND

Applicant

Mark Cottle
15379 SW Sunset Boulevard
Sherwood, OR 97140

Owner

Cottle Suzette B
15379 SW Sunset Boulevard
Sherwood, OR 97140

- A. **Location:** 15379 SW Sunset Boulevard (Washington County Assessor’s Map and Tax Lot 2S132DC13400).
- B. **Parcel Size:** ± 1.35-acres in size
- C. **Existing Development and Site Characteristics:** The subject parcel, prior to partition, has approximately 18-feet 6-inches of frontage along SW Sunset Boulevard. An existing single-family home is located on ‘Parcel 1’ and is proposed to remain, including associated amenities (i.e. sports court & pool area).
- D. **History and Background:**
The subject parcel was annexed into the City of Sherwood between 1960-1969. An Access and Utility Easement (Washington County Doc. No. 81-030331) was established in 1981. A Sanitary Drain Field Easement (Washington County Doc. No. 92-72674) was established within the flag portion of the subject property in 1992. The following land use decisions are associated with the subject proposal:
- MLP 98-6: a request for a two (2) lot Minor Land Partition.
 - MLP 99-02: a request for a two (2) lot Minor Land Partition.
- E. **Comprehensive Plan Land Use Designation and Zoning Classification:** The property is designated for residential uses and zoned Low Density Residential (LDR).
- F. **Adjacent Zoning and Land Use:**
- West: Institutional Public - IP
 - South: Low Density Residential-LDR
 - East: Low Density Residential - LDR
 - North: Across SW Sunset Boulevard, Low Density Residential - LDR
- G. **Review Type:** Type II – Minor Land Partition (creation of 3 or fewer lots within 1 calendar year). Findings pertaining to this review type categorization are further detailed in this report.
- H. **Public Notice:** Notice of this land use application was posted on the subject site, mailed to property owners within 1,000 feet of the property, and at five conspicuous locations throughout the city on September 12, 2025. A second public was mailed to property owners within 1,000 feet on December 12, 2025. No changes to the proposal occurred between both notices. All noticing was conducted in accordance with Section 16.72.0120 of the Sherwood Zoning and Community Development Code.
- I. **Review Criteria:** Required findings for site plan review are listed in Sherwood Zoning and Community Development Code: Chapter 16.12 – Residential Land Use Districts; Chapter 16.58 – Vision Clearance and Fence Standards; Chapter 16.60 – Yard Requirements; Chapter 16.70 – General Provisions; Chapter 16.72 – Procedures for Processing Development Permit; Chapter 16.94 – Off-Street Parking and Loading; Chapter 16.96 – On-Site Circulation; Chapter 16.104 – General Provisions; Chapter 16.106 – Transportation Facilities; Chapter 16.110 – Sanitary Sewers; Chapter 16.112 – Water Supply; Chapter

16.114 – Storm Water; Chapter 16.118 – Public and Private Utilities; Chapter 16.122 – Land Partitions; Chapter 16.128 – Land Division Standards; Chapter 16.140 - Parks, Trees, and Open Spaces.

II. PUBLIC COMMENTS

Public notice was mailed, posted on site, and posted in five locations throughout the city on or before September 12, 2025. Nine (9) public comments were received during this comment period. A second public was mailed to property owners within 1,000 feet on December 12, 2025. Two (2) additional public comments were received. All comments prior to the release of this Notice of Decision are addressed below:

1. Andree N. Phelps, on behalf of Tim & Lori Baugus – dated April 3, 2025 (**Attachment M, Appendix A**). Expressed concerns related to the following:

- A. *“Subject Property does not have legal access to a public road via the Access Easement because the Access Easement does not benefit the subject property.”*

Staff Response: Proposed ‘Parcel 1’ will retain use of the existing driveway and easement which was dedicated under a Land Sale Contract in 1981 (Washington County Doc. No. 81-030331 – **Attachment H**). Proposed Parcels 2 and 3 will be served by a new temporary driveway along the western property line of Tax Lot 13400. The applicant will be required to record a new “Access and Utility Easement” for these lots and is conditioned in subsequent sections of this report.

- B. *“The width of existing Access Easement may not be expanded beyond its current width of 10 feet; therefore, the applicant cannot meet the criteria requiring a 20-foot-wide access road.”*

Staff Response: Sherwood Municipal Code (SMC) Section 16.96.050 provide standards for private residential driveways. Subsection A requires an improved hard surface with a minimum width of 10 ft. and maximum width of 24 ft. The new temporary driveway within the flag portion of Tax Lot 13400 meets this standard.

In addition, the City’s Engineering Design and Standard Details Manual Section 210.17 - *Private Streets, Parking Lots, and Common Driveways* states:

“For a driveway or private street serving more than three single-family homes, the required hard surface shall have a minimum unobstructed width of 20 feet. An easement or similar dedication shall be provided to assure maintenance of the required unobstructed width.”

Proposed Parcel 1 will take access from the existing driveway while proposed Parcels 2 and 3 will take access from a new 12 ft. wide driveway serving only two lots.

- C. *“Underground utilities may not be sited outside of the current width of the Access Easement.”*

Staff Response: Staff concurs that the existing easement pursuant to Document No. 81-030331 does not permit widening without consent of the underlying and affected property owners. The applicant has been conditioned to obtain necessary approvals and easements prior to recording of the plat for all utilities necessary to serve the proposed development.

D. Stormwater Swales may not be sited on 'Parcel 1' and 'Parcel 2.'

Staff Response: The most recent proposed plans, submitted August 29, 2025, do not detail a stormwater swale sited on either 'Parcel 1' or 'Parcel 2.' The preliminary plan shows a proposed public sanitary sewer line within the flag portion of the subject property along with a proposed public storm sewer. This is further described and conditioned under Chapter 16.110 – Sanitary Sewers.

E. "Sanitary Easement is not required by state law to be 'abandoned,' the Sanitary Easement is in use, and there is no agreement to abandon the Sanitary Easement."

Staff Response: The applicant submitted plans (Attachment A, Appendix F: Sheet 008) detailing both a septic trench and septic box serving a northern parcel, identified under Tax Lot 13700, within the flag portion of Tax Lot 13400. The applicant's narrative states the following,

"Individual sanitary sewer laterals are designed and will be constructed to serve all three parcels and Parcel 1 will abandon its septic system according to State requirements once development applications for lots 2 & 3 are made."

As further described within this staff report and the Engineering Memorandum, dated September 23, 2025 (Rev. January 5, 2026), the applicant is conditioned to obtain permission from the owners of the septic system to remove/abandon the system to construct the proposed public utilities. If permission is not granted, the system cannot be abandoned by the applicant and the plat could not be recorded.

2. Joel White– dated May 29, 2025 & September 16, 2025 (**Attachment M, Appendix B-C**). Expressed concerns related to the following:

1. Required access width for emergency access by Tualatin Valley Fire & Rescue (TVFR).

"In his response letter to the conditions specifically in regards to item three on transportation where he has said that TVF&R has approved a 20-foot road through his property to access the two new potential lots on his property. His flag lot is only 18.5 feet wide. Meaning he would need either our property or the other neighbor's property to make this happen. I wanted to be clear that we do not have any intentions to allow our property to be used to expand his property nor do we have any plans to sell him a portion of our property to make this happen."

Staff Response: The applicant submitted revised development plans displaying adequate fire and emergency access circulation can be achieved without requiring additional widening of the existing driveway or necessitating additional land acquisition to meet the minimum width standards. Tualatin Valley Fire and Rescue has confirmed via email (Attachment E), dated December 31, 2025, that the latest plans meet agency standards. The applicant has been conditioned to provide an updated TVF&R Service Provider Letter prior to Final Plat.

B. Existing Septic Easement and Necessary Infrastructure Encroachment.

"My concern is that if they are trying to work around that septic easement that they will need to access our property and go on our property line to install a road large enough."

Staff Response: The City cannot authorize construction, access, or other development activities

on neighboring properties without the property owner's consent. The applicant has been conditioned throughout this report to obtain necessary property owner consent where required to complete the proposed development.

C. Remove of Trees on Abutting Properties.

"We do not plan to remove any trees on our property line as it creates a barrier between our space and theirs. We also do not plan to allow any access from our property for the development of land next to ours."

Staff Response: The land use decision does not authorize the applicant to access or remove trees on neighboring properties without permission. Trees that are located on a property line are shared, and consent of all affected property owners is required prior to removal.

3. Tim Baugus– dated May 21, 2025 (**Attachment M, Appendix D**). Expressed concerns related to the following:

A. Development of improvements on abutting properties.

"...any comments made by Mr. Cottle regarding him persuading me to provide easements, eliminate my easements on his property, allow existing easements to be expanded, or to convey any of my property to him are false..."

Staff Response: The City cannot authorize construction, access, or other development activities on neighboring properties without the property owner's consent. To ensure compliance with applicable regulations, the staff report includes conditions of approval requiring the applicant to obtain the necessary rights for any proposed encroachment or revise the development plan so that all improvements are fully contained within the boundaries of the subject property. Approval of this application does not grant permission to use or modify any adjacent property unless such rights are verified in accordance with the conditions included in the staff report. If the necessary permission for affected property owners cannot be obtained, the plat cannot be recorded.

4. Tim Baugus– dated September 25, 2025 (**Attachment M, Appendix E**). Expressed concerns related to the following:

A. *"This proposed development requires Mr. Cottle to obtain our approval to widen the current driveway easement across our property from 10 feet to 12 feet wide. We will not grant approval for the encroachment on our property. Any attempt to build or widen a road on our land would diminish our property's value and interfere with our quiet enjoyment."*

Staff Response: While the plans have since been revised to not require widening of the existing driveway, certain elements of the proposal do require permission from neighboring properties. This includes abandonment of a septic system and establishment of public utility easements. The land use decision does not require affected owners to consent to any proposal by the applicant. If the applicant does not obtain necessary permissions from affected property owners, the plat cannot be recorded.

B. *"This proposed development requires us to remove our septic easement on his flag property to allow him to build a new driveway. We will not agree to remove our septic system, nor will we relinquish our easement on his property."*

Staff Response: Staff concurs that the proposal requires the septic system benefitting Tax Lot 13700 to be abandoned in order to be implemented. At the same time, this land use decision does not require the owner of Tax Lot 13700 to consent to that action, nor does it provide the applicant the right to abandon the system on their own. If permission is not granted by the owner of Tax Lot 13700 to abandon the system and re-connect to the public sewer line in conformance with current city standards, the partition plat cannot be recorded.

C. *“We oppose Mr. Cottle’s request to expand the driveway curb cut along SW Sunset Boulevard to approximately 59 feet in width, connecting their proposed [partition] driveway with the current existing driveway apron. This proposal directly affects our property and the safety, character, and livability of our neighborhood...”*

Staff Response: Driveways are subject to SMC Section 16.96.050 as well City’s Engineering Design and Standard Details Manual. Driveways serving a single-family residence are limited to 24 ft. in width. Driveway curb cuts may be combined to serve more than one driveway serving single-family lots. As discussed in the Engineering Department comments and the findings under SMC 16.96.050, the applicant would be required to obtain permission from the owner of Tax Lot 13600 to construct a shared curb cut along SW Sunset Blvd that meets the standards of the code. As an alternative, the applicant may propose and apply for an engineering design modification to the access spacing standards for arterials, which requires a minimum of 300 ft. of spacing. This land use decision does not guarantee approval of the engineering design modification, which will be reviewed under applicable approval criteria.

5. Tim Baugus– dated May 7, 2025 (**Attachment M, Appendix F**). Expressed concerns related to the following:

A. Compliance with Applicable Standards implemented by Clean Water Service (CWS):

Staff Response: The comment throughout references Clean Water Services (CWS) codes and standards which are in part administered by the City of Sherwood. CWS has provided a memo in response to the applicant which is included as Attachment C. The applicant is required to obtain a stormwater authorization connection permit (SWACP) prior to recording the plat. Issuance of the SWACP indicates that the standards have been met, or that exceptions have been granted under the applicable exception procedures and approval criteria.

The City of Sherwood Engineering Department has reviewed the proposal and provided comments included as Attachment B. The comments acknowledge that permission from adjacent property owners may be required in order to meet CWS, City of Sherwood, and State of Oregon regulations related to storm water and sanitary sewer utilities. If the standards cannot be met, including as a result of needing property owner consent which cannot be obtained, the plat cannot be recorded, and the site cannot be developed.

6. Carl Aspin & Robin Aspin – dated September 26, 2025 (**Attachment M, Appendix G**). Expressed concerns related to the following:

A. Perceived Impacts on property values.

“This will severely impact on our property value. We bought this property for the large lot, the quiet environment and its future resale value. Accordingly, we invested significantly in improving the property.”

Staff Response: Staff acknowledge the concern regarding impacts to property value. However, land use decisions must be based on compliance with the applicable criteria adopted at the time of submittal, including Title 16 – Sherwood Zoning and Community Development Code, Engineering Design Standards Manual, Transportation System Plan, and other adopted state and local regulations. These criteria do not authorize staff to evaluate or regulate private property values or speculative economic effects.

B. Impacts on existing easement (Doc. No. 81-030331)

“This application will require Cottle to use the existing easement across our property (13500 parcel 2) to get traffic to these new lots causing disruption and impact to the peaceful environment that is imperative to our health. Robin needs mechanical assistance when walking and must undergo dialysis three times a week.”

Staff Response: ‘Parcel 1’ will retain use of the existing driveway’s *Access and Utility Easement* (Doc. No. 81-030331), while Parcel 2’ and ‘Parcel 3’ will be served by a new temporary driveway along the western property line of Tax Lot 13400; recordation of an “Access and Utility Easement” shall be required, as conditioned in subsequent sections of this report.

No additional impacts to the existing driveway are anticipated, as it will continue to serve the same number of lots as it presently accommodates.

C. Access onto the existing easement and fire truck turn-around on adjacent property

“Furthermore, we have not agreed to allow this easement across our property in order for Cottle to develop his property. The proposed development not only shows use of this easement for access, but Cottle is also creating a large fire truck turn around on our property without our permission. Cottle has not discussed this with us and we will not agree to allow such a development plan.”

Staff Response: The City cannot authorize construction, access, or other development activities on neighboring properties without the property owner’s legal consent. To ensure compliance with applicable regulations, the staff report includes conditions of approval requiring the applicant to either obtain the necessary legal rights for any proposed encroachment or revise the development plan so that all improvements are fully contained within the boundaries of the subject property. Approval of this application does not grant permission to use or modify any adjacent property unless such rights are verified in accordance with the conditions included in the staff report.

D. Installation of Utility Easements

“This application also requires a large sewer easement to be installed through our property which we will not give our permission to allow.”

Staff Response: No new utility lines are proposed or approved to extend onto or across any neighboring properties. As reinforced by the conditions of approval in the staff report, all required utilities must be contained entirely within the applicant’s property boundaries or within existing, legally established easements. Any encroachment onto adjacent properties would require separate legal authorization from the affected owner, and absent such documentation,

no utilities may be constructed outside the limits of the subject site.

E. Future Road Dedication

“The proposed city roadway on the East and South sides of our house will significantly impact access to our home, particularly for Robin. The elevation of the roadway at the Southeast corner of our home is too high to create this road, and if it is designed to current ADA standards, it would make our driveway so steep we would not be able to enter or exit our house. This roadway would also take a substantial amount of our land and come so close to our home it would become unlivable. We are highly opposed to this element of the City masterplan.”

Staff Response: A TSP is adopted through a formal public planning process that integrates technical analysis, community input, and local decision-making. The current TSP was adopted in 2014 and was developed with guidance from a Technical Advisory Committee (TAC) and a Citizen Advisory Committee (CAC), along with open houses, public comment periods, and hearings before the Planning Commission and City Council.

The applicant is only required to illustrate, at minimum, the future road and its conceptual connection to the broader transportation network. However, this proposal does not authorize any roadway construction at this time. Construction of the future road shall not commence until the abutting properties elect to redevelop and a full build-out connection becomes feasible, subject to nexus and proportionality findings. Additional findings and conditions are provided in Chapter 16.106 – Transportation Facilities of this staff report.

7. Erika Bushman– dated September 28, 2025 (**Attachment M, Appendix H**). Expressed concerns related to the following:

A. Easements and Access

“The current proposal is taking liberties with existing easements and accesses of which the Cottle’s do not have consent or permission by the impacted neighbors.”

Staff Response: As described in previous staff responses, proposed ‘Parcel 1’ will retain use of the existing driveway’s *Access and Utility Easement* (Doc. No. 81-030331). Proposed Parcel 2’ and ‘Parcel 3’ will be served by a new temporary driveway along the western property line of Tax Lot 13400; recordation of an “Access and Utility Easement” shall be required, as conditioned in subsequent sections of this report. The location of the easement described will be located entirely within the subject property. No additional setbacks for non-structures are required under *Title 16- Sherwood Zoning and Development Code* for similar abutting uses and zoning.

B. Future Road Impact to Adjacent Property’s

“The proposal also takes land away from the impacted neighbors with a new road dangerously close to existing structures, decreases land values and the property owner’s right to enjoy their property.”

Staff Response: As noted above, the City’s adopted TSP requires a local street connection in this area to serve future division of oversized lots. Planning for future local roads and circulation is essential for ensuring that larger undeveloped parcels can transition into well-connected neighborhoods as growth occurs. For larger parcels, conceptual street alignments provide a framework so that, as land develops, new streets can be integrated systematically rather than in

isolated segments.

No additional dedication is required beyond the parameters of this proposal. The applicant is only required to illustrate, at minimum, the future road and its conceptual connection to the broader transportation network. Construction of the future road shall not commence until the abutting properties elect to redevelop and a full build-out connection becomes feasible, subject to nexus and proportionality findings. Further findings and associated conditions of approval can be found under *Chapter 16.106 – Transportation Facilities* of this staff report.

8. Kayla Mitchell & Joshua Mitchell – dated September 28, 2025 (**Attachment M, Appendix I**). Expressed concerns related to the following:

A. Impact on a Religious Institution

“The proposed roadway would directly and detrimentally affect an existing house of worship. Religious institutions are recognized as protected uses under the Religious Land Use and Institutionalized Persons Act (RLUIPA, 42 U.S.C. §2000cc), the First Amendment of the U.S. Constitution, and Article I, Section 3 of the Oregon Constitution. Imposing a roadway across active church property creates a substantial burden on Crossridge’s ability to conduct ministry and serve its congregation. Under Sherwood Development Code (SDC) §16.12.010(A), development must be consistent with the City’s Comprehensive Plan and must protect existing uses. This proposal conflicts with that requirement by subordinating a protected use to private development interests.”

Staff Response: The subject property posed for development (Tax Lot 13400) is zoned Low Density Residential (LDR). The abutting property to the east (Tax Lot 1100), identified as Crossridge Church, is zoned Institutional and Public (IP) and identified accordingly within the submitted plan sets.

No additional dedication is required beyond the parameters of this proposal. The applicant is only required to illustrate, at minimum, the future road and its conceptual connection to the broader transportation network. The proposed alignment is one alternative among many, and the owners of Tax Lots 1100 will propose a final alignment of the local roadway at the time their property is redeveloped.

The Religious Land Use and Institutionalized Persons Act (RLUIPA, 42 U.S.C. § 2000cc) does not apply to this land use decision. RLUIPA is triggered only when a local government’s land use regulation imposes a substantial burden on the religious exercise of a property used for religious purposes. In this case, the proposal concerns development on a residentially zoned property, and the City is not regulating or restricting the use of any religious facility. As such, no religious exercise is implicated, and no religious institution is subject to a land use burden. Therefore, RLUIPA has no bearing on this application or the City’s review.

B. Fire Safety and Roadway Standards

“The plan calls for a 12-foot roadway along the church’s filbert tree line. While SDC §16.12.060(B)(2) allows narrower driveways for limited access to one or two dwellings, the applicant’s stated intent is to partition into four lots. This is inconsistent with the code. For subdivisions or partitions serving more than two dwellings, the Oregon Fire Code (adopted by the City under ORS 476.030) and SDC §16.12.050(A) require a minimum 20-foot clear roadway width to ensure adequate access for emergency vehicles.”

Further, SDC §16.12.020(C)(3) states that “Streets shall be located and designed to provide safe access for fire and emergency vehicles”. Anything less exposes the surrounding community—especially adjacent forested lands—to unacceptable fire risk. TVF&R standards are clear that substandard fire access creates a direct hazard.”

Staff Response: Based on the latest proposal by the applicant, only ‘Parcel 1’ will retain use of the existing driveway’s *Access and Utility Easement* (Doc. No. 81-030331). Parcel 2” & “Parcel 3” will obtain a separate access, along the western property line of Tax Lot 13400, meeting the width standards for private access roads serving between 1-2 lots, equating to approximately 12-feet.

The proposal was reviewed by the Tualatin Valley Fire & Rescue (TVF&R) (Attachment I) for compliance with their adopted applicable standards, and a preliminary approval was received under permit number #2025-0015. Agency comments were provided by TVF&R, indicating that the proposal would be compliant with applicable fire standards (Attachment D-E) including a 20 ft. clear area.

C. Misuse of Public Resources

“This proposal raises fairness concerns about taxpayer burden. Oregon’s Statewide Planning Goal 2 (Land Use Planning) requires that land use decisions balance private development with public cost and community benefit. Forcing taxpayers to absorb infrastructure costs that primarily serve one private landowner—who, by his own admission, does not plan to remain in Sherwood—fails this standard. Under SDC §16.12.010(B), improvements must serve the public interest, not just private financial gain.”

Staff Response: Staff reviewed the application for compliance with the applicable criteria under Title 16 – Sherwood Zoning and Community Development Code, the Engineering Design Standards Manual, and all other relevant standards which comply with Statewide Planning Goals. The proposed partition responds to the City’s adopted TSP and shows how a future local road can provide access to this underdeveloped area in the future. As discussed previously, the applicant is only required to illustrate, at minimum, the future road and its conceptual connection to the broader transportation network. Construction of the future road shall not commence until the abutting properties elect to redevelop and a full build-out connection becomes feasible, subject to nexus and proportionality findings. Further findings and associated conditions of approval can be found under *Chapter 16.106 – Transportation Facilities* of this staff report.

D. Lack of Transparency in the Application

“The application map omits the presence of Crossridge Church, giving the appearance of vacant land. This is misleading. SDC §16.12.020(A) requires partitions to be reviewed with full consideration of existing uses and adjacent impacts. By failing to identify the church property and its current use, the application does not meet the transparency or completeness standards necessary for approval.”

Staff Response: Section 16.12.020.A - *Allowed Residential Land Uses*, addresses use’s that are allowed within the Low Density Residential LDR zone district. Based on the application materials, the subject parcels are posed for Single-Family Residential development, an allowed outright use. The adjacent property, Crossridge Church, is zoned Institutional and Public (IP) and identified accordingly within the submitted plan sets. As discussed above, the proposed

local street alignment is conceptual on neighboring properties, and the owners of each property will have the opportunity to propose a final alignment when they choose to redevelop their property.

E. Unfair Burden on a Faith Community

“This partition places the burden of a private landowner’s profit-making on a local church, a faith community that has been part of Sherwood for years. If the roles were reversed—if another faith group’s property were being encumbered for private gain—the unfairness would be immediately apparent. Neutrality in planning demands that all faith communities be treated equitably and protected from undue burdens.”

Staff Response: Property owners are entitled to develop their land in accordance with the development standards and approval criteria adopted by the City at the time of application. The proposal under review has been evaluated solely for compliance with those applicable standards.

Based on the submitted plans, all proposed improvements and associated development activity are located entirely within the boundaries of the subject property (Tax Lot 13400). No portion of the project shall extend onto or encumber neighboring properties without the property owner’s explicit written consent. Staff have not identified any requirement or request for off-site improvements or easements as part of this application.

F. Feasible Alternatives Exist

“SDC §16.12.020(C)(1) requires that street design “provide logical development of the land” without causing undue hardship to existing uses. The Cottle family has feasible alternatives to access and partition their land through driveways or internal circulation within their property. These options could achieve their goals without forcing a roadway through active church property.”

Staff Response: The referenced Section within the comment, Section 16.12.020.C.1, does not exist. *The* closest code section within the described chapter would be Section 16.12.020.C, which states,

Any use that is not permitted or conditionally permitted under this zone that cannot be found to be consistent with the allowed or conditional uses identified as in B. is prohibited in the residential zone using the procedure under Chapter 16.88 (Interpretation of Similar Uses).

Section 16.12.020.A - *Allowed Residential Land Uses*, addresses use’s that are allowed within the Low Density Residential LDR zone district. Based on the application materials, the subject parcels are posed for Single-Family Residential development, an allowed outright use.

Based on the context of the comment received, concern is centered on the future road dedication and on-site circulation, which is addressed throughout this report, specifically within staff responses to other comments and within 16.96 – On-Site Circulation & Chapter 16.106 – Transportation Facilities.

9. Fred Steele – dated September 29, 2025 (**Attachment M, Appendix J**). Expressed concerns related to the following:

- A. Insufficient demonstration of adequate water, sanitary sewer and other public facilities required for approval.

“...Sherwood Municipal Code 16.122.020 states that partitions shall not be approved unless the applicant meets specific requirements. Specifically, code requires that the applicant demonstrate adequate water, sanitary sewer and other public facilities exist to support the proposed use of the partitioned land...”

Staff Response: The City of Sherwood Engineering & Public Works Department reviewed all materials provided by the applicant and found sufficient information that the applicable utility standards were met, or could be conditioned to be met. Additional findings and recommendations regarding sanitary sewers (Chapter 16.110), water (Chapter 16.112), storm water (Chapter 16.114) and other public facilities are further described within subsequent sections of this staff report.

As detailed in Sheet 008, the proposed utilities servicing the proposed development are sited along the western property line of Tax Lot 13400, within the flag portion of the parcel, and are further addressed in subsequent sections of this staff report. As presented, no new utilities are proposed within the to the existing drive maintained under the *Access and Utility Easement* (Doc. No. 81-030331). As noted throughout this report, the successful completion of the utility plan will require consent and approval from at least one neighboring property. If these permissions are not granted by the affected property owners, the partition cannot be recorded and the development will not move forward.

- B. Future Road Dedication and Improvements.

“...” The notice sent to city residents provides a potential city street that would be added to the neighborhood...However...identified in the meeting [with staff] that the drawn street in the application has errors with its spacing. Additionally, the drawn street is clearly not a legitimate rendering of an actual option given that it was drawn in a way that would have the street go through an existing building, thus requiring the city to condemn that building (Crossridge church) while also taking 25% of my owned property to personally benefit the applicant...”

Staff Response: The City’s adopted TSP identifies a future local road segment crossing the subject property, ultimately providing access for each proposed parcel, as further discussed under *Chapter 16.106 – Transportation Facilities & Chapter 16.96 – On-Site Circulation*. As discussed throughout this report, the adopted TSP serves the purpose of identifying a general vision and strategy for future road improvements throughout Sherwood. This area south of Sunset Blvd. features oversized lots relative to the rest of the surrounding neighborhoods. As property owners in this area choose to redevelop, a plan for future road connectivity via public streets is required. Each property owners will have the ability to adjust the road alignment through their property in compliance with applicable standards at the time of development. The proposed alignment does not require the church property to demolish their building or for the city to condemn it.

- C. Insufficient Notice

“...The notice distributed by the City of Sherwood contains an egregious error that must be

corrected to provide proper due process notice to the city's residents who received the notice and may be impacted by the city's decision..."

Staff Response: This comment is related to a broken link on the City's website for the subject land use application. While it is noted that the notice issued to property owners satisfied the applicable requirements set forth in Section 16.72.030 – *Content of Notice* since posting application materials on the City's website is not a requirement established under the public notice standards and procedures. However, to ensure transparency and adequate time for public comment, the public notice was repeated on December 12, 2025, with the application materials being continuously posted online during the comment period.

10. John and Virginia Maffitt – dated December 15, 2025 (**Attachment M, Appendix K**). Expressed concerns related to the following:

A. Future Road Impact to Adjacent Property's

"The Mark and Susan Cottle family has asked for a change in the road pattern without going before the Sherwood Council or consulting 5 neighboring homes for their permission. If done, it would bring heavy trucks past the 5 homes, without their consultation or a Public Hearing!"

Staff Response: Pursuant to Section 10.20.020 - Truck operation on designated routes, no person shall operate any motor truck upon any street within the city unless designated as a truck route under Section 10.20.040. The future road connection is not designed to support or allow traffic. Any future violations of the applicable standards will be subject to code enforcement.

11. Fred Steele – dated December 26, 2025 (**Attachment M, Appendix L**). Expressed concerns related to the following:

A. Insufficient demonstration of adequate water, sanitary sewer and other public facilities required for approval.

B. Future Road Dedication and Improvements.

Staff Response: Staff have reviewed the resubmittal and finds that no substantive changes have been made in response to the prior comments, as described under comment #9. The revised materials do, however, concede a previous concern regarding public notice:

"On a final note, I will thank the city for reinitiating the notice period for this application following the error in the prior notice period. By correcting the notice and providing actual access to the application materials, I hope that the potentially impacted citizens of Sherwood have had the opportunity to provide input on this partition application."

III. AGENCY/DEPARTMENTAL COMMENTS

Staff sent notice to affected agencies and interdepartmental staff on September 2, 2025. The following is a summary of the comments received. Copies of full comments are included in the record unless otherwise noted. The following information briefly summarizes the comments received:

Sherwood Engineering Department: The Sherwood Engineering Department provided comments dated September 23, 2025 (Rev. January 5, 2026). Comments and Conditions of Approval are included in the Division VI- Public Improvements section of this report and are included as **Attachment B**. Comments are regarding transportation, sanitary sewer, water, storm sewer, utilities, and other related engineering issues.

Clean Water Services (CWS): A CWS memorandum dated September 24, 2025, states that prior to plat approval and recordation, the proposed project must obtain a Clean Water Services (CWS) Storm Water Connection Permit Authorization 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. Comments and Conditions of Approval are included in the Division I – Staff Recommendation and Conditions of Approval section of this report and are included as **Attachment C**.

Tualatin Valley Fire & Rescue (TVF&R): Comments were provided by the subject agency, dated October 2, 2025 (Attachment D). Correspondence (Attachment E), dated December 31, 2025, confirmed that the latest submittal did not align with the most recent TVF&R approval (TVF&R Permit #2025-0015). Though TVF&R did not indicate any concerns with the most recent plan set, the applicant will be required to resubmit the correct variation of the proposed development for approval. Comments and Conditions of Approval are included in the Division VI- Public Improvements section of this report. The following condition applies:

Condition B.1: Prior to Final Plat Approval, the applicant shall submit a revised plan set for review and approval by Tualatin Valley Fire & Rescue (TVF&R) that is fully consistent with the development configuration and materials approved under the Notice of Decision (LU 2024-022 MLP).

IV. APPLICABLE CODE PROVISIONS

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

SHERWOOD ZONING AND COMMUNITY DEVELOPMENT CODE

Title 16 - Zoning and Community Development Code

Chapter 16.70 - GENERAL PROVISIONS

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.

FINDING: Review of the applicant's submittal indicated a deficiency in meeting the above criteria. The applicant's submitted materials (Attachment A, Appendix F) depict a proposed fire turnaround that encroaches onto an abutting parcel, located at 15367 SW Sunset Boulevard, and that's outside the scope of the proposed partition. The submitted application does not include documentation demonstrating ownership or permission to construct the turnaround on the adjacent property.

Because a land use application must bear original signatures from all owners (or their legal representatives) subject to development, the application as submitted does not meet the requirements of the above criteria. The following condition applies:

Condition B.2: Prior to Final Plat Approval, the applicant shall either submit revised civil drawings that eliminates any encroachment or other impacts to adjacent property(ies) outside the scope of the subject development, or submit a revised application form meeting *Section 16.70.030.A – Application Requirements: Form*, and bearing original signatures of all owners (or their legal representatives) of the adjacent property(ies) impacted directly by development on their subject property(ies); documentation demonstrating legal authority for the encroachment (i.e. an access or turnaround easement or other recorded instruments) shall be submitted with the revised application form if elected.

Chapter 16.72 - PROCEDURES FOR PROCESSING DEVELOPMENT PERMITS

16.72.010 - Generally

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

- 3. The following administrative actions shall be subject to a Type II review process:
 - a. Land Partitions (creation of 3 or fewer lots within 1 calendar year)

FINDING: Consistent with Sherwood's Zoning and Community Development Code (SZCD), the proposal is categorized under a Type II – Land Partition (creation of 3 or fewer lots within 1 calendar year). The proposal includes the creation of three (3) parcels approximately 21,853 (Parcel 1), 7,003 (Parcel 2), and 9,894 (Parcel 3) square feet in size. As presented, the proposal meets the parameters of the described procedural type.

- B. Hearing and Appeal Authority

- 1. The Hearing and Appeal Authorities shall be as follows:

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

FINDING: Public Notice, in conformance with Chapter 16.72, was sent out on or before September 12, 2025, and December 12, 2025. The second notice was sent to ensure adequate time was available for the public to review the latest plan set, and to address an earlier concern regarding the broken website link for the original material. This decision will be rendered at least fourteen (14) after public notice had been sent out for the second time to the required recipients. Public comments are addressed under *section II – Public Comments* within the staff report; therefore, this criterion is met.

16.72.020 - Public Notice and Hearing

B. Posted Notice.

1. Notices of all Type II, III, IV and V land use actions required by this Code shall be posted by the City in no fewer than five (5) conspicuous locations within the City, not less than fourteen (14) calendar days in advance of the staff decision on Type II applications or twenty (20) calendar days in advance of the initial hearing before the Hearing Authority for Type III, IV and V applications.
2. Signage must be posted on the subject property fourteen (14) calendar days in advance of the staff decision on Type II applications and twenty (20) calendar days in advance of the initial hearing before the Hearing Authority for Type III, IV and V applications.
 - a. on-site posted notice shall provide a general description of the land use action proposed, the project number and where additional information can be obtained.
 - b. On-site posted notice shall be designed to be read by motorists passing by; the exact size and font style to be determined by the City.
 - c. On-site posted notice shall be located on the property in a manner to be visible from the public street. For large sites or sites with multiple street frontages, more than one sign may be required.

C. Mailed Notice

1. For Type II, III, IV and V actions specific to a property or group of properties, the City shall send written notice by regular mail to owners of record of all real

property within one thousand (1,000) feet from the property subject to the land use action. Written notice shall also be sent to Oregon Department of Transportation (ODOT), Metro, the applicable transit service provider and other affected or potentially affected agencies. If the subject property is located adjacent to or split by a railroad crossing ODOT Rail Division shall also be sent public notice.

2. Written notice to property owners shall be mailed at least fourteen (14) calendar days prior to a decision being made on a Type II land use action and at least twenty (20) calendar days in advance of the initial public hearing before the Hearing Authority. If two (2) or more hearings are required on a land use action, notices shall be mailed at least ten (10) calendar days in advance of the initial hearing before the Commission or Council.
3. For the purposes of mailing the written notice, the names and addresses of the property owners of record, as shown on the most recent County Assessor's records in the possession of the City, shall be used. Written notice shall also be mailed to homeowner's associations when the homeowners association owns common property within the notification area and is listed in the County Assessor's records.
4. For written notices required by this Code, other than written notices to property owners of record, the City shall rely on the address provided by the persons so notified. The City shall not be responsible for verifying addresses so provided.

FINDING: Mailed notice of this proposal, in compliance with 16.72.030, was sent to property owners within 1,000 feet of the subject property, posted on the subject property, placed in five (5) conspicuous locations within the City, and posted on-site on or before September 11, 2025 and December 12, 2025, consistent with the above criteria. A complete description of the proposal, including associated application materials, was available to the public at City Hall for further inspection. Copies of the application materials were provided to the public, upon request, at a cost defined by the City's fee schedule; therefore, the above criteria are met.

Chapter 16.12 - RESIDENTIAL LAND USE DISTRICTS

16.12.010 - Purpose and Density Requirements

B. Low Density Residential (LDR)

The LDR zoning district provides for single-family housing and other related uses with a density of 3.5 to 5 dwelling units per acre (except middle housing types pursuant to 16.12.010.F). Minor land partitions shall be exempt from the minimum density requirement.

16.12.020 - Allowed Residential Land Uses

A. Residential Land Uses

The table below identifies the land uses that are allowed in the Residential Districts. The specific land use categories are described and defined in Chapter 16.10.

- B. Any use not otherwise listed that can be shown to be consistent or associated with the permitted uses or conditionally permitted uses identified in the residential zones or contribute to the achievement of the objectives of the residential zones will be allowed or conditionally permitted using the procedure under Chapter 16.88 (Interpretation of Similar Uses).
- C. Any use that is not permitted or conditionally permitted under this zone that cannot be found to be consistent with the allowed or conditional uses identified as in B. is prohibited in the residential zone using the procedure under Chapter 16.88 (Interpretation of Similar Uses).

Uses		LDR Zone
Residential		
Single-Family Detached Dwellings		P

FINDING: The proposal includes a Minor Land Partition to create three (3) parcels. ‘Parcel 2’ & ‘Parcel 3’ are intended for future Single-Family Dwellings, based on the applicant’s narrative (Attachment A, Appendix C). The existing Single-Family Dwelling on ‘Parcel 1’ will remain unaltered.

Pursuant to SZDC §16.12 – *Residential Land Use Districts*, under the LDR zone, Single-Family Detached Dwellings are permitted outright. Future development and uses are subject to compliance with the Sherwood’s Zoning and Community Development Code (SZCD) and will be reviewed through future building permit submittals; Therefore, this criterion is satisfied.

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
 1. Except as modified under Chapter 16.68 (Infill Development), Section 16.144.030 (Wetland, Habitat and Natural Areas), or as otherwise provided, required minimum lot areas, dimensions and setbacks shall be provided in the following table.
 2. Creation of new lots or parcels as part of a townhome or cottage cluster developments are subject to the applicable land division or Planned Unit Development approval process.
 3. Sufficient Infrastructure. Prior to obtaining a residential building permit for construction of any new middle housing structure or division of an existing structure into middle housing, the applicant must submit a request for verification of

Sufficient Infrastructure, together with any documentation requested by the City Engineer or designee, and receive approval from the City Engineer or designee.

C. Development Standards per Residential Zone

Development Standards by Zone		LDR Zone
Single Family Detached		7,000 SF
Minimum Lot width at front property line: (in feet)		25 feet
Minimum Lot width at building line²: (in feet)		
Single Family Detached; Duplex; Triplex; Quadplex and Cottage Cluster		60 feet
Minimum Lot Depth		80 feet
Maximum Height (in feet)³		
	;bull; All other dwelling types	30 feet or 2 stories
Setbacks (in feet)		
Front yard⁵		20 feet
Face of garage		20 feet
Interior side yard⁶		
Single-Family Detached; Duplex; Triplex; Quadplex; Cottage Cluster		5 feet
Rear yard		20 feet
<i>Footnote: If the lot is an irregular shape see definition for Lot Line, Rear, Section 16.10 Definitions</i>		

²Minimum lot width at the building line on cul-de-sac lots may be less than that required in this Code if a lesser width is necessary to provide for a minimum rear yard.

³ Maximum height is the lesser of feet or stories.

⁵ Reductions in front yard setbacks for architectural features as described in 16.50.050 are not permitted in the MDRL, MDRH, or HDR zoning districts.

⁶ Adjustments and Variances to interior side yard setbacks for all housing types are not allowed.

FINDING: The proposal includes a Type II – Minor Land Partition to create three (3) parcels ranging from 7,003 to 21,853 square feet in size. ‘Parcel 1’ will retain its existing Single-Family Dwelling, while ‘Parcel 2’ and ‘Parcel 3’ are intended for future single-family residential development. All proposed parcels will provide a minimum lot depth of 80 feet and a minimum lot width of 25 feet at the property line.

With consideration of future roadway improvements identified in the Transportation System Plan (TSP) – Figure 18 (Attachment I), the existing structure on ‘Parcel 1’ will maintain a minimum 20-foot setback from the future front property line, have a minimum 25-foot setback from the future interior side property lines, and a minimum 66-foot setback from the future rear property line; the configuration of ‘Parcel 1’ will continue to comply with applicable setback standards prior to future road construction.

No development is proposed at this time for ‘Parcel 2’ or ‘Parcel 3,’ but will be analyzed for compliance with all applicable criteria at the time of building permit submittal. The proposed parcels, with respect to the perceived development will either meet or exceed the minimum dimensional standards.

‘Parcel 1’ will retain the current driveway as temporary access, via an *Access and Utility Easement* (Doc. No. 81-030331), until completion of the future road connection. Upon completion of the public right-of-way, temporary driveway access for Parcel 1 shall be terminated and the easement abandoned, as described and required in the Land Sale Contract (Attachment H).

‘Parcels 2’ and ‘Parcel 3’ shall utilize a shared temporary driveway access located along the western property line, approximately 12 feet in width, providing access to Sunset Boulevard. Temporary access shall be permitted only until such time as the future road right-of-way is developed along the respective frontages of each parcel; access is further addressed within subsequent sections of this report (Chapter 16.96 – On-Site Circulation & Chapter 16.106 – Transportation Facilities).

As presented these criteria are satisfied.

16.12.050 - Flood Plain

Except as otherwise provided, Section 16.134.020 shall apply.

FINDING: The subject parcel(s) are not within a designated flood plain; therefore, this criterion is not applicable.

Chapter 16.58 - VISION CLEARANCE AND FENCE STANDARDS

16.58.010 - Clear Vision Areas

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

The following requirements shall govern clear vision areas:

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

FINDING: The proposal includes the creation of three (3) parcels with interim access granted from SW Sunset Boulevard. The location of the existing/temporary accessway will meet the minimum sight distance from corner curb to driveway. No development is proposed as to interfere with clear vision standards; continued compliance with the above criteria will be evaluated during building permit review.

Required maintenance of each clear vision area will be bestowed upon the property owner(s), and future noncompliance will be subject to code compliance. The following condition applies:

Condition A.1: Clear Vision Areas shall be established and maintained at each private driveway intersection, pursuant to 16.58.010.

As Conditioned, these criterions are met.

Chapter 16.60 - YARD REQUIREMENTS

16.60.030 - Yards

- A. Except for landscaping, every part of a required yard (also referred to as minimum setback) shall be open and unobstructed from its lowest point to the sky, except that architectural features such as awnings, fire escapes, open stairways, chimneys, or accessory structures permitted in accordance with Chapter 16.50 (Accessory Structures) may be permitted when so placed as not to obstruct light and ventilation.

- B. Where a side or rear yard is not required, and a primary structure is not erected directly on the property line, a primary structure must be set back at least three (3) feet.

FINDING: The remaining structure on 'Parcel 1' will ensure that every part of the required yard is open and unobstructed as described within the above criteria. Compliance with the above criteria will be reviewed at building permit submittal for Parcel 2 & 3; therefore, this chapter is satisfied.

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.

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 residential, commercial, institutional and public, or industrial zones, shared parking may be provided on lots that are within two thousand (2,000) feet of the property line of the use to be served.
 - b. Shared parking is allowed if the application can show that the combined peak use is available by a parking study that demonstrates:
 - 1) There is a sufficient number of parking spaces to accommodate the requirements of the individual businesses; or
 - 2) That the peak hours of operation of such establishments do not overlap, and
 - 3) That an exclusive permanent easement over a delineated area has been granted for parking space use.

2. Mixed use projects are developments where a variety of uses occupies a development project or complex. For example, an eating establishment, professional office building and movie theater are all components of a mixed use site. It does not include a secondary use within a primary use such as an administrative office associated with a retail establishment. In mixed-use projects, the required minimum vehicle parking shall be determined using the following formula:
 - a. Primary use: i.e. that with the largest proportion of total floor area within the development at one hundred (100) percent of the minimum vehicle parking required for that use.
 - b. Secondary Use: i.e. that with the second largest percentage of total floor area within the development, at ninety (90) percent of the vehicle parking required for that use.
 - c. Subsequent use or uses, at eighty (80) percent of the vehicle parking required for that use.
3. Parking reduction is allowed with development that provides solar panels or wind power capacity, carsharing parking spaces, electric-vehicle parking spaces, and housing units that are fully accessible to people with mobility disabilities as defined in Section 16.94.020.B(6).

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.

FINDING: The proposal includes the creation of three (3) parcels. This application is subject to the criteria of Chapter 16.94, as further detailed in subsequent sections of this staff report. No deferrals or reductions, as described above, are requested.

The property owner(s) will be responsible for ensuring that no prohibited use will occur within the off-street parking area, as conditioned below:

Condition A.2: The property owner(s) shall be responsible for ensuring all required parking, loading, and maneuvering areas are not used for long-term storage or sale of vehicles or other materials, or rented, leased, or assigned to any person or organization not using or occupying the building or use served, pursuant to 16.94.010.D. All future violations are subject to Code Compliance.

As presented, the above criteria is met.

E. Location

1. Residential off-street parking spaces:
 - a. Garages and carports are not required for residential developments.
 - b. If garages and carports are proposed, the garage and carport parking space(s) shall count as off- street parking.
 - c. Residential off-street parking spaces can be shared per Section 16.94.010.C.1.a.

- d. If all proposed parking is off-site, off-site parking for people with disabilities must be located within the shortest possible distance of an accessible entrance via an accessible path and no greater than 200 feet from that entrance.

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 (carpool, compact, etc.) for parking shall be indicated on submitted plans and located to the side or rear of buildings where feasible.

G. Surface and Drainage

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

H. Repairs

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

FINDING: The applicant submitted materials indicating sufficient off-street parking can be located on each respective parcel and meet applicable city standards, as further detailed in subsequent sections of this staff report. 'Parcel 1' will retain its existing Single-Family Dwelling and all dedicated impervious areas, achieving the minimum dimensional and location requirements for off-street parking; off-street parking for 'Parcel 1' is currently provided by an attached two-car garage.

'Parcel 2' & 'Parcel 3' are proposed for future residential development, with future compliance with the above criterion reviewed during future building permit submittals. No new residential garages or carports are proposed. The property owner(s) shall be responsible for properly maintaining the parking and loading areas.

Condition A.3: The property owner(s) shall be responsible for the maintenance and repair of all dedicated off-street parking areas, including associated infrastructure, pursuant to Chapter 16.94.010.H.

As presented, the above standards are satisfied.

16.94.20 - Off-Street Parking Standards

A. Generally

Where square feet are specified, the area measured shall be the gross building floor area primary to the functioning of the proposed use. Where employees are specified, persons counted shall be those working on the premises, including proprietors, during the largest shift at peak season. Fractional space requirements shall be counted as a whole space. The Review Authority may determine alternate off - street parking and loading requirements for a use not specifically listed in this Section based upon the requirements of comparable uses. Per OAR 660-012-0440 Parking Reform Near Transit Corridors no off-street parking is required for developments on a lot or parcel that includes lands within one-half (½) mile of a frequent transit corridor. Per OAR 660-012-0435 Climate Friendly Areas, no off-street parking is required within the Sherwood Town Center and one-quarter mile of the area (see CFEC Parking Delineated Area Map at the end of this section).

Table 1: Parking Standards for lots or parcels not within the CFEC Parking Delineated Area (Metro spaces are based on 1 per 1,000 sq ft of gross leasable area; ADU standards are per OAR Division 46)

Use	Minimum Parking Standard	Maximum Permitted Parking Zone A ²
Single-Family detached and manufactured home on lot³	1 per dwelling unit	None

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-detached dwelling (includes a manufactured home on an individual lot) if the abutting street is twenty-eight (28) feet or wider, one (1) standard (9 ft. × 20 ft.) parking space is required.

B. Dimensional and General Configuration Standards

Dimensions For the purpose of this Chapter, a "parking space" means a stall nine (9) feet in width and twenty (20) feet in length. Up to twenty-five (25) percent of required parking spaces may have a minimum dimension of eight (8) feet in width and eighteen (18) feet in length so long as they are signed as compact car stalls.

FINDING: ‘Parcel 1’ will retain the existing single-family dwelling and provide dedicated off-street parking via an existing two-car garage, meeting the minimum standards. ‘Parcel 2’ & ‘Parcel 3’ is intended for future residential development and will be reviewed for compliance with the future building permit submittal.

Temporary access onto SW Sunset currently does not currently permit on-street parking, therefore, each proposed parcel is required to provide at least two (2) off-street parking stalls; the

future local road connection, as displayed within the adopted Transportation Systems Plan (TSP) (Attachment I – Figure 18) will be required to meet the minimum 60-foot residential road standards (Attachment J), creating additional on-street parking for each proposed parcel.

As presented, the above criteria are met.

Chapter 16.96 - ON-SITE CIRCULATION

16.96.010 - General Requirements for On-Site Pedestrian and Bicycle Circulation

A. Purpose

All new development, (except single-family detached and middle housing types), shall provide a continuous system of private pathways/sidewalks. The on-site facilities shall connect 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.

FINDING: The proposal includes the creation of three (3) parcels. The applicant is subject to the above on-site circulation standards. Existing and future development shall be required to connect to adjacent residential areas, as further described in subsequent sections of this staff report; as presented these criterions are satisfied.

B. Maintenance

No building permit or other City permit shall be issued until plans for pedestrian 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. Required ingress, egress and circulation improvements shall be kept clean and in good repair.

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.

16.96.020 - Minimum Residential Pedestrian Circulation Standards

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

A. Sidewalks, Pathways and Curbs

1. Single Family Detached, middle housing types, and Manufactured Homes on Individual Residential Lot: No on-site sidewalks and curbs are required when not part of a proposed partition or subdivision. Pedestrian circulation standards for subdivisions and partitions are located in Section 16.106.060 Sidewalks. For cottage clusters, on-site pedestrian pathways are required consistent with Section 16.14.040.

FINDING: Maintenance of existing or future pathway systems will be the responsibility of the property owner(s). Violation of the above criteria will result in Code Enforcement action. No multiple uses, structures, or parcels of land are proposing joint pedestrian access with this application.

Existing development on 'Parcel 1' is consistent with surrounding properties. As the scope of this proposal is limited to only a partition, no alterations to on-site circulation are required.

'Parcel 2' & 'Parcel 3' will be reviewed for compliance with on-site circulation standards at future building permit submittal.

General pedestrian circulation is further addressed under Section 16.106.060.

Condition A.4: The property owner(s) shall be responsible for the maintenance and repair of the on-site pedestrian circulation area, including associated infrastructure, pursuant to section 16.96.010.B.

As presented, the above criteria are met.

16.96.040 - General Requirements for On-Site Vehicle Circulation

A. Maintenance

No building permit or other City permit shall be issued until plans for vehicle 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. Connection to Streets

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.

D. Maintenance of Required Improvements

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

FINDING: The proposed parcels will be served by two (2) temporary driveways, with access onto SW Sunset. 'Parcel 1' will retain the existing driveway's *Access and Utility Easement* (Doc. No. 81-030331). 'Parcel 2' and 'Parcel 3' will be served by a temporary driveway, approximately 12-feet in width, along the western property line; recordation of an "Access and Utility Easement" shall be required, as conditioned below.

Based on both the temporary and future road access, adequate ingress, egress, and on-site circulation, consistent with Sherwood Zoning and Community Development Code Section 16.96.040 - *General Requirements for On-Site Vehicle Circulation*, will be provided for each proposed parcel.

The adopted TSP identifies a future local road segment crossing the subject property, ultimately providing access for each proposed parcel. As further discussed under *Chapter 16.106 – Transportation Facilities*, the adopted Transportation Systems Plan (TSP) serves the purpose of identifying a general vision and strategy for future road improvements throughout Sherwood.

Upon construction of the future local road, on-site vehicle circulation for the subject properties will be required to connect with the newly created public street, and temporary access onto SW Sunset will be relinquished.

Condition A.5: Temporary vehicle access onto SW Sunset Boulevard serving ‘Parcel 1’ shall be maintained via the existing driveway’s *Access and Utility Easement* (Doc. No. 81-030331), until such time that public right-of-way becomes available along the subject property. Upon completion and availability of roadway access, the temporary driveway shall be terminated and closed to vehicle traffic serving the subject properties identified for development within LU 2024-022 MLP, with all future ingress, egress, and circulation directed to the new public street.

Condition A.6: The property owner(s) shall be responsible for ensuring all vehicle ingress, egress, and circulation improvements be kept clean and in good repair, pursuant to section 16.96.040.D.

Condition B.3: Prior to Final Plat Approval, the applicant shall record an *Access and Utility Easement* with Washington County, establishing shared temporary access rights for both ‘Parcels 2’ and ‘Parcel 3’ onto SW Sunset Boulevard. The easement document shall include provisions for termination upon completion and availability of public right-of-way along the described properties and shall be subject to the minimum vehicle circulation standards and dimensions adopted at the time of road construction.

16.96.050 - Minimum Residential Vehicle Circulation Standards

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

A. Driveways

1. Single-Family Detached with or without an Accessory Dwelling Unit (ADU). One (1) driveway improved with hard surface pavement with a minimum width of ten (10) feet and maximum width of 24 ft., not to exceed a grade of 14%. Lots with more than 60 ft. of frontage on a public street are permitted a maximum width of 30 ft. Permeable surfaces and planting strips between driveway ramps are encouraged in order to reduce stormwater runoff.

FINDING: ‘Parcel 2’ & ‘Parcel 3’ will utilize a temporary driveway, with access to SW Sunset, along the western property line. Based on the applicant’s submittal (Attachment A – Sheet X), the proposed driveway will be approximately 12-feet in width. ‘Parcel 1’ will retain access onto the existing driveway.

Compliance with the above standards will be reviewed during building permit submittal.

As presented, the above criterion is met.

Chapter 16.104 - GENERAL PROVISIONS

16.104.010 - Purpose

To ensure the health, safety, and the economic stability of the community, and to establish a quality system of public improvements, the City shall require any buildings or other development for which public facilities and public rights-of-way are not fully provided or improved to current City standards, to install said improvements. Except as otherwise provided or authorized, private improvements serving substantially the same function as equivalent public facilities shall generally be provided and improved to the standards established by this Code and other City regulations.

Green Street elements such as bioswales and porous pavement are encouraged where appropriate and feasible. Where a specific design standard supporting a green street concept is not included in the Engineering Design and Standard Details Manual (Engineering Design Manual), the design will be considered by the Engineering Department, provided additional documentation is provided to the Engineering Department that documents the design is appropriate, has a design life equal to a traditional paved street, and the maintenance costs to the City are comparable to traditional streets.

16.104.020 - Future Improvements

The location of future public improvements including water, sanitary sewer, storm water, streets, bicycle and pedestrian paths, and other public facilities and rights-of-way, as depicted in the Transportation System Plan (TSP) Chapters 4, 5, 6 and 7 of the Community Development Plan are intended as general locations only. The precise alignment and location of a public improvement shall be established during the land use process and shall be depicted on public improvement plans submitted and approved pursuant to § 16.108 and other applicable sections of this Code.

16.104.030 - Improvement Procedures

Except as otherwise provided, all public improvements shall conform to City standards and specifications found in the Engineering Design Manual and installed in accordance with Chapter 16.108. The Council may establish additional specifications to supplement the standards of this Code and other applicable ordinances. Except for public projects constructed consistent with an existing facility plan, a public improvement shall not be undertaken until land use approval has been granted, a public improvement plan review fee has been paid, all improvement plans have been approved by the City, and an improvement permit has been issued.

The City shall work with an applicant for development to determine whether Sufficient Infrastructure will be provided, or can be provided, upon submittal of a middle housing development application.

FINDING: The application was reviewed by City of Sherwood Engineering and partner agencies for compliance with applicable criteria under Title 16 – Sherwood Zoning and Development Code, County and State standards, and other regulatory requirements. This included the location of future public improvements, such as water, sanitary sewer, storm water, streets,

bicycle and pedestrian paths, and other public facilities and right-of-way, as further detailed in subsequent sections of this staff report; as presented these criteria are met.

Chapter 16.106 – Transportation Facilities

16.106.010 - Generally

A. Creation

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

Type of Street	Right of Way Width	Number of Lanes	Minimum Lane Width	On Street Parking Width	Bike Lane Width	Sidewalk Width	Landscaping Strip (exclusive of Curb)	Median Width
Arterial	60-102'	2-5	12'	Limited	6 feet	6-8'	5'	14' if required
Local	52'	2	14'	8' on one side only	None	6'	5' with 1' buffer	none

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.

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, streetlights, and street trees. Improvements shall also include any bikeways designated on the Transportation System Plan map. Applicant may be required to dedicate land for required public improvements only when the exaction is directly related to and roughly proportional to the impact of the development, pursuant to Section 16.106.090.
2. If the applicant is required to provide street improvements, the City Engineer may accept 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.

16.106.030 – Location

A. Generally

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

B. Street Connectivity and Future Street Systems

1. Future Street Systems. The arrangement of public streets shall provide for the continuation and establishment of future street systems as shown on the Local Street Connectivity Map contained in the adopted Transportation System Plan (Figure 16).
2. Connectivity Map Required. New residential, commercial, and mixed use development involving the construction of new streets shall be submitted with a site

plan that implements, responds to and expands on the Local Street Connectivity map contained in the TSP.

- a. A project is deemed to be consistent with the Local Street Connectivity map when it provides a street connection in the general vicinity of the connection(s) shown on the map, or where such connection is not practicable due to topography or other physical constraints; it shall provide an alternate connection approved by the decision-maker.
- b. Where a developer does not control all of the land that is necessary to complete a planned street connection, the development shall provide for as much of the designated connection as practicable and not prevent the street from continuing in the future.
- c. Where a development is disproportionately impacted by a required street connection, or it provides more than its proportionate share of street improvements along property line (i.e., by building more than 3/4 width street), the developer shall be entitled to System Development charge credits, as determined by the City Engineer.
- d. Driveways that are more than 24 feet in width shall align with existing streets or planned streets as shown in the Local Street Connectivity Map in the adopted Transportation System Plan (Figure 17), except where prevented by topography, rail lines, freeways, pre-existing development, or leases, easements, or covenants.

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.
- 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.
- 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."

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.

F. Grades and Curves

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

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.

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.

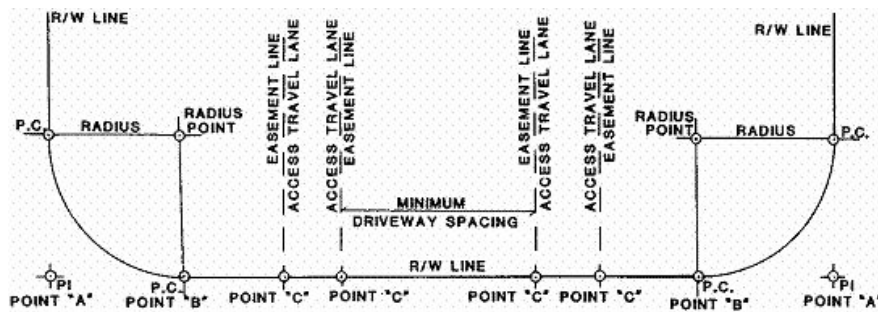
L. Traffic Calming

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.

M. Vehicular Access Management

All developments shall have legal access to a public road. Access onto public streets shall be permitted upon demonstration of compliance with the provisions of adopted street standards in the Engineering Design Manual.

1. Measurement: See the following access diagram where R/W = Right-of-Way; and P.I. = Point-of-Intersection where P.I. shall be located based upon a 90 degree angle of intersection between ultimate right-of-way lines.
 - a. Minimum right-of-way radius at intersections shall conform to City standards.
 - b. All minimum distances stated in the following sections shall be governed by sight distance requirements according to the Engineering Design Manual.
 - c. All minimum distances stated in the following sections shall be measured to the nearest easement line of the access or edge of travel lane of the access on both sides of the road.
 - d. All minimum distances between accesses shall be measured from existing or approved accesses on both sides of the road.
 - e. Minimum spacing between driveways shall be measured from Point "C" to Point "C" as shown below:



2. Roadway Access

No use will be permitted to have direct access to a street or road except as specified below. Access spacing shall be measured from existing or approved accesses on either side of a street or road. The lowest functional classification street available to the legal lot, including alleys within a public easement, shall take precedence for new access points.

- a. Local Streets:

Minimum right-of-way radius is fifteen (15) feet. Access will not be permitted within ten (10) feet of Point "B," if no radius exists, access will not be permitted within twenty-five (25) feet of Point "A." Access points near an intersection with a Neighborhood Route, Collector or Arterial shall be located beyond the influence of standing queues of the intersection in accordance with AASHTO standards. This requirement may result in access spacing greater than ten (10) feet.
- d. Arterials and Highway 99W - Points of ingress or egress to and from Highway 99W and arterials designated on the Transportation Plan Map,

attached as Figure 1 of the Community Development Plan, Part II, shall be limited as follows:

- 1) Single family detached dwellings, middle housing dwellings, and manufactured homes on individual residential lots developed after the effective date of this Code shall not be granted permanent driveway ingress or egress from Highway 99W or arterials. If alternative public access is not available at the time of development, provisions shall be made for temporary access which shall be discontinued upon the availability of alternative access.
- 2) Other private ingress or egress from Highway 99W and arterial roadways shall be minimized. Where alternatives to Highway 99W or arterials exist or are proposed, any new or altered uses developed after the effective date of this Code shall be required to use the alternative ingress and egress. Alternatives include shared or crossover access agreement between properties, consolidated access points, or frontage or backage roads. When alternatives do not exist, access shall comply with the following standards:
 - a) Access to Highway 99W shall be consistent with ODOT standards and policies per OAR 734, Division 51, as follows: Direct access to an arterial or principal arterial will be permitted provided that Point 'A' of such access is more than six hundred (600) feet from any intersection Point 'A' or other access to that arterial (Point 'C').
 - b) The access to Highway 99W will be considered temporary until an alternative access to public right-of-ways is created. When the alternative access is available the temporary access to Highway 99W shall be closed.
- 3) All site plans or Residential Design Checklists 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.

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.

B. Design Standards

1. Arterial and Collector Streets

Arterial and collector streets shall have minimum six (6) or eight (8) foot wide sidewalks/multi-use paths, located as required by this Code. Residential areas shall have a minimum of a six (6) foot wide sidewalk and commercial industrial areas shall have a minimum of an eight (8) foot wide sidewalk.

2. Local Streets

Local streets shall have minimum five (5) foot wide sidewalks, located as required by this Code.

3. Handicapped Ramps

Sidewalk handicapped ramps shall be provided at all intersections.

C. Pedestrian and Bicycle Paths

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

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.

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.

B. Applicability

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

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

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

C. Requirements

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

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

D. Study Area

The following facilities shall be included in the study area for all TIAs:

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

E. Analysis Periods

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

1. Existing Year.

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

F. Approval Criteria

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

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

G. Conditions of Approval

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

16.106.090 - Rough Proportionality

1. Purpose

The purpose of this section is to ensure that required transportation facility improvements are roughly proportional to the potential impacts of the proposed

development. The rough proportionality requirements of this section apply to both frontage and non-frontage improvements. A proportionality analysis will be conducted by the City Engineer for any proposed development that triggers transportation facility improvements pursuant to this chapter. The City Engineer will take into consideration any benefits that are estimated to accrue to the development property as a result of any required transportation facility improvements. A proportionality determination can be appealed pursuant to Chapter 16.76. The following general provisions apply whenever a proportionality analysis is conducted.

- B. Mitigation of impacts due to increased demand for transportation facilities associated with the proposed development shall be provided in rough proportion to the transportation impacts of the proposed development. When applicable, anticipated impacts will be determined by the TIA in accordance with Section 16.106.080. When no TIA is required, anticipated impacts will be determined by the City Engineer.
- C. The following shall be considered when determining proportional improvements:
 - 1. Condition and capacity of existing facilities within the impact area in relation to City standards. The impact area is generally defined as the area within a one-half-mile radius of the proposed development. If a TIA is required, the impact area is the TIA study area.
 - 2. Existing vehicle, bicycle, pedestrian, and transit use within the impact area.
 - 3. The effect of increased demand on transportation facilities and other approved, but not yet constructed, development projects within the impact area that is associated with the proposed development.
 - 4. Applicable TSP goals, policies, and plans.
 - 5. Whether any route affected by increased transportation demand within the impact area is listed in any City program including school trip safety; neighborhood traffic management; capital improvement; system development improvement, or others.
 - 6. Accident history within the impact area.
 - 7. Potential increased safety risks to transportation facility users, including pedestrians and cyclists.
 - 8. Potential benefit the development property will receive as a result of the construction of any required transportation facility improvements.
 - 9. Other considerations as may be identified in the review process pursuant to Chapter 16.72.

FINDING: The City of Sherwood Engineering & Public Works Department reviewed all materials provided by the applicant and found sufficient information was provided to satisfy the above criteria. Engineering provided formal comments and conditions, as it related to Chapter 16.106 Engineering Design and Standard Details Manual. An engineering memorandum, dated September 23, 2025 (Rev. January 5, 2026) (Attachment B) provided the following analysis and information:

“The subject property is along the south side of SW Sunset Boulevard. The current parcel has approximately 18.5 feet of street frontage via a 345-foot long strip of land (flag) to the main portion of the subject property. Currently there is a house on the existing parcel which obtains access to SW Sunset Boulevard via an existing driveway within the neighboring parcels east of the subject property flag.”

SW Sunset Boulevard is a city arterial street. Currently SW Sunset Boulevard along the frontage of the subject property has a 22-foot wide paved half-street section with a 6-foot wide curb-tight sidewalk within a 45-foot wide half street right-of-way. City standard for a 3-lane arterial is a 25-foot wide paved half-street section with a 5-foot wide landscape stripe, 8-foot wide sidewalk within a 39-foot wide half-street right-of-way section. Therefore, the subject development will need to construct street widening and sidewalk improvements to bring the subject property street frontage up to these standards. Since right-of-way is 6-feet in excess of what is required, no right-of-way dedication along the subject property frontage of SW Sunset Boulevard is required, however, a PUE dedication of 2 feet will be required to provide enough width for an 8-foot wide utility zone outside of the TSP 39-foot wide half-street right-of-way section.

City of Sherwood Transportation System Plan (TSP) shows that there is a local street designated to be constructed through the subject property. A local street section would consist of 36-feet width curb to curb, with curb and gutter, 5-foot wide landscape strips, 6-foot wide sidewalks and 1-foot wide sidewalk buffer on each side. This results in a 60-foot wide right-of-way section. Any deviation from this section will require a design modification request approved by the city engineer.

This local street, as identified in the TSP, is isolated from any other current city right-of-way and therefore public street construction and right-of-way dedication makes for difficulty in maintenance and usage if the street were to be constructed and the right-of-way dedicated at this time. Therefore, a payment-in-lieu of constructing the street improvements will likely be required. This payment-in-lieu will be at 125% of the engineer's estimate for the following:

- 1. Excavation calculated at an 18-inch depth over the area of the tract of land that will be the future right-of-way.*
- 2. Geotextile fabric calculated over the area of the base rock.*
- 3. Base rock calculated at a total depth of 10 inches beneath the future asphalt and 6 inches below the future curb and gutter extending 1 foot behind the back of curb within the full width of the future street section within the future right-of-way.*
- 4. Curb and gutter calculated at the length to install future curb and gutter along both sides of the future street within the future right-of-way.*
- 5. Asphalt calculated at a total depth of 4-inches between the gutters within the full width of the future street section within the future right-of-way.*
- 6. Concrete sidewalk calculated at a 6-foot width along both sides of the future street section within the future right-of-way.*
- 7. Concrete aprons for each of the 3 parcels.*
- 8. Westbrook street light – 1 total.*
- 9. Street trees – 12 total.*
- 10. Conduit and vaults for underground franchise utilities along one side of the future street section within the future right-of-way (including fee-in-lieu for Sherwood Broadband).*
- 11. Removal costs for buildings, swimming pool, surrounding concrete and any other obstructions currently located within the future right-of-way.*

A tract of land will need to be created within the partition plat around this future street with a width of 60-feet which will widen as necessary to accommodate the turning eyebrow at the east end of the subject property. This tract of land will be privately owned and maintained until a time when surround street improvement and dedications make it feasible to construct the public street within this tract of land at which time dedication to the city will be required. An agreement between the developer and city will need to be recorded with the stipulations of this future property ownership transfer.

On the outside and adjacent to the south side of the aforementioned right-of-way tract, an 8-foot wide PUE shall be dedicated to the city of Sherwood. Also on the outside and adjacent to each side of the aforementioned right-of-way tract a 15-foot wide construction easement shall be dedicated to the city of Sherwood for future street construction.

Creation of a second tract of land within the partition plat will be necessary since there is additional area north of the future right-of-way dedication tract that will be in excess of that necessary for the future street. This tract of land will be privately owned and maintained. A construction easement will be required over this tract of land for future driveway removal.

The preliminary plans show that the 2 new parcels that are proposed to be created by this subdivision are to obtain access to SW Sunset Boulevard via the existing flag until a time that the future street is constructed. Construction of a new driveway within the flag will need approval from the neighbor to the east as this neighbor has a septic field within the flag via a private easement that prevents the driveway from being constructed. Construction of this driveway within the flag portion of the subject property will require that the home on the property to the east of the subject property (septic field owner) be connected to the sanitary sewer lateral that exists within SW Sunset Boulevard prior to the construction of this driveway. A city of Sherwood plumbing permit will be required for this private plumbing. System development charges will need to be paid for this new connection for the existing home prior to plumbing permit issuance.

There is a second issue with construction of a new driveway within the flag portion of the subject parcel is that the access point to SW Sherwood Boulevard is within 300 feet of neighboring driveway to the east and the neighboring driveway on the north side of SW Sunset Boulevard. To install a new driveway location separate of the existing driveway to the east will require a design modification request approved by the city engineer.

As an alternate, the new driveway could be combined with the existing driveway in one driveway access point. However, the eastern edge of the neighboring driveway to the east is approximately 35 feet from the property line which exceeds the 30 maximum for a driveway width. Therefore, the neighboring driveway will either need to be relocated nearer the property line so that the driveway width does not exceed 30 feet in front of the neighboring driveway (neighbor permission required) or obtain a design modification for a driveway exceeding 30 ft. request approved by the city engineer. The design modification will be reviewed based on applicable criteria and this comment letter does not guarantee that a design modification will be approved.

All new/reconfigured driveways will need to comply with ADA and city of Sherwood standards.

While not proposed in the latest application, if the developer wishes to add access to the existing driveway for the 2 new parcels, the paved width of the existing driveway will need to be increased to 20-feet to be in compliance with city and TVF&R standards for a driveway serving

more three or more lots. Permission from the underlying property and easement owners is also required.

All new/reconfigured driveways will need to comply with ADA and city of Sherwood standards.

The preliminary plans show a hammerhead for the new driveway. This hammerhead currently shows to be on the neighboring parcel to the east (Tax Lot 13500). Construction of a hammerhead within neighboring property will require the affected owners to sign the final plat application before it can be processed. The final plat application will not be processed without required signatures.

Tracts of land providing access to parcels of the partition shall have a private access easement encompassing the new driveway. The future driveway access for the 3 parcels of this partition will be via the future right-of-way tract and the street to be constructed within. Once this street has been constructed with new driveway drops for the 3 parcels of this partition, the existing driveway drop onto SW Sunset Boulevard will need to be reconstructed to eliminate access from the flag portion of the subject property onto SW Sunset Boulevard. Also, the driveway within the flag portion of the subject property will also need to be removed. A payment-in-lieu of performing this removal/restoration work is required. This payment-in-lieu will be at 125% of the engineer's estimate for the following:

- 1. Removal/reconstruction of concrete driveway at SW Sunset Boulevard.*
- 2. Removal of asphalt driveway within the flag portion of the subject property and the restoration of the ground thereof."*

Staff concur with the above information. Future road construction of the subject local road, and all associated improvements, shall meet the standards outlined within this chapter, be approved by Public Works – Engineering staff, and satisfy all other transportation rules and criterion [i.e. Title 3 of the Urban Growth Management Functional Plan (UGMFP)]. As the proposal is a land partition on property zoned residential use and the proposed land partition does not create any new streets beyond what is already identified and established within the TSP, and a any partial improvement would not be feasible due to the inability to achieve proper design and accessibility standards.

Single family detached dwellings, middle housing dwellings, and manufactured homes on individual residential lots are not permitted permanent driveway ingress or egress from arterials (i.e. SW Sunset Boulevard). However, if alternative public access is not available at the time of development, the code requires that provisions shall be made for temporary access which shall be discontinued upon the availability of alternative access.

'Parcel 1' will retain use of the existing driveway's *Access and Utility Easement* (Doc. No. 81-030331). Parcel 2' and 'Parcel 3' will be served by a new temporary driveway along the western property line of Tax Lot 13400; recordation of an "Access and Utility Easement" shall be required, as conditioned in subsequent sections of this report.

Upon construction of the future local road, on-site vehicle circulation for each proposed parcel will be required to connect with the newly created public street and access onto SW Sunset will be relinquished. This is making the described easement and proposed driveway temporary in nature.

Furthermore, right-of-way dedication and associated payment in-lieu shall meet the local road standards outlined under Ordinance 2022-005 (Attachment J), as to allow for two lanes for travel and provide adequate on-street parking that meets Sherwood's existing and future transportation needs; a reduction to the right-of-way width to the previous 52-foot road standards, as still described and adopted above, will be at the discretion of the city engineer.

The applicant was required to illustrate, at minimum, the future road and its conceptual connection to the broader transportation network. However, this proposal does not authorize any roadway construction at this time. Construction of the future road shall not commence until the abutting properties elect to redevelop and a full build-out connection becomes feasible, subject to applicable development and engineering standards at the time, including constitutional nexus and proportionality findings.

Pursuant to 16.106.030.B.2.b. - Street Connectivity and Future Street Systems, "Where a developer does not control all of the land that is necessary to complete a planned street connection, the development shall provide for as much of the designated connection as practicable and not prevent the street from continuing in the future." Through displaying this connection within the submitted plan set, in conjunction with the conditions described below, the proposal meets the requirement for development and future road connections identified within the adopted Transportation Systems Plan (TSP).

Transportation System Planning in Oregon is required by state law as one of the 19 statewide planning goals (Goal 12- Transportation). A TSP is adopted through a formal public planning process that integrates technical analysis, community input, and local decision-making. The current TSP was adopted on June 17, 2014 [Ordinance 2014-012 (Attachment K)] and was developed with guidance from a Technical Advisory Committee (TAC) and a Citizen Advisory Committee (CAC), along with open houses, public comment periods, and hearings before the Planning Commission and City Council.

In Sherwood's Transportation System Plan, identifying future local roads and connections is essential for ensuring that larger undeveloped parcels can transition into well-connected neighborhoods as growth occurs. For larger parcels, conceptual street alignments provide a framework so that, as land develops, new streets can be integrated systematically rather than in isolated segments. This ensures that new housing and employment areas are tied into the broader community with logical, multimodal connections, and support walking, biking, and local access to transit. By identifying these connections in advance, specifically with development that results in higher densities and traffic impacts, the city can require developers to, at minimum, dedicate portions of the planned network, building out connectivity incrementally as parcels urbanize.

Overall, the required right-of-way dedication is proportional to the impacts generated by this three-lot partition because the creation of two additional parcels increases demand for public access, emergency vehicle circulation, and potential traffic through the subject property. While the street is not immediately needed for general traffic, the development creates new lots that will ultimately rely on this alignment for permanent access. Reserving the now directly addresses the incremental impacts of the partition by ensuring that adequate width is available to accommodate the additional vehicle trips, emergency access, and utility infrastructure required by the new lots once surrounding parcels redevelop. Without this reservation, the development could constrain or complicate future street construction, potentially increasing

costs and safety risks. In this way, the size of the right-of-way dedication is directly tied to the specific access and circulation needs created by the new parcels, making it roughly proportional to the development's impacts.

The required frontage improvements along SW Sunset Boulevard are proportional to the impacts generated by the proposed partition. The creation of two additional parcels increases pedestrian, utility, and vehicular activity along SW Sunset Boulevard. Even though these driveways are temporary until the future local street is constructed, they still generate impacts to the arterial. The improvements directly mitigate these incremental impacts while ensuring compliance with City standards. The scope of the work is limited to the area affected by the new lots, making the improvements reasonably related to the development's transportation impacts and therefore roughly proportional. The following conditions apply:

Condition A.1: If the applicant seeks any deviation from the City of Sherwood–adopted street cross sections, an engineering design modification request shall be required. All such design modification requests shall be submitted in conjunction with a Type II – Transportation Facilities Modification application, pursuant to *Chapter 16.106 – Transportation Facilities*.

Condition E.1: Prior to Approval of Engineering Public Improvement Plans, the proposed development shall design to widen the street along the subject property frontage of SW Sunset Boulevard and to the extents of driveway reconstruction east of the subject property to a 25-foot wide paved half-street section with a 5-foot wide landscape stripe and 8-foot wide sidewalk meeting the approval of the Sherwood Engineering Department.

Condition E.2: Prior to Approval of Engineering Public Improvement Plans, the proposed development shall design to construct driveway access to SW Sunset Boulevard meeting the approval of the Sherwood Engineering Department. If reconstruction of the existing driveway to the east is necessary and requires construction within the neighboring property to the east of the flag portion of the subject property, then permission from the neighboring property east of the flag portion of the subject property is required.

Condition E.3: Prior to Approval of Engineering Public Improvement Plans, the proposed development shall make a payment-in-lieu of constructing the street improvements within the future local street right-of-way meeting the approval of the Sherwood Engineering Department. This payment-in-lieu will be at 125% of the engineer's estimate for the following:

- i. Excavation calculated at an 18-inch depth over the area of the tract of land that will be the future right-of-way.
- ii. Geotextile fabric calculated over the area of the base rock.
- iii. Base rock calculated at a total depth of 10 inches beneath the future asphalt and 6 inches below the future curb and gutter extending 1 foot behind the back of curb within the full width of the future street section within the future right-of-way.
- iv. Curb and gutter calculated at the length to install future curb and gutter along both sides of the future street within the future right-of-way.
- v. Asphalt calculated at a total depth of 4-inches between the gutters within the full width of the future street section within the future right-of-way.

- vi. Concrete sidewalk calculated at a 6-foot width along both sides of the future street section within the future right-of-way.
- vii. Concrete aprons for each of the 3 parcels.
- viii. Westbrook street light – 1 total.
- ix. Street trees – 12 total.
- x. Conduit and vaults for underground franchise utilities along one side of the future street section within the future right-of-way (including fee-in-lieu for Sherwood Broadband).
- xi. Removal costs for buildings, swimming pool, surrounding concrete and any other obstructions currently located within the future right-of-way.

Condition E.4: Prior to Approval of Engineering Public Improvement Plans, the proposed development shall make a payment-in-lieu for reconstruction of the existing driveway drop onto SW Sunset Boulevard and to eliminate access from the flag portion of the subject property onto SW Sunset Boulevard. This payment-in-lieu will be at 125% of the engineer's estimate for the following:

- i. Removal/reconstruction of concrete driveway at SW Sunset Boulevard.
- ii. Removal of asphalt driveway within the flag portion of the subject property and the restoration of the ground thereof.

Condition E.5: Prior to Approval of Engineering Public Improvement Plans, the proposed development shall design for onsite driveway/emergency access meeting the approval of the Sherwood Engineering Department and Tualatin Valley Fire and Rescue.

Condition E.6: Prior to Approval of Engineering Public Improvement Plans, the proposed development shall obtain permission from the neighbor east of the flag portion of the subject property to remove/abandon septic field in order to construct a driveway in the flag portion of the subject property. Also required as part of this permission, the proposed development will need to connect the sanitary sewer for the house east of the flag portion of the subject property to the existing sanitary sewer lateral at SW Sunset Boulevard and have the septic field easement vacated. System development charges are required to be paid for connection to the public sanitary sewer system.

Condition E.7: Prior to Approval of Engineering Public Improvement Plans, the developer shall obtain and adhere to the conditions of the Tualatin Valley Fire and Rescue Service Provider Letter.

Condition B.4: Prior to Final Plat, the proposed development shall create a tract of land for a future local street 60 feet width of right-of-way meeting the approval of the Sherwood Engineering Department. This tract of land shall contain any necessary private access easements needed for access to all parcels of this partition.

Condition B.5: Prior to Final Plat, the proposed development shall dedicate a 2-foot wide PUE along the subject property frontage of SW Sunset Boulevard meeting the approval of the Sherwood Engineering Department.

Condition B.6: Prior to Final Plat, the proposed development shall record an agreement between the developer and the city of Sherwood that stipulates that the tract of land designated for a future local street shall be privately owned and maintained until a point in time where dedication to the city of Sherwood would be required.

Condition B.7: Prior to Final Plat, the proposed development shall dedicate a 8-foot wide PUE on the outside of and adjacent to the future right-of-way tract meeting the approval of the Sherwood Engineering Department.

Condition B.8: Prior to Final Plat, the proposed development shall dedicate a 15-foot wide construction easement to the south of and adjacent to the future right-of-way tract meeting the approval of the Sherwood Engineering Department.

Condition B.9: Prior to Final Plat, the proposed development shall create a tract of land for the property north of the future right-of-way tract meeting the approval of the Sherwood Engineering Department. This tract shall be privately owned and maintained and shall be encompassed by a construction easement to the city of Sherwood and any necessary private access easements needed for access to the new parcels.

Condition B.10: Prior to Final Plat, the proposed development shall obtain an easement from any neighboring properties for which any portion of the new driveway/emergency turn around is within.

Chapter 16.110 - SANITARY SEWERS

16.110.010 - Required Improvements

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

16.110.020 - Design Standards

A. Capacity

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

B. Over-Sizing

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

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.

FINDING: The City of Sherwood Engineering & Public Works Department reviewed all materials provided by the applicant and found sufficient information was provided to satisfy, and conditions as necessary, the above criteria. The following analysis was provided:

“There is an existing 8-inch diameter public sanitary sewer within SW Sunset Boulevard (north side) along the frontage of the subject property. The subject development will need to extend a new public sanitary sewer line to the future right-of-way tract and install a sanitary sewer lateral to serve the parcel with the existing home and each of the new parcels. The preliminary plan shows a proposed public sanitary sewer line within the 18.5-foot wide flag portion of the subject property along with a proposed public storm sewer. The applicant has not yet demonstrated that a new public sanitary sewer can be laid across SW Sunset Boulevard due to the 2 public water lines within SW Sunset Boulevard (48-inch and 16-inch diameter). Prior to approval of the engineering public improvement plans the developer will need to pothole the water lines for confirmation that a public sanitary sewer line can provide sanitary sewer service to the 3 parcels at the location shown.

A sanitary sewer service needs to be provided for each parcel of the partition. The public sanitary sewer does not need to be extended to the east property line as that property has street frontage on SW Sunset Boulevard.

The existing home will need to be connected to the new sanitary sewer lateral. Plumbing permit required (includes payment of system development charges).

Any public sanitary sewer located on private property requires that a public sanitary sewer easement be dedicated to the city of Sherwood. This easement shall be a minimum width of 15 feet for a single sewer line or 20 feet for an easement with 2 sewer lines. Since the preliminary plans show both the sanitary and storm sewer in this flag portion of the subject property, the public easement will need to have a width of 20 feet unless a design modification request approved by the city engineer is obtained. Since there are private water lines proposed within the flag portion of the subject property, the maximum width available for a public sanitary and storm sewer easement is 15 feet without obtaining an easement from the neighbor to the east of the subject property flag.

Currently the neighbor to the east of the flag portion of the subject property has a septic tank, drainfield and drainfield easement over the portion of the flag that is proposed to have the new public sanitary sewer. OAR 340-071-0220 (Table 1) states that water lines and underground utilities can not be within 10 feet of the absorption area of the septic field. From field measurements, it appears that the northern end of the drainfield is about 15 feet into the flag portion of the subject property which will not allow for any underground utilities to be installed within the flag portion of the subject property as the 10-foot setback with the drainfield absorption area can't be achieved.

This results in the subject development needing to obtain the permission of the neighbor to the east of the flag portion of the subject property to agree to relinquishing their drainfield easement, removal/abandonment of their septic tank/drainfield and to connect up their home to the existing sanitary sewer lateral stubbed to the south side of SW Sunset Boulevard. This will require SDC connection fees to be paid to connect up the existing home.

Private storm sewer easements will need to be dedicated as needed.”

Planning staff have reviewed and concur with the above analysis. A CWS Memorandum (Attachment C), dated September 24, 2025, includes additional comments and conditions of approval. Based on the above information, the proposed development can provide sufficient sanitary sewer lines constructed, located, sized, and installed at the applicable standards, as further conditioned below:

Condition A.8: The applicant shall comply with all requirements and conditions set forth in the Clean Water Services (CWS) memorandum dated September 24, 2025, as applicable.

Condition B.11: Prior to Final Plat, the proposed development shall dedicate a public sanitary sewer easement(s) for any public sanitary sewer within private property meeting the approval of the Sherwood Engineering Department.

Condition B.12: Prior to Final Plat, the proposed development shall dedicate a private sanitary sewer easement(s) as necessary.

Condition D.1: Prior to Grant of Occupancy, any private sanitary sewer piping shall be installed in conformance with the current Oregon Plumbing Specialty Code.

Condition E.8: Prior to Approval of Engineering Public Improvement Plans, the proposed development shall design to extend a public sanitary sewer line as necessary to provide individual sanitary laterals to each parcel of the partition meeting the approval of the City of Sherwood Engineering Department. As part of this design, potholing of the existing water lines within SW Sunset Boulevard will be required at any crossing between the proposed sanitary sewer and the existing water lines.

Condition E.9: Prior to Approval of Engineering Public Improvement Plans, the proposed development shall design to connect the existing home on the subject property to the proposed sanitary lateral meeting the approval of the City of Sherwood Engineering Department. A plumbing department permit is required to connect the existing sanitary sewer to the new lateral (includes payment of system development charges).

Condition E.10: Prior to Approval of Engineering Public Improvement Plans, the proposed development shall obtain permission from the neighbor east of the flag portion of the subject

property to remove/abandon septic field in order to construct a public sanitary sewer in the flag portion of the subject property. Also required as part of this permission, the proposed development will need to connect the sanitary sewer for the house east of the flag portion of the subject property to the existing sanitary sewer lateral at SW Sunset Boulevard and have the septic field easement vacated. System development charges are required to be paid for connection to the public sanitary sewer system.

Chapter 16.112 - WATER SUPPLY

16.112.010 - Required Improvements

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

16.112.020 - Design Standards

A. Capacity

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

B. Fire Protection

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

C. Over-Sizing

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

16.112.030 - Service Availability

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

FINDING: The City of Sherwood Engineering & Public Works Department reviewed all materials provided by the applicant and found sufficient information was provided to satisfy, and condition as necessary, the above criteria. The following analysis was provided:

“There is an existing 48-inch diameter and an existing 16-inch diameter public water main within SW Sunset Boulevard. The existing house is currently on public water. A new water service will need to be installed for each new parcel.

Currently the neighbor to the east of the flag portion of the subject property has a septic tank, drainfield and drainfield easement over the portion of the flag that is proposed to have the new public storm sewer. OAR 340-071-0220 (Table 1) states that water lines and underground utilities cannot be within 10 feet of the absorption area of the septic field.

From field measurements, it appears that the northern end of the drainfield is about 15 feet into the flag portion of the subject property which will not allow for any underground utilities to be installed within the flag portion of the subject property as the 10-foot setback with the drainfield absorption area can't be achieved.

This results in the subject development needing to obtain the permission of the neighbor to the east of the flag portion of the subject property to agree to relinquishing their drainfield easement, removal/abandonment of their septic tank/drainfield and to connect up their home to the existing sanitary sewer lateral stubbed to the south side of SW Sunset Boulevard. This will require SDC connection fees to be paid to connect up the existing home.

New private water services within the flag portion of the subject property will need to be outside of any public sewer easement granted to the city.

The future local street requires an 8-inch diameter water line for future extension/looping of the water line within the future local street right-of-way. Since the local street is not to be constructed at this time, the required water line within the future local street shall be covered with a payment-in-lieu. This payment-in-lieu will be at 125% of the engineer's estimate for the following:

- 1. Eight-inch diameter ductile iron water line for full length of the future street within the future right-of-way.*
- 2. One dual water service and one single water service.*

Private water line easements will need to be dedicated as needed to provide water services to each parcel.”

Planning staff have reviewed and concur with the above analysis. A CWS Memorandum (Attachment C), dated September 24, 2025, includes additional comments and conditions of approval. Proposed water lines shall be appropriately sized and located in accordance with the Water System Master Plan (Attachment L). Approval of construction plans for new water facilities shall be approved prior to 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. The following conditions apply:

Condition B.13: Prior to Final Plat, the proposed development shall dedicate a private water easement(s) as necessary.

Condition D.2: Prior to Grant of Occupancy, any private water piping shall be installed in conformance with the current Oregon Plumbing Specialty Code.

Condition E.11: Prior to Approval of Engineering Public Improvement Plans, the proposed development shall design to provide individual water services to each new parcel of the partition meeting the approval of the City of Sherwood Engineering Department.

Condition E.12: Prior to Approval of Engineering Public Improvement Plans, the proposed development shall design to relocate the existing meter to the existing home on the subject property as necessary to not be encompassed in concrete/asphalt meeting the approval of the City of Sherwood Engineering Department. A plumbing department permit is required to connect the existing private water system to the new water meter.

Condition E.13: Prior to Approval of Engineering Public Improvement Plans, the proposed development shall obtain permission from the neighbor east of the flag portion of the subject property to remove/abandon septic field in order to construct private water services in the flag portion of the subject property. Also required as part of this permission, the proposed development will need to connect the sanitary sewer for the house east of the flag portion of the subject property to the existing sanitary sewer lateral at SW Sunset Boulevard and have the septic field easement vacated. System development charges are required to be paid for connection to the public sanitary sewer system.

Condition E.14: Prior to Approval of Engineering Public Improvement Plans, the proposed development shall make a payment-in-lieu of constructing the water improvements within the future local street right-of-way meeting the approval of the Sherwood Engineering Department. This payment-in-lieu will be at 125% of the engineer's estimate for the following:

- i. Eight-inch diameter ductile iron water line for full length of the future street within the future right-of-way.
- ii. One dual water service and one single water service.

Chapter 16.114 - STORM WATER

16.114.010 - Required Improvements

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

16.114.020 - Design Standards

1. Capacity

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

B. On-Site Source Control

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

C. Conveyance System

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

16.114.030 - Service Availability

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

FINDING: The City of Sherwood Engineering & Public Works Department reviewed all materials provided by the applicant and found sufficient information was provided to satisfy, and condition as necessary, the above criteria. The following analysis was provided:

“There is an existing 15-inch diameter public storm sewer within SW Sunset Boulevard (north side) along the frontage of the subject property. There is also a 12-inch diameter public storm sewer on the south side of SW Sunset Boulevard which ends about 25 feet west of the subject property. The subject development will need to extend a new public storm sewer line to the future right-of-way tract and install a storm sewer lateral to serve the parcel with the existing home and each of the new parcels. The preliminary plan shows a proposed public storm sewer line within the 18.5-foot wide flag portion of the subject property along with a proposed public sanitary sewer. The applicant has not yet demonstrated that if a new public storm sewer can be laid across SW Sunset Boulevard due to the 2 public water lines within SW Sunset Boulevard (48-inch and 16-inch diameter). Therefore extension and connection to the storm sewer along the south side of SW Sunset Boulevard is the preferred point of connection.

A storm sewer service needs to be provided for each parcel of the partition. The public storm sewer does not need to be extended to the east property line as that property has street frontage on SW Sunset Boulevard.

The existing home will need to be connected to the new storm sewer lateral. Plumbing permit required. A fee-in-lieu of installing storm water runoff water quality treatment and hydro-modification is required for the existing home and for impervious area to be located within new tracts of land. New homes will need to make a fee-in-lieu of installing storm water runoff water quality treatment and hydro-modification prior to obtaining a building permit.

There is a downstream public storm filter vault that can have an additional filter(s) added to cover storm water runoff water quality treatment for the site.

Any public storm sewer located on private property requires that a public storm sewer easement be dedicated to the city of Sherwood. This easement shall be a minimum width of 15 feet for a single sewer line or 20 feet for an easement with 2 sewer lines. Since the preliminary plans show both the sanitary and storm sewer in this flag portion of the subject property, the public easement will need to have a width of 20 feet unless a design modification request approved by the city engineer is obtained. Since there are private water lines proposed within the flag portion of the subject property, the maximum width available for a public sanitary and storm sewer easement is 15 feet without obtaining an easement from the neighbor to the east of the subject property flag.

Currently the neighbor to the east of the flag portion of the subject property has a septic tank, drainfield and drainfield easement over the portion of the flag that is proposed to have the new public storm sewer. OAR 340-071-0220 (Table 1) states that water lines and underground utilities cannot be within 10 feet of the absorption area of the septic field. From field measurements, it appears that the northern end of the drainfield is about 15 feet into the flag portion of the subject property which will not allow for any underground utilities to be installed within the flag portion of the subject property as the 10-foot setback with the drainfield absorption area can't be achieved.

This results in the subject development needing to obtain the permission of the neighbor to the east of the flag portion of the subject property to agree to relinquishing their drainfield easement, removal/abandonment of their septic tank/drainfield and to connect up their home to the existing sanitary sewer lateral stubbed to the south side of SW Sunset Boulevard. This will require SDC connection fees to be paid to connect up the existing home.

The subject development will be required to install a public storm sewer within the future local street in order to provide storm sewer service to each parcel in compliance with CWS standards. However, since the local street is not to be constructed at this time, the catch basins associated with the future local street shall be covered with a payment-in-lieu. This payment-in-lieu will be at 125% of the engineer's estimate for the following:

- 1. Two catch basins with lead lines.*
- 2. Storm water quality/hydromodification payment-in-lieu for future impervious area within within the future right-of-way.*

Private storm sewer easements will need to be dedicated as needed.”

Planning staff have reviewed and concur with the above analysis. A CWS Memorandum (Attachment C), dated September 24, 2025, includes additional comments and conditions of approval. Proposed storm water shall be appropriately sized, constructed, located, and installed consistent with the Comprehensive Plan, applicable Sherwood Master Plans, and to the requirements of the Clean Water Services water quality regulations contained in their Design and Construction Standards R&O 04-9. The following conditions apply:

Condition B.14: Prior to Final Plat, the proposed development shall dedicate a public storm sewer easement(s) for any public storm sewer within private property meeting the approval of the Sherwood Engineering Department.

Condition B.15: Prior to Final Plat, the proposed development shall dedicate a private storm sewer easement(s) as necessary.

Condition C.2: Prior to Issuance of Building Permits, for each of the new homes, the homebuilder shall pay a fee-in-lieu of installing a storm water runoff water quality/hydro-modification facility.

Condition D.4: Prior to Grant of Occupancy, any private storm sewer piping shall be installed in conformance with the current Oregon Plumbing Specialty Code.

Condition E.15: Prior to Approval of Engineering Public Improvement Plans, the proposed development shall design to extend a public storm sewer line as necessary to provide individual storm laterals to each parcel of the partition meeting the approval of the City of Sherwood Engineering Department.

Condition E.16: Prior to Approval of Engineering Public Improvement Plans, the proposed development shall design to connect the existing home on the subject property to the proposed storm lateral meeting the approval of the City of Sherwood Engineering Department. A plumbing department permit is required to connect the existing storm sewer to the new lateral.

Condition E.17: Prior to Approval of Engineering Public Improvement Plans, the proposed development shall obtain permission from the neighbor east of the flag portion of the subject property to remove/abandon septic field in order to construct a public storm sewer in the flag portion of the subject property. Also required as part of this permission, the proposed development will need to connect the sanitary sewer for the house east of the flag portion of the subject property to the existing sanitary sewer lateral at SW Sunset Boulevard and have the septic field easement vacated. System development charges are required to be paid for connection to the public sanitary sewer system.

Condition E.18: Prior to Approval of Engineering Public Improvement Plans, the proposed development shall pay a fee-in-lieu of installing a storm water runoff water quality/hydro-modification facility for the existing home parcel and for any impervious area associated with the driveway/emergency access within the tracts of land to be created within the partition plat.

Condition E.19: Prior to Approval of Engineering Public Improvement Plans, the proposed development shall make a payment-in-lieu of constructing the storm improvements within the future local street right-of-way meeting the approval of the Sherwood Engineering Department. This payment-in-lieu will be at 125% of the engineer's estimate for the following:

- i. Two catch basins with lead lines.
- ii. Storm water quality/hydromodification payment-in-lieu for future impervious area within the future right-of-way.

Condition E.20: Prior to Approval of Engineering Public Improvement Plans, a stormwater connection permit shall be obtained from Clean Water Services

As presented, the above criteria are met.

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, 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.

16.118.050 - Private Streets

The construction of new private streets, serving single-family residential developments shall be prohibited unless it provides principal access to two or fewer residential lots or parcels i.e. flag lots. Provisions shall be made to assure private responsibility for future access and maintenance through recorded easements. Unless otherwise specifically authorized, a private street shall comply with the same standards as a public street identified in the Community Development Code and the Transportation System Plan. A private street shall be distinguished from public streets and reservations or restrictions relating to the private street shall be described in land division documents and deed records. A private street shall also be signed differently from public streets and include the words "Private Street".

FINDING: The application was reviewed by City of Sherwood Engineering for compliance with applicable criterion and provided the following findings:

"..Sherwood Broadband facilities exist along the south side of SW Sunset Boulevard along the subject property frontage..."

Planning concurs with the above. Public Utility Easements (PUEs) shall be provided as necessary to accommodate required public and franchise utility infrastructure, consistent with the criteria cited above and as further described throughout this staff report. All future utilities shall be placed underground in accordance with Chapter 16.118.

The western driveway will be used solely as temporary/emergency access and does not constitute a private street as described within this code. Because it is temporary in purpose and duration, it is not required to meet the standard street sections set forth in SMC. The following condition applies:

Condition A.9: Per City of Sherwood standards, all new utilities shall be placed underground.

As presented, the above criteria are met.

Chapter 16.122 - LAND PARTITIONS

16.122.010 – Generally

A. Approval Required

A tract of land or contiguous tracts under a single ownership shall not be partitioned into two (2) or more parcels until a partition application has been approved by the City Manager or his/her designee.

B. City Action

The City Manager or his/her designee shall review the partition applications submitted in accordance with Section 16.70 and shall approve, approve with conditions or deny the application.

FINDING: The application for the proposed partition was reviewed and signed by the City Manager or his/her designee prior to approval. The City of Sherwood Planning Department reviewed the proposed partition for compliance with all applicable criteria under the Sherwood Zoning and Development Code; therefore, this criterion is satisfied.

16.122.020 – Approval Criteria: Preliminary Plat

Partitions shall not be approved unless:

- A. The partition complies with applicable zoning district standards and design standards in Division II, and all provisions of Divisions IV, VI, VIII and IX, and complies with Chapter 16.128 (Land Division Design Standards).
- B. The partition dedicates to the public all required common improvements and areas including but not limited to streets, parks, floodplains, and sanitary sewer, storm water, and water supply systems.
- C. The applicant must demonstrate adequate water, sanitary sewer and other public facilities exist to support the proposed use of the partitioned land. For the purposes of this section:
 1. Adequate water service shall mean: the ability to connect to the City water supply system and the City water supply system has the capacity to provide service in compliance with City standards.
 2. Adequate sanitary sewer service shall mean: the ability to connect to the City sanitary sewer system and the City sanitary sewer system has the capacity to

provide service in compliance with City standards if City sanitary sewer lines are located within three hundred (300) feet of any point of the lot lines of the partition.

3. Installation of private on-site septic sewage disposal facilities shall be deemed adequate when the lots proposed are 15,000 square feet or more if the private on-site septic system is permitted by Washington County Health and City sewer lines are not within three hundred (300) feet.
4. The adequacy of other public facilities such as storm water and streets shall be determined by the City Manager, or his/her designee based on applicable City policies, plans and standards for said facilities.

D. Adjoining land can be developed, or is provided access that will allow future development, in accordance with this Code.

E. Future Development Ability

In addition to the findings required by Section 16.122.010, the City Manager or his/her designee must find, for any partition creating lots averaging one (1) acre or more, that the lots may be re-partitioned or resubdivided in the future in full compliance with the standards of this Code. The City Manager or his/her designee may require the applicant to submit partition drawings or other data confirming that the property can be resubdivided. If re-partitioning or resubdividing in full compliance with this Code is determined not to be feasible, the City Manager or his/her designee shall either deny the proposed partition, require its redesign, or make a finding and condition of approval that no further partitioning or subdivision may occur, said condition to be recorded against the property.

FINDING: The applicant submitted materials that were reviewed by the City of Sherwood Engineering Department (Attachment B) who found sufficient water, sanitary sewer, and other public facilities (storm water, streets, etc.) will service the site. Compliance with all other applicable district standards and design standards outlined in Division II, IV, VI, VIII, IX, and the Land Division Design Standards were congruently reviewed by the Sherwood Planning Department. As conditioned and addressed throughout this report, this criterion is satisfied.

16.122.050 - Filing and Recording Requirements

A. Generally

Within twelve (12) months after City approval of a land partition, a partition plat shall be submitted to the County in accordance with its final partition plat and recording requirements.

B. Time Limit

The applicant shall submit the copy of the recorded partition to the City within 30 days of recording, and shall be completed prior to the issuance of any building permits on the re-configured lots.

C. Extension

After expiration of the twelve (12) months period following partition approval, the partition must be resubmitted for new approval. The City Manager or his/her designee may, upon written request by the applicant, grant an extension up to twelve (12) months upon a written finding that the facts have not changed to an extent sufficient to warrant re-filing of the partition and that no other development approval would be affected. For partitions

granted between January 1, 2007 and December 31, 2009, the approval shall be extended until December 31, 2013.

FINDING: The applicant shall submit to the County a partition plat within twelve (12) months of this approval. Additionally, the applicant shall be required to submit a copy of the recorded partition to the City within thirty (30) days of recordation and prior to the issuance of all associated building permits for 'Parcel 2' & 'Parcel 3.' The following conditions apply:

Condition A.10: Within 12 months of approval of this land partition, the final plat shall be submitted to the County in accordance with final plat standards and/or conditions and all required recording requirements.

Condition A.11: The applicant shall submit a copy of the recorded partition to the City within thirty (30) days of recording.

Condition C.3: Prior to Issuance of Building Permits for 'Parcel 2' & 'Parcel 3,' the applicant shall submit a copy of the recorded partition to the City.

As presented, the above criterion is satisfied.

Chapter 16.128 - LAND DIVISION DESIGN STANDARDS

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: The proposed partition lots comply with the applicable zone district requirements, as aforementioned in prior sections of this decision. Access to each parcel will occur from two (2) temporary driveways onto SW Sunset and will connect onto a future local road identified within the adopted Transportation Systems Plan, pending future construction. No structural development is proposed at this time; therefore, these criteria are satisfied.

- #### **D. Side Lot Lines**
- Side lot lines shall, as far as practicable, run at right angles to the street upon which the lots face, except that on curved streets side lot lines shall be radial to the curve of the street.

FINDING: The proposed parcels will run at right angles to the street upon which the lots face, pending future local road construction as identified within the Transportation Systems Plan; therefore, this criterion 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: No development or general grading is proposed with this partition; therefore, these standards are not applicable.

Chapter 16.140 - PARKS, TREES AND OPEN SPACES

16.140.010 - 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 the City's adopted Comprehensive Plan. The standards of this section do not supersede the open space requirements of a Planned Unit Development, found in Chapter 16.40 - Planned Unit Development (PUD).

16.140.040 - Visual Corridors

- A. New developments located outside of the Old Town Overlay with frontage on Highway 99W, or arterial or collector streets designated on Figure 8-1 of the Transportation System Plan shall be required to establish a landscaped visual corridor according to the following standards:

	Category	Width
1.	Highway 99W	25 feet
2.	Arterial	15 feet
3.	Collector	10 feet

In residential developments where fences are typically desired adjoining the above-described major street the corridor may be placed in the road right-of-way between the property line and the sidewalk. In all other developments, the visual corridor shall be on private property adjacent to the right-of-way.

FINDING: The proposal includes a Minor Land Partition to create three (3) parcels. The subject parcel, prior to partition, has approximately 19-feet of frontage along SW Sunset Boulevard (arterial) and would traditionally be subject to the 15-foot visual corridor requirements. However, development of the proposed parcels is contingent on the implementation of the future local roadway identified in the City's Transportation System Plan (TSP) and further described in Chapter 16.106 — *Transportation Facilities*. Because the nexus for allowing development is tied to the planned local roadway (which will provide public frontage and not subject to the visual corridor standards), the above criterion is not applicable to the proposed partition at this time.

16.142.060 - Street Trees

- A. 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.

FINDING: The applicant did not submit materials indicating appropriate street tree planting would be met along the future local roadway. The city has conditioned payment of a fee-in-lieu for required street trees, as described in previous sections, however, payment of the fee does not waive the requirement that the applicant demonstrate that minimum street tree spacing, planting area, and species selection can be accommodated within the future roadway right-of-way or on private frontage. Accordingly, the applicant must provide evidence that street tree standards can be met prior to Final Plat Approval. The following condition applies:

Condition B.16: Prior to Final Plat Approval, the applicant shall submit revised plans illustrating that the minimum street-tree spacing, planting area, and species requirements can be met along the future local roadway, or, if planting is infeasible, provide a recorded planting easement, or other City-approved alternative.

I. STAFF RECOMMENDATION AND CONDITIONS OF APPROVAL

Based upon review of the applicant's submittal information, review of the code, agency comments and consideration of the applicant's submittal, staff finds that the proposed minor land partition does not fully comply with the applicable standards but can be conditioned to comply.

Therefore, staff recommends approval of application LU 2024-022 MLP "COTTLE PARTITION," subject to the following conditions of approval:

A. General Conditions

1. Clear Vision Areas shall be established and maintained at each private driveway intersection, pursuant to 16.58.010.
2. The property owner(s) shall be responsible for ensuring all required parking, loading, and maneuvering areas are not used for long-term storage or sale of vehicles or other materials, or rented, leased, or assigned to any person or organization not

- using or occupying the building or use served, pursuant to 16.94.010.D. All future violations are subject to Code Compliance.
3. The property owner(s) shall be responsible for the maintenance and repair of all dedicated off-street parking areas, including associated infrastructure, pursuant to Chapter 16.94.010.H.
 4. The property owner(s) shall be responsible for the maintenance and repair of the on-site pedestrian circulation area, including associated infrastructure, pursuant to section 16.96.010.B.
 5. Temporary vehicle access onto SW Sunset Boulevard serving 'Parcel 1' shall be maintained via the existing driveway's Access and Utility Easement (Doc. No. 81-030331), until such time that public right-of-way becomes available along the subject property. Upon completion and availability of roadway access, the temporary driveway shall be terminated and closed to vehicle traffic serving the subject properties identified for development within LU 2024-022 MLP, with all future ingress, egress, and circulation directed to the new public street.
 6. The property owner(s) shall be responsible for ensuring all vehicle ingress, egress, and circulation improvements be kept clean and in good repair, pursuant to section 16.96.040.D.
 7. If the applicant seeks any deviation from the City of Sherwood–adopted street cross sections, an engineering design modification request shall be required. All such design modification requests shall be submitted in conjunction with a Type II – Transportation Facilities Modification application, pursuant to *Chapter 16.106 – Transportation Facilities*.
 8. The applicant shall comply with all requirements and conditions set forth in the Clean Water Services (CWS) memorandum dated September 24, 2025, as applicable.
 9. Per City of Sherwood standards, all new utilities shall be placed underground.
 10. Within 12 months of approval of this land partition, the final plat shall be submitted to the County in accordance with final plat standards and/or conditions and all required recording requirements.
 11. The applicant shall submit a copy of the recorded partition to the City within thirty (30) days of recording.
 12. The continual operation of the property shall comply with the applicable requirements of the Sherwood Zoning and Community Development Code and Municipal Code.
 13. Compliance with the Conditions of Approval is the responsibility of the developer or its successor in interest.
 14. 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.

B. Prior to Final Plat

1. Prior to Final Plat Approval, the applicant shall submit a revised plan set for review and approval by Tualatin Valley Fire & Rescue (TVF&R) that is fully consistent with the development configuration and materials approved under the Notice of Decision (LU 2024-022 MLP).
2. Prior to Final Plat Approval, the applicant shall either submit revised civil drawings that eliminates any encroachment or other impacts to adjacent property(ies) outside the scope of the subject development, or submit a revised application form meeting

Section 16.70.030.A – Application Requirements: Form, and bearing original signatures of all owners (or their legal representatives) of the adjacent property(ies) impacted directly by development on their subject property(ies); documentation demonstrating legal authority for the encroachment (i.e. an access or turnaround easement or other recorded instruments) shall be submitted with the revised application form if elected.

3. Prior to Final Plat Approval, the applicant shall record an Access and Utility Easement with Washington County, establishing shared temporary access rights for both 'Parcels 2' and 'Parcel 3' onto SW Sunset Boulevard. The easement document shall include provisions for termination upon completion and availability of public right-of-way along the described properties and shall be subject to the minimum vehicle circulation standards and dimensions adopted at the time of road construction.
4. Prior to Final Plat, the proposed development shall create a tract of land for a future local street 60 feet width of right-of-way meeting the approval of the Sherwood Engineering Department. This tract of land shall contain any necessary private access easements needed for access to all parcels of this partition.
5. Prior to Final Plat, the proposed development shall dedicate a 2-foot wide PUE along the subject property frontage of SW Sunset Boulevard meeting the approval of the Sherwood Engineering Department.
6. Prior to Final Plat, the proposed development shall record an agreement between the developer and the city of Sherwood that stipulates that the tract of land designated for a future local street shall be privately owned and maintained until a point in time where dedication to the city of Sherwood would be required.
7. Prior to Final Plat, the proposed development shall dedicate a 8-foot wide PUE on the outside of and adjacent to the future right-of-way tract meeting the approval of the Sherwood Engineering Department.
8. Prior to Final Plat, the proposed development shall dedicate a 15-foot wide construction easement to the south of and adjacent to the future right-of-way tract meeting the approval of the Sherwood Engineering Department.
9. Prior to Final Plat, the proposed development shall create a tract of land for the property north of the future right-of-way tract meeting the approval of the Sherwood Engineering Department. This tract shall be privately owned and maintained and shall be encompassed by a construction easement to the city of Sherwood and any necessary private access easements needed for access to the new parcels.
10. Prior to Final Plat, the proposed development shall obtain an easement from any neighboring properties for which any portion of the new driveway/emergency turn around is within.
11. Prior to Final Plat, the proposed development shall dedicate a public sanitary sewer easement(s) for any public sanitary sewer within private property meeting the approval of the Sherwood Engineering Department.
12. Prior to Final Plat, the proposed development shall dedicate a private sanitary sewer easement(s) as necessary.
13. Prior to Final Plat, the proposed development shall dedicate a private water easement(s) as necessary.

14. Prior to Final Plat, the proposed development shall dedicate a public storm sewer easement(s) for any public storm sewer within private property meeting the approval of the Sherwood Engineering Department.
15. Prior to Final Plat, the proposed development shall dedicate a private storm sewer easement(s) as necessary.
16. Prior to Final Plat Approval, the applicant shall submit revised plans illustrating that the minimum street-tree spacing, planting area, and species requirements can be met along the future local roadway, or, if planting is infeasible, provide a recorded planting easement, or other City-approved alternative.

C. Prior to Issuance of Building Permits

1. Prior to Issuance of Building Permits, the developer shall execute an Engineering Compliance Agreement for the public improvements related to the project
2. Prior to Issuance of Building Permits, for each of the new homes, the homebuilder shall pay a fee-in-lieu of installing a storm water runoff water quality/hydro-modification facility.
3. Prior to Issuance of Building Permits for 'Parcel 2' & 'Parcel 3,' the applicant shall submit a copy of the recorded partition to the City.

D. Prior to Occupancy

1. Prior to Grant of Occupancy, any private sanitary sewer piping shall be installed in conformance with the current Oregon Plumbing Specialty Code.
2. Prior to Grant of Occupancy, any private water piping shall be installed in conformance with the current Oregon Plumbing Specialty Code.
3. Prior to Occupancy, final acceptance of the constructed public improvements shall be obtained from the Engineering Department.
4. Prior to Grant of Occupancy, any private storm sewer piping shall be installed in conformance with the current Oregon Plumbing Specialty Code.

E. Prior to Approval of Engineering Public Improvement Plans/ Acceptance of Public Improvements

1. Prior to Approval of Engineering Public Improvement Plans, the proposed development shall design to widen the street along the subject property frontage of SW Sunset Boulevard and to the extents of driveway reconstruction east of the subject property to a 25-foot wide paved half-street section with a 5-foot wide landscape stripe and 8-foot wide sidewalk meeting the approval of the Sherwood Engineering Department.
2. Prior to Approval of Engineering Public Improvement Plans, the proposed development shall design to construct driveway access to SW Sunset Boulevard meeting the approval of the Sherwood Engineering Department. If reconstruction of the existing driveway to the east is necessary and requires construction within the neighboring property to the east of the flag portion of the subject property, then permission from the neighboring property east of the flag portion of the subject property is required.

3. Prior to Approval of Engineering Public Improvement Plans, the proposed development shall make a payment-in-lieu of constructing the street improvements within the future local street right-of-way meeting the approval of the Sherwood Engineering Department. This payment-in-lieu will be at 125% of the engineer's estimate for the following:
 - i. Excavation calculated at an 18-inch depth over the area of the tract of land that will be the future right-of-way.
 - ii. Geotextile fabric calculated over the area of the base rock.
 - iii. Base rock calculated at a total depth of 10 inches beneath the future asphalt and 6 inches below the future curb and gutter extending 1 foot behind the back of curb within the full width of the future street section within the future right-of-way.
 - iv. Curb and gutter calculated at the length to install future curb and gutter along both sides of the future street within the future right-of-way.
 - v. Asphalt calculated at a total depth of 4-inches between the gutters within the full width of the future street section within the future right-of-way.
 - vi. Concrete sidewalk calculated at a 6-foot width along both sides of the future street section within the future right-of-way.
 - vii. Concrete aprons for each of the 3 parcels.
 - viii. Westbrook street light – 1 total.
 - ix. Street trees – 12 total.
 - x. Conduit and vaults for underground franchise utilities along one side of the future street section within the future right-of-way (including fee-in-lieu for Sherwood Broadband).
 - xi. Removal costs for buildings, swimming pool, surrounding concrete and any other obstructions currently located within the future right-of-way.
4. Prior to Approval of Engineering Public Improvement Plans, the proposed development shall make a payment-in-lieu for reconstruction of the existing driveway drop onto SW Sunset Boulevard and to eliminate access from the flag portion of the subject property onto SW Sunset Boulevard. This payment-in-lieu will be at 125% of the engineer's estimate for the following:
 - i. Removal/reconstruction of concrete driveway at SW Sunset Boulevard.
 - ii. Removal of asphalt driveway within the flag portion of the subject property and the restoration of the ground thereof.
5. Prior to Approval of Engineering Public Improvement Plans, the proposed development shall design for onsite driveway/emergency access meeting the approval of the Sherwood Engineering Department and Tualatin Valley Fire and Rescue.
6. Prior to Approval of Engineering Public Improvement Plans, the proposed development shall obtain permission from the neighbor east of the flag portion of the subject property to remove/abandon septic field in order to construct a driveway in the flag portion of the subject property. Also required as part of this permission, the

- proposed development will need to connect the sanitary sewer for the house east of the flag portion of the subject property to the existing sanitary sewer lateral at SW Sunset Boulevard and have the septic field easement vacated. System development charges are required to be paid for connection to the public sanitary sewer system.
7. Prior to Approval of Engineering Public Improvement Plans, the developer shall obtain and adhere to the conditions of the Tualatin Valley Fire and Rescue Service Provider Letter.
 8. Prior to Approval of Engineering Public Improvement Plans, the proposed development shall design to extend a public sanitary sewer line as necessary to provide individual sanitary laterals to each parcel of the partition meeting the approval of the City of Sherwood Engineering Department. As part of this design, potholing of the existing water lines within SW Sunset Boulevard will be required at any crossing between the proposed sanitary sewer and the existing water lines.
 9. Prior to Approval of Engineering Public Improvement Plans, the proposed development shall design to connect the existing home on the subject property to the proposed sanitary lateral meeting the approval of the City of Sherwood Engineering Department. A plumbing department permit is required to connect the existing sanitary sewer to the new lateral (includes payment of system development charges).
 10. Prior to Approval of Engineering Public Improvement Plans, the proposed development shall obtain permission from the neighbor east of the flag portion of the subject property to remove/abandon septic field in order to construct a public sanitary sewer in the flag portion of the subject property. Also required as part of this permission, the proposed development will need to connect the sanitary sewer for the house east of the flag portion of the subject property to the existing sanitary sewer lateral at SW Sunset Boulevard and have the septic field easement vacated. System development charges are required to be paid for connection to the public sanitary sewer system.
 11. Prior to Approval of Engineering Public Improvement Plans, the proposed development shall design to provide individual water services to each new parcel of the partition meeting the approval of the City of Sherwood Engineering Department.
 12. Prior to Approval of Engineering Public Improvement Plans, the proposed development shall design to relocate the existing meter to the existing home on the subject property as necessary to not be encompassed in concrete/asphalt meeting the approval of the City of Sherwood Engineering Department. A plumbing department permit is required to connect the existing private water system to the new water meter.
 13. Prior to Approval of Engineering Public Improvement Plans, the proposed development shall obtain permission from the neighbor east of the flag portion of the subject property to remove/abandon septic field in order to construct private water services in the flag portion of the subject property. Also required as part of this permission, the proposed development will need to connect the sanitary sewer for the house east of the flag portion of the subject property to the existing sanitary sewer lateral at SW Sunset Boulevard and have the septic field easement vacated. System development charges are required to be paid for connection to the public sanitary sewer system.

14. Prior to Approval of Engineering Public Improvement Plans, the proposed development shall make a payment-in-lieu of constructing the water improvements within the future local street right-of-way meeting the approval of the Sherwood Engineering Department. This payment-in-lieu will be at 125% of the engineer's estimate for the following:
 - i. Eight-inch diameter ductile iron water line for full length of the future street within the future right-of-way.
 - ii. One dual water service and one single water service.
15. Prior to Approval of Engineering Public Improvement Plans, the proposed development shall design to extend a public storm sewer line as necessary to provide individual storm laterals to each parcel of the partition meeting the approval of the City of Sherwood Engineering Department.
16. Prior to Approval of Engineering Public Improvement Plans, the proposed development shall design to connect the existing home on the subject property to the proposed storm lateral meeting the approval of the City of Sherwood Engineering Department. A plumbing department permit is required to connect the existing storm sewer to the new lateral.
17. Prior to Approval of Engineering Public Improvement Plans, the proposed development shall obtain permission from the neighbor east of the flag portion of the subject property to remove/abandon septic field in order to construct a public storm sewer in the flag portion of the subject property. Also required as part of this permission, the proposed development will need to connect the sanitary sewer for the house east of the flag portion of the subject property to the existing sanitary sewer lateral at SW Sunset Boulevard and have the septic field easement vacated. System development charges are required to be paid for connection to the public sanitary sewer system.
18. Prior to Approval of Engineering Public Improvement Plans, the proposed development shall pay a fee-in-lieu of installing a storm water runoff water quality/hydro-modification facility for the existing home parcel and for any impervious area associated with the driveway/emergency access within the tracts of land to be created within the partition plat.
19. Prior to Approval of Engineering Public Improvement Plans, the proposed development shall make a payment-in-lieu of constructing the storm improvements within the future local street right-of-way meeting the approval of the Sherwood Engineering Department. This payment-in-lieu will be at 125% of the engineer's estimate for the following:
 - i. Two catch basins with lead lines.
 - ii. Storm water quality/hydrmodification payment-in-lieu for future impervious area within the future right-of-way.
20. Prior to Approval of Engineering Public Improvement Plans, a stormwater connection permit shall be obtained from Clean Water Services
21. Prior to Approval of Engineering Public Improvement Plans, a city of Sherwood grading permit shall be issued.
22. Prior to Acceptance of Public Improvements, all public improvements shall be installed meeting the approval of the Sherwood Engineering Department.

F. Prior to Issuance of an Engineering Compliance Agreement

1. Prior to Issuance of an Engineering Compliance Agreement, the developer shall obtain final engineering plan approval by the Sherwood Engineering Department.

II. Attachments*

- A. Applicant Submittal and Narrative***
- Appendix A – Application for Land Use Action
 - Appendix B – Vicinity Map
 - Appendix C – Project Narrative
 - Appendix D – Tax Map
 - Appendix E – Title Report and Ownership Information
 - Appendix F – Preliminary Development Plans
 - Appendix G – Mailing Labels
 - Appendix H – Stormwater Drainage Report dated August 27, 2025
 - Appendix I – Tualatin Valley Fire & Rescue Service Provider Letter (SPL)
- B. City of Sherwood Engineering Memorandum dated September 23, 2025 (Rev. January 5, 2026)**
- C. Clean Water Services (CWS) Memorandum dated September 24, 2025**
- D. Tualatin Valley Fire & Rescue Correspondence dated October 2, 2025**
- E. Tualatin Valley Fire & Rescue Correspondence dated December 31, 2025**
- F. Oregon Department of Transportation (ODOT), Commerce and Compliance Division, dated September 3, 2025**
- G. City of Sherwood Sunset Boulevard Sanitary Sewer Extension As-Built Drawings**
- H. Land Sale Contract in 1981 (Washington County Doc. No. 81-030331)**
- I. City of Sherwood Transportation System Plan (TSP) – Figure 18**
- J. Amendment to the Local Road Street Section (Ordinance 2022-005)**
- K. Adoption and update to the Sherwood Transportation System Plan (TSP) (Ordinance 2014-012)**
- L. City of Sherwood Water System Master Plan (2015)**
- M. Public Comments***
- Appendix A – Andree N. Phelps, received April 3, 2025
 - Appendix B – Joel White, received May 29, 2025
 - Appendix C – Joel White, received September 16, 2025
 - Appendix D – Tim Baugus, received May 21, 2025
 - Appendix E – Tim Baugus, received September 25, 2025
 - Appendix F – Tim Baugus, received May 7, 2025
 - Appendix G – Carl & Robin Aspin, received September 26, 2025
 - Appendix H – Erika Bushman, received September 28, 2025
 - Appendix I – Kayla & Joshua Mitchell, received September 28, 2025
 - Appendix J – Fred Steele, received September 29
 - Appendix K – John and Virginia Maffitt, received December 15, 2025
 - Appendix L – Fred Steele, received December 26, 2025

V. APPEAL

Per Sherwood Zoning & Community Development Code § 16.76.020, land use actions shall become final unless a petition for review is filed with the Planning Director not more than fourteen (14) calendar days after the date on which the Hearing Authority took final action on the land use application and written notice of the action has been mailed to the address provided by the person in the record. The Notice of Decision for this application (LU 2024-022 MLP) was issued on January 30, 2026. Therefore, the appeal deadline is 5:00 PM on February 12, 2026.

STATE OF OREGON)
)
Washington County)

I, Hugo Agosto, for the Planning Department, City of Sherwood, State of Oregon, in Washington County, do hereby certify that the Notice of Decision on Case File No. LU 2024-022 MLP 'Cottle Partition' was placed in a U.S. Postal receptacle on January 30, 2026.

City of Sherwood

Hugo Agosto
Hugo Agosto, Associate Planner

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