

**CITY OF SHERWOOD**  
**February 27, 2026**  
**STAFF REPORT**



**WEST ONE MARINE**  
**CONDITIONAL USE PERMIT**  
**LU 2025-020 CUP**

**To: City of Sherwood Hearings Officer**

**From:** Hugo Agosto, Associate Planner

Pre-App Meeting: N/A  
App. Submitted: December 23, 2025  
App. Complete: January 22, 2026  
Hearing Date: March 6, 2026  
120-Day Deadline: May 22, 2026

**PROPOSAL:** A request for a Type III – Conditional Use Permit (CUP) to establish a use categorized as an *automotive, boat, trailer and recreational vehicle storage* use within an existing industrial building, initially approved under SP 85-07 and SP 88-6. The proposed use would occupy approximately  $\pm 12,500$  square feet of the total  $\pm 32,000$  square foot building. The subject parcel is approximately  $\pm 2.0$  acres in size, zoned General Industrial – GI, and located at 20525 SW Cipole Road (Washington County Assessors and Tax Lot Numbers: 2S128A/505).

**I. BACKGROUND**

- A. Applicant:  
West One Marine, LLC  
16869 SW 65th Avenue, PMB 272  
Lake Oswego, OR 97035
- Owner:  
Denmar Holdings, LLC  
20915 SW 105<sup>th</sup> Avenue  
Tualatin, OR 97062
- B. Location: 20525 SW Cipole Rd (Washington County Assessors and Tax Lot Numbers: 2S128A/505).
- C. Review Type: Type III – Conditional Use Permit

- D. Public Notice: Notice of the application was provided in accordance with § 16.72.020 of the Sherwood Zoning and Development Code (SZDC) as follows: initial notice was mailed to property owners within 1,000 feet, distributed in five (5) locations throughout the City and posted on the property on or before January 28, 2026. Notice of the application was initially set to be published in a local newspaper (The Times) on February 6, 2026, and February 20, 2026.

Due to schedule conflicts, the initial hearing was rescheduled, and a second public notice was mailed to property owners within 1,000 feet, distributed in five (5) locations throughout the City and posted on the property on or before February 11, 2026. Updated notice of the application was published in a local newspaper (The Times) on February 20, 2026, and February 27, 2026.

- E. Review Criteria: Sherwood Zoning and Community Development Code: Chapter 16.70 – General Provisions; Chapter 16.72 – Procedures for Processing Development Permits; Chapter 16.31 – Industrial Land Use Districts; Chapter 16.58 – Vision Clearance and Fence Standards; Chapter 16.82 – Conditional Uses; Chapter 16.94 – Off-Street Parking and Loading; Chapter 16.96 - On-Site Circulation; Chapter 16.98 – On-Site Storage; Chapter 16.106 Transportation Facilities; Chapter 16.108 Improvement Plan Review; Chapter 16.110 Sanitary Sewers; Chapter 16.112 Water Supply; Chapter 16.114 Storm Water; Chapter 16.116 Fire Protection; Chapter 16.118 Public and Private Utilities; Chapter 16.144 – Noise; Chapter 16.146 – Vibrations; Chapter – 16.148 Air Quality; Chapter 16.150 – Odors; Chapter – 15.152 – Heat and Glare.

- F. History and Background:

- SP 85-07: A request to develop 28,000 square foot industrial manufacturing facility and associated office building.
- SP 88-6: A request for a 4,000 square foot addition to an existing structure.
- LU 2025-004 CUP: A request for a Conditional Use Permit (CUP) to allow an *indoor recreation facility* within an existing industrial building. The approved use may occupy approximately ±4,000 square feet of the structures ±32,000 square feet.

- G. Existing Conditions: The subject parcel is currently developed with an existing industrial and office development with associated infrastructure.

- H. Surrounding Land Uses:

- West: General Industrial – GI
- South: General Industrial – GI
- East: Across SW Cipole Road, City of Tualatin – General Manufacturing
- North: General Industrial – GI

- I. Current Zoning: General Industrial – GI

## II. AFFECTED AGENCY AND PUBLIC COMMENTS

A. Notice of the application was sent to affected agencies via email on December 31, 2026. A full list of the agencies / staff receiving the routing email is included as **Attachment E**. The following responses were received:

1. City of Sherwood Engineering Department: The Sherwood Engineering Department provided comments dated February 10, 2026. Comments are included in the Division VI - Public Infrastructure section of this report and are included as **Attachment B**. Comments are regarding Sanitary Sewer, Water, Storm Water, Transportation, Grading and Erosion Control, and Other Engineering Issues.
2. Clean Water Services (CWS): A CWS memorandum dated January 21, 2026, stated that CWS has no concerns or objections to this application request. As submitted, this application request will not require further review. The provided memorandum satisfies the requirement for issuing a Storm Water Connection Permit Authorization. Comments are included in the Division IV – Staff Recommendation and Conditions of Approval section of this report and are included as **Attachment C**.
3. Oregon Department of Transportation (ODOT) Commerce and Compliance Division: Correspondence, dated January 2, 2026, indicated that ODOT Rail Crossing did not have any comments/concerns regarding the proposal. This correspondence is included under **Attachment D**.

B. Public Comments

No public comments were received at the time of writing this staff report. However, comments from the community are welcome up to the close of the public hearing.

## III. APPLICABLE CODE PROVISIONS

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

### Chapter 16.72 - PROCEDURES FOR PROCESSING DEVELOPMENT PERMITS

#### 16.72.010 - Generally

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

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#### 4. Type III.

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

a. Conditional Uses.

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**B. Hearing and Appeal Authority**

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

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d. The Type III Hearing Authority is the Hearings Officer, and the Appeal Authority is the Planning Commission.

1) The Hearings Officer shall hold a public hearing following public notice in accordance with Sections 16.72.020 through 16.72.080.

2) Any person who testified before the Hearings Officer at the public hearing or submitted written comments prior to the close of the record may appeal the Hearings Officer's decision.

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**FINDING:** Consistent with Sherwood's Zoning and Community Development Code, the subject proposal is categorized under a Type III – Conditional Use Permit.

The applicant is requesting to establish a use categorized as an *automotive, boat, trailer and recreational vehicle storage* within an existing industrial structure, initially approved under SP 85-07 and SP 88-6.

An initial hearing before the designated Hearings Officer is scheduled for March 6, 2026, following public notice in accordance with Sections 16.72.020 through 16.72.080. Any person who testifies before the Hearings Officer or submits written comments prior to the close of the record may appeal the Hearings Officers decision.

As presented, these criteria are met.

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**Chapter 16.31 - INDUSTRIAL LAND USE DISTRICTS**

**16.31.010 – Purpose**

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**C. General Industrial (GI) - The GI zoning district provides for the manufacturing, processing, assembling, packaging and treatment of**

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

**16.31.020 – Uses**

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

<b>Uses:</b>	<b>GI</b>
Manufacture, compounding, processing, assembling, packaging, treatment, fabrication of products contained wholly within an enclosed building provided exterior odor and noise is consistent with municipal code standards and there is no unscreened storage and not otherwise regulated elsewhere in the code	<b>P</b>
Business and professional offices <sup>3</sup>	<b>P</b>
Any incidental business, service, processing, storage or display, not otherwise permitted, that is essential to and customarily associated with a use permitted outright, provided said incidental use is conducted entirely within an enclosed building	<b>P</b>
Indoor recreation facilities such as arcades, mini-golf, or bounce house facilities <sup>2,3</sup>	<b>C</b>
Automotive, boat, trailer and recreational vehicle storage	<b>C</b>

<sup>2</sup> If use is mixed with another, such as a restaurant, it is considered secondary to that use and permitted, provided it occupies less than fifty (50) percent of the total area.

<sup>3</sup> Limited in size to five thousand (5,000) square feet in a single outlet and no more than twenty thousand (20,000) square feet in multiple outlets in the same development project.

**FINDING:** The proposal includes the establishment of a use categorized as an *automotive, boat, trailer and recreational vehicle storage* within an existing industrial structure, initially approved under SP 85-07 and SP 88-6. The proposed use would occupy approximately ±12,500 square feet of the structure’s total ±32,000 square feet. The proposed use is conditionally permitted in the General Industrial – GI Zone District, subject to the applicable criteria under *Chapter 16.82 – Conditional Uses* and further addressed in subsequent sections.

As identified in the most recent approval (LU 2024-004 CUP) existing uses included: *warehousing, indoor recreation facilities,* and accessory office space. These uses will comprise the remaining ±19,500 square feet of the existing structure.

As presented, this criterion is met.

**16.31.030 - Development Standards**

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

<b>Development Standards by Zone</b>		<b>GI Zone</b>
<b>Lot area – industrial uses:</b>		<b>20,000 SF</b>
<b>Lot area - commercial uses (subject to Section 16.31.050):</b>		<b>20,000 SF</b>
<b>Lot width at front property line:</b>		<b>100 ft</b>
<b>Lot width at building line:</b>		<b>100 ft</b>
<b>Front yard setback<sup>11</sup></b>		<b>None</b>

<b>Side yard setback<sup>10</sup></b>	
<b>Rear yard setback<sup>11</sup></b>	
<b>Corner lot Street Side<sup>11</sup></b>	
<b>Height<sup>11</sup></b>	<b>50 ft</b>

<sup>10</sup> When a yard is abutting a residential zone or public park, there shall be a minimum setback of forty (40) feet provided for properties zoned Employment Industrial and Light Industrial zones, and a minimum setback of fifty (50) feet provided for properties zoned General Industrial.

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

**FINDING:** The proposed uses are located on an existing parcel equating to approximately 2.00 acres, exceeding the minimum lot standards for both industrial and commercial uses.

No alterations to the existing structure or lot dimensions are proposed with this application. No residential or public parks directly abuts the property, nor is the structure located within one hundred (100) feet of a residential zone; therefore, these criteria are satisfied.

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**16.31.070 - Community Design**

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

**FINDING:** The proposal includes development criteria that is subject to the Community Design Standards of the development code. These standards are addressed throughout this staff report; therefore, this criterion is met.

**16.31.080 - Floodplain**

Except as otherwise provided, Section 16.134.020 shall apply.

**FINDING:** No identified wetlands or floodplains are located on or abutting the property; therefore, this standard 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.**

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**FINDING:** No exterior alterations, expansions, or other modifications to the approved site plan are proposed. The subject parcel is required to comply with the above standards, as to ensure continued safety and navigation of the site.

Required maintenance of each clear vision area is bestowed upon the property owner(s), and future noncompliance will be subject to code compliance. No man-made structure is proposed within these areas, as to interfere with the above criterion. To ensure these standards are maintained on the subject property, the following condition applies:

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

As conditioned, the above criterion is met.

**Chapter 16.82 - CONDITIONAL USES**

**16.82.010 - Generally**

**A. Authorization**

**Uses permitted in zoning districts as conditional uses may be established, enlarged, or altered by authorization of the Commission in accordance with**

the standards and procedures established in this Chapter. If the site or other conditions are found to be inappropriate for the use requested, the Commission or Hearings Officer (cited below as Hearing Authority) may deny the conditional use.

**B. Changes in Conditional Uses**

Changes in use or expansion of a legal non-conforming use, structure or site, or alteration of structures or uses classified as conditional uses, that either existed prior to the effective date of this Code or were established pursuant to this Chapter shall require the filing of a new application for review conforming to the requirements of this Chapter if the proposed changes would increase the size, square footage, seating capacity or parking of existing permitted improvements by twenty percent (20%) or more.

**C. Application and Fee**

An application for a Conditional Use Permit (CUP) shall be filed with the City and accompanied by the appropriate fee pursuant to Section 16.74.010. The applicant is responsible for submitting a complete application which addresses all criteria of this Chapter and other applicable sections of this Code.

**FINDING:** The applicant submitted materials requesting approval of a Conditional Use Permit (CUP) for the subject parcel. The proposal includes the establishment of a use categorized as an *automotive, boat, trailer and recreational vehicle storage*. Future uses on the site will be reviewed for compliance, pursuant to Section 16.31.020 – *Industrial Uses*, through the city of Sherwood building and planning department. Based on the applicant’s request, this code chapter is applicable.

**16.82.020 - Permit Approval**

**A. Hearing Authority Action**

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

**FINDING:** All applicable criterion related to a Type III – Conditional Use Permit are addressed throughout this staff report. Pursuant to 16.82.020.A.2, other conditional uses can be sought and approved at the hearing for larger developments (industrial parks and

campuses) to cover future tenants of the development and will be at the discretion of the hearing authority as it may relate to specific concerns or site-specific nuances.

Additional conditions may be imposed by the Hearings Authority if necessary to fulfill the requirements of the adopted Comprehensive Plan, Transportation System Plan, or Title 16 – Sherwood Zoning and Community Development Code. No approval is being granted for other conditional uses not specifically identified in the applicant’s narrative and materials; findings cannot be written for uses that have not been identified. The approval criterion below only addresses the proposed *automotive, boat, trailer and recreational vehicle storage*.

As presented, the above criterion is met.

### **B. Final Site Plan**

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

**FINDING:** The Hearings Officer will conduct a public hearing on March 6, 2026, where the hearing authority will take action to approve, approve with conditions, or deny the application. As required above, prior to the issuance of building permits, the applicant will be required to complete a Type I – Final Site Plan review process, as conditioned below:

**Condition B.1:** Prior to Occupancy, the applicant shall obtain Final Site Plan approval, pursuant to 16.82.020.B.

This standard is met.

### **C. Use Criteria**

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

- 1. All public facilities and services to the proposed use, including but not limited to sanitary sewers, water, transportation facilities, and services, storm drains, electrical distribution, park and open space and public safety are adequate; or that the construction of improvements needed to provide adequate services and facilities is guaranteed by binding agreement between the applicant and the City.**
- 2. Proposed use conforms to other standards of the applicable zone and is compatible with abutting land uses in regard to noise generation and public safety.**

**FINDING:** The proposed development will conform to all applicable standards, including noise generation and public safety, as further described throughout this staff report. Engineering staff review the proposed development, and determined all public facilities

associated with the proposed development can be adequately serviced; therefore, this criterion is met.

- 3. The granting of the proposal will provide for a facility or use that meets the overall needs of the community and achievement of the goals and/or policies of the Comprehensive Plan, the adopted City of Sherwood Transportation System Plan and this Code.**

**FINDING:** Materials submitted by the applicant describe the proposed use and operations, in relation to the Sherwood Comprehensive Plan, and resulted with the following findings:

**Thriving and Diversified Economy**

**Goal 1: Accelerate the growth of local businesses and attract new businesses that balance the City’s tax base, provide stable, high-wage jobs and capitalize on Sherwood’s location and enhance the high-quality of life.**

- **POLICY 1.1 Existing Business Retention, New Business Development, and Attraction of New Businesses: The City will support retention and expansion of existing businesses, growth and creation of entrepreneurial business, and attraction of new businesses that align with Sherwood’s Community Vision and provide a diverse mix of economic activity...**
- **POLICY 1.5 Retain and encourage growth of existing and new businesses in Sherwood. Allow and encourage development of commercial and industrial areas.**
- **POLICY 1.6 Support the creation, development, and retention of small, entrepreneurial businesses in Sherwood.**

**FINDING:** The applicant submitted a narrative stating:

*“West One Marine LLC respectfully submits and seeks approval of a Conditional Use Permit to operate a fully indoor, low-impact boat and trailer storage facility with minor seasonal maintenance at 20525 SW Cipole Road...The use is compatible with neighboring tenants...and supports a community need for recreational vessel storage and service in the Metro region.”*

The following findings support the proposed CUP, in relation to the applicable policies of the adopted Sherwood Comprehensive Plan:

**POLICY 1.1:** The proposal contributes to entrepreneurial business development by further creating a multipurpose space within an existing industrial structure. This business aligns with Sherwood’s community vision by diversifying local economic activity while preserving existing industrial operations, thus fulfilling the dual goal of business retention and new business attraction.

**POLICY 1.5:** The application promotes the continued use of an existing industrial facility while introducing a new compatible use. The applicant indicated the multi-tenant operations can function, and therefore expand the array of services provided on the site, without additional development. This reflects both business retention and growth within a designated industrial area, directly supporting this policy.

**POLICY 1.6:** West One Marine LLC is a local and family-owned entrepreneurial venture that provides a new service and general use on the parcel. By supporting a use in an existing facility, the City is facilitating entrepreneurial opportunities without the need for greenfield development, consistent with the policy's intent to support emerging local businesses.

As presented, the above criteria are met.

**4. Surrounding property will not be adversely affected by the use, or that the adverse effects of the use on the surrounding uses, the neighborhood, or the City as a whole are sufficiently mitigated by the conditions proposed.**

**FINDING:** Abutting and adjacent properties within city limits are designated as General Industrial (GI) and have more intensive uses than the proposal. Located outside of city limits, within the jurisdiction of the City of Tualatin, the abutting parcel is developed within an industrial use and is zoned "General Manufacturing." The applicant submitted a narrative, describing the proposed use, stating:

Based on the applicant's proposal, staff find the surrounding properties will not be adversely affected by the proposed use. Staff overall concur with the applicant's information. Division VIII – Environmental Resources, further outlined in this staff report, detail the responsibility of the developer to ensure continuous protection from natural and environmental hazards. No agency or member of the public has identified any issues with the compatibility of the proposed use.

As presented, this criterion is met.

**5. The impacts of the proposed use of the site can be accommodated considering size, shape, location, topography and natural features.**

**FINDING:** The application was reviewed by Sherwood Engineering, Building, and Planning staff for compliance with all applicable local and state criteria; therefore, this criterion is satisfied.

**6. The use as proposed does not pose likely significant adverse impacts to sensitive wildlife species or the natural environment.**

**FINDING:** As required by Division VIII – Environmental Resources, further outlined in this staff report, all applicable criteria associated with the protection and mitigation of

environmental hazards are addressed. It shall be the responsibility of the developer to ensure continuous protection of natural resources and sensitive wildlife species, while preventing future environmental hazards; therefore, this criterion is met.

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#### **D. Additional Conditions**

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

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

**FINDING:** At the time of this staff report, no additional conditions, or modifications, beyond what's listed in other applicable code sections, as it relates to the CUP, are required. The Hearing Authority may request additional conditions of approval for the proposed use(s), as to protect the best interests of the surrounding properties and neighborhoods, the City as a whole, and the intent of this Chapter.

#### **E. Time Limits**

**Unless approved under Section 16.82.020.A.2 for a larger development to include future tenants of such development, authorization of a conditional use shall be void after two (2) years or such lesser time as the approval may specify unless substantial construction, in the City's determination, has**

taken place. The Hearing Authority may extend authorization for an additional period, not to exceed one (1) year, upon a written request from the applicant showing adequate cause for such extension, and payment of an extension application fee as per Section 16.74.010.

**F. Revocation**

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

**FINDING:** The proposed Conditional Use is subject to the time limits and revocation standards, as conditioned below:

**Condition A.2:** Approval and authorization of the conditional use shall be valid for only two (2) years from the date of the Notice of Decision (LU 2025-020 CUP), unless substantial construction in the City's determination has taken place. A one (1) year extension may be granted by the City upon written request from the applicant showing adequate cause for such extension.

**Condition A.3:** Any departure from approved plans not authorized by the Hearing Authority shall be cause for revocation of applicable building and occupancy permits. Furthermore, if, in the City's determination, a condition or conditions of CUP approval are not or cannot be satisfied, the CUP approval, or building and occupancy permits, shall be revoked.

As conditioned, these criteria are met.

**Chapter 16.94 - OFF-STREET PARKING AND LOADING**

**16.94.010 - General Requirements**

**A. Off-Street Parking Required**

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

**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 a Conditional Use Permit (CUP) to establish a use categorized as *automotive, boat, trailer and recreational vehicle storage* within an existing industrial building, originally approved under SP 85-07 and SP 88-6; therefore, the application is subject to the criteria of Chapter 16.94, as further detailed in subsequent sections of this staff report. No deferrals or reductions are being sought to the required off-street parking are requested. The following condition applies:

**Condition A.4:** 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 are met.

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#### **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 property owner(s) shall be responsible for properly maintaining the parking and loading areas. Future violations are subject to Code Compliance. This standard is met as conditioned below:

**Condition A.5:** The property owner(s) shall be responsible for the maintenance and repair of the parking and loading areas, including associated infrastructure, pursuant to Chapter 16.94.010.H.

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#### **16.94.020 - Off-Street Parking Standards**

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

**Where square feet are specified, the area measured shall be the gross building floor area primary to the functioning of the proposed use. Where employees are specified, persons counted shall be those working on the premises, including proprietors, during the largest shift at peak season. Fractional space requirements shall be counted as a whole space. The Review Authority may determine alternate off - street parking and loading**

requirements for a use not specifically listed in this Section based upon the requirements of comparable uses. 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 B <sup>2</sup>
Industrial	1.6	N/A
	32= [19,500 square feet/1,000) x 1.6 = 31.2]	N/A
Sports club/recreation facility	4.3 (233 sf)	6.5
	18 [4,000 square feet/1,000) x 4.3 = 17.2]	6.5
Automotive, Boat, Trailer, and Recreational Vehicle Storage	None	None
	N/A	N/A
<b>Total</b>	<b>50 Off Street Parking Stalls</b>	

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.

**FINDING:** The initial land use decision (85-07) detailed twenty-five (25) off-street parking stalls were provided on-site. Staff are unable to locate the most recent decision (88- 6), which expanded the building footprint and incorporated an additional sixteen (16) off-street parking stalls, equating to a total off-street parking count of forty-one (41) existing stalls for the subject parcel.

Approved uses on the property include both industrial and a sports club/recreation facility, which received approval for a shared/joint off-street parking count under the most recent land use decision (LU 2025-004 CUP); based on the information supplied

at the time of review, evaluating allowances for shared/joint parking, staff found the subject property had sufficient off-street parking to service both uses.

The proposed *Automotive, Boat, Trailer, and Recreational Vehicle Storage* is not formally defined under Chapter 16.94.020.A, Table 1: Minimum and Maximum Parking Standards, but internal dialogue with both staff and reference to historical land use decisions indicates no off-street parking has been required for the subject use, utilizing the provision under Section 16.94.020.A which states,

*“[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.”*

Staff found the findings embedded within those historical land use decisions to provide sufficient guidance on why no additional off-street parking is required. Under the decision LU 2022-012 SP/MM/CUP/LLA ‘Chestnut Inn and Parkway Village South Self-Storage’ staff indicated

*“that storage facil[ities] will generally only serve as a space to store goods and materials. Patrons may pull their vehicle up to individual ground floor units/garage doors along the perimeter of the facility to access their storage materials for loading. Based on the nature of the enclosed self-storage building, patrons leasing a unit on an upper story will need to briefly leave their vehicle to enter the building.”*

The above nexus was later extended to automotive storage facilities, under the land use decision LU 2024-008 CUP ‘Cipole RV Storage,’ where no additional off-street parking was required under similar findings.

Traditionally, the subject property would be required to provide fifty (50) off-street parking stalls. However, based on the combination of approved and proposed uses described above, staff find that the existing off-street parking supply is sufficient to serve the site. To ensure the required parking remains available, staff propose a condition of approval below limiting all vehicle storage to within the existing structure.

No maximum off-street parking imposed on industrial or automotive storage uses, while the maximum parking count for the proposed sports club/recreation facility, located within Parking Zone B, is limited to twenty-six (26) off-street parking stalls [ $64 = (10,200 \text{ square feet}/1,000) \times 6.2 = 63.24$ ]. The subject parcel is not located within  $\frac{1}{4}$  walking distance of a bus transit stop. No maximum off-street parking is applicable in combination with the proposed uses. Future change of use(s) will be reviewed for compliance with the above off-street parking maximums during future building permit submittals.

**Condition A.6:** All storage (vehicles, boats, trailers, recreational vehicles, materials, or equipment) shall occur entirely within the existing enclosed structure.

As presented, the above criterion is met.

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### C. Bicycle Parking Facilities

#### 1. General Provisions

- a. **Applicability.** Bicycle parking spaces shall be provided for new development, changes of use, and major renovations, defined as construction valued at twenty-five (25) percent or more of the assessed value of the existing structure.

**FINDING:** The proposal includes a Conditional Use Permit (CUP) to establish a use categorized as an *Automotive, Boat, Trailer, and Recreational Vehicle Storage* within an existing industrial building. As presented, this proposal falls within the parameters of a change of use; therefore, bicycle parking standards are applicable.

- b. **Types of Spaces.** Bicycle parking facilities shall be provided in terms of short-term bicycle parking and long-term bicycle parking. Short-term bicycle parking is intended to encourage customers and other visitors to use bicycles by providing a convenient and readily accessible place to park bicycles. Long-term bicycle parking provides employees, students, residents, commuters, and others who generally stay at a site for at least several hours a weather-protected place to park bicycles.
- c. **Minimum Number of Spaces.** The required total minimum number of bicycle parking spaces for each use category is shown in Table 4, Minimum Required Bicycle Parking Spaces.
- d. **Minimum Number of Long-term Spaces.** If a development is required to provide eight (8) or more required bicycle parking spaces in Table 4, at least twenty-five (25) percent shall be provided as long-term bicycle with a minimum of one (1) long-term bicycle parking space.
- e. **Multiple Uses.** When there are two or more primary uses on a site, the required bicycle parking for the site is the sum of the required bicycle parking for the individual primary uses.

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

<b>Use Categories</b>	<b>Minimum Required Spaces</b>
<b>Commercial Categories</b>	
Commercial parking facilities, commercial, outdoor recreation, major event entertainment	2 or 1 per 20 auto spaces, whichever is greater.
Industrial	2 or 1 per 40 spaces, whichever is greater

<b>Automotive, Boat, Trailer, and Recreational Vehicle Storage</b>	
--	--

**FINDING:** The proposal includes the establishment of an *automotive, boat, trailer, and recreational vehicle storage* use on a developed property. This use is categorized under Motor vehicle related, pursuant to 16.31.020. No direct category can be translated under the minimum bicycle standards, pursuant to 16.94.020.A, Table 4: Minimum Required Bicycle Parking Spaces.

The existing industrial and a sports club/recreation facility, pursuant Section 16.94.020.A, Table 4: Minimum Required Bicycle Parking Spaces, are categorized under *Commercial parking facilities, commercial, outdoor recreation, major event entertainment & industrial*. These uses require a combined four (4) dedicated bike stalls.

As detailed in the previous decision (LU 2025-004 CUP), traditionally, the existing industrial use would require to provide two (2) bicycle parking stalls, but previous land use approvals (85-07 and SP 88-6) did not specifically address or require dedicated bicycle parking for the established industrial use, and the proposal is not inherently intensify the industrial component, therefore staff determined that there's no nexus for requiring additional bicycle parking beyond the scope of the proposal.

The existing *sports club/recreation facility, categorized under Commercial parking facilities, commercial, outdoor recreation, major event entertainment*, was required to provide two (2) bicycle parking stalls under LU 2025-004 CUP and was installed prior to occupancy.

Based on the scope of the proposal and the above-cited code sections, no additional bike parking is required, and none is proposed; as presented, this criterion is met.

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## **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:** No exterior alterations, expansions, or other modifications to the approved site plan (85-07 and SP 88-6) are proposed. Based on the parameters of the proposal, staff believe there is no nexus, at this point, to require additional review of on-site circulation beyond what was previously approved. As presented, this criterion is met.

**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.

**C. Joint Pedestrian Access**

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

**FINDING:** Maintenance of the existing pathway system 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. This criterion is satisfied as conditioned below:

**Condition A.7:** 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 conditioned, the above criterion is met.

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**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.

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

**FINDING:** City Engineering and Planning reviewed on-site vehicle circulation for compliance with all ingress, egress, and other circulation requirements, as it related to the project scope, and is further addressed in subsequent sections of this staff report. No alterations to the existing on-site vehicle circulation are proposed. Maintenance of these on-site vehicle circulation systems will be the responsibility of the property owner(s). Violation of the above criteria will result in Code Enforcement action; therefore, these criteria are satisfied.

**Condition A.8:** Any change that alters or modifies the approved ingress, egress, or circulation for vehicles, without written approval, will result in Code Enforcement action, pursuant to 16.96.040.A.

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

**FINDING:** On-site vehicle circulation is provided, and connects with abutting public right of way, with access onto SW Cipole Road. The property owner(s) shall be responsible for the proper maintenance of the on-site vehicle circulation areas. Future violations are subject to Code Compliance. These criteria are met as conditioned below:

**Condition A.9:** The property owner(s) shall be responsible for the maintenance and repair of all on-site vehicle circulation areas located on the subject parcel, pursuant to Chapter 16.96.040.D.

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## **Chapter 16.98 - ON-SITE STORAGE**

### ***16.98.010 - Recreational Vehicles and Equipment***

**Recreational vehicles and equipment may be stored only within designated and improved off-street parking areas. Such areas shall meet the screening and landscaping requirements of Section 16.92.030.**

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

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

obscuring fence or masonry wall and shall be easily accessible to collection vehicles.

**16.98.030 - Material Storage**

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

**FINDING:** No alterations, expansions, or other modifications to the existing solid waste and recycling storage are proposed. All enclosures are required to comply with P.R.I.D.E disposal standard.

No recreational vehicles or associated equipment shall be stored outside of the existing structure. This limitation ensures continued compliance with required off-street parking for existing uses on the site. No exterior material storage is permitted on the site with this approval. As proposed, the criteria are satisfied.

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**Chapter 16.106 - TRANSPORTATION FACILITIES**

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**16.106.020 - Required Improvements**

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

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

**B. Existing Streets**

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

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**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.

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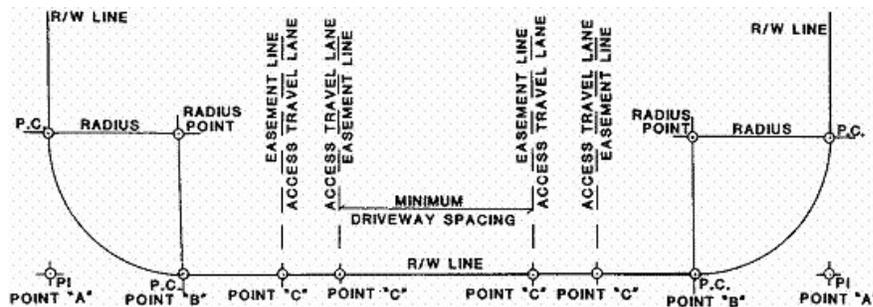
## 16.106.040 – Design

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### 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.

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- c. **Collectors: All commercial, industrial and institutional uses with one-hundred-fifty (150) feet or more of frontage will be permitted direct access to a Collector. Uses with less than one-hundred-fifty (150) feet of frontage shall not be permitted direct access to Collectors unless no other alternative exists.**

**Where joint access is available it shall be used, provided that such use is consistent with Section 16.96.040, Joint Access. No use will be permitted direct access to a Collector within one- hundred (100) feet of any present Point "A." Minimum spacing between driveways (Point "C" to Point "C") shall be one-hundred (100) feet. In all instances, access points near an intersection with a Collector or Arterial shall be located beyond the influence of standing queues of the intersection in accordance with AASHTO standards. This requirement may result in access spacing greater than one hundred (100) feet.**

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

##### **A. Purpose**

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

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

##### **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.

**A. 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**

**A. Purpose**

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

**B. Mitigation of impacts due to increased demand for transportation facilities associated with the proposed development shall be provided in rough proportion to the transportation impacts of the proposed development. When applicable, anticipated impacts will be determined by the TIA in accordance with Section 16.106.080. When no TIA is required, anticipated impacts will be determined by the City Engineer.**

**C. The following shall be considered when determining proportional improvements:**

1. Condition and capacity of existing facilities within the impact area in relation to City standards. The impact area is generally defined as the area within a one-half-mile radius of the proposed development. If a TIA is required, the impact area is the TIA study area.

2. Existing vehicle, bicycle, pedestrian, and transit use within the impact area.
3. The effect of increased demand on transportation facilities and other approved, but not yet constructed, development projects within the impact area that is associated with the proposed development.
4. Applicable TSP goals, policies, and plans.
5. Whether any route affected by increased transportation demand within the impact area is listed in any City program including school trip safety; neighborhood traffic management; capital improvement; system development improvement, or others.
6. Accident history within the impact area.
7. Potential increased safety risks to transportation facility users, including pedestrians and cyclists.
8. Potential benefit the development property will receive as a result of the construction of any required transportation facility improvements.
9. Other considerations as may be identified in the review process pursuant to Chapter 16.72.

**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. An engineering memorandum, dated February 10, 2026 (Attachment B) provided the following analysis and information:

*“The subject proposal consists of using an existing building for boat storage, vessel cleaning and minor seasonal maintenance. When asked if the vessel cleaning and minor seasonal maintenance would consist of work on non-stored boats, the following reply was received [Attachment F]:*

*‘Our intent site specific is to perform incidental maintenance if required to boats in storage. We do most non-storage boats mobile.’*

*In my view, the closest ITE code that would cover this usage would be ITE #151 Mini-Warehouse. Since this usage has a lower system development charge rate than a warehouse, there will be no additional Washington County TDT or City Transportation SDC fees.*

*Therefore, the Sherwood Engineering Department has no conditions in relation to this land use application.”*

Staff concur with the above statement. The proposal does include development that would substantially conflict with adopted criteria or impact existing transportation facilities. No transportation conditions are proposed. As presented, the above criteria are met.

## **Chapter 16.108 - IMPROVEMENT PLAN REVIEW**

**16.108.010 - Preparation and Submission**

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

**A. Review Fee**

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

**B. Engineering Agreement**

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

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

**16.108.020 - Construction Permit**

**A. Approval**

The City will return one (1) set of plans to the applicant marked "approved," "approved as noted" or "modify and resubmit." Plans marked for re-submittal must be corrected in accordance with notations or instructions. After correction and approval, additional plans shall be provided the City for office use, field inspection and submittal to affected agencies.

**B. Permit and Fee**

Upon approval the applicant shall obtain a construction permit. The construction permit fee is set by the "Schedule of Development Fees", adopted by Resolution of the Council. This schedule is included herein for the purposes of information, but is deemed to be separate from and independent of this Code.

**C. Easement Documents**

Easements shall be provided in a form acceptable to the City prior to issuance of a construction permit.

**D. Improvement Guarantees**

Prior to issuance of a construction permit the applicant shall file the following documents with the City:

1. **Liability Insurance**  
Evidence of liability and property damage insurance adequate to protect the applicant and the City from all claims for damage or personal injury.
2. **Performance Bond**

To assure full and faithful performance in the construction of required improvements in accordance with approved construction plans, the applicant shall provide security in an amount equal to one hundred twenty-five percent (125%) of the estimated cost of the improvements. In the event the applicant fails to carry out all provisions of the approved improvements plans and the City has non-reimbursed costs or expenses resulting from such failure, the City shall call on the security for reimbursement. Security may be in the form of a surety bond executed by a surety company authorized to transact business in the State of Oregon, a cash deposit, or irrevocable standby letter of credit.

**16.108.030 - Construction**

**A. Initiation of Construction**

Actual construction of improvements shall not begin, or after a discontinuance, be restarted until the City is notified in writing.

**B. Inspection**

All construction shall be done to the City's specifications. The City shall perform inspections to verify compliance with approved plans and shall make a final inspection of the construction at such time as the improvements are complete. The City may require changes in typical sections and details, if unusual conditions warrant the change.

**C. As-Built Plans**

A complete set of reproducible plans and an electronic copy of the base files in "AutoCad" or PDF format showing the public improvements as built shall be filed with the City upon completion of the improvements.

**D. Suspension of Improvements Activity**

The City may cause a suspension of construction or engineering when, in the opinion of the City, work is not being done to the City's satisfaction.

**16.108.040 - Acceptance of Improvements**

**A. Final Inspection**

At such time as all public improvements, except those specifically approved for later installation, have been completed, the applicant shall notify the City of the readiness for final inspection.

**B. Notification of Acceptance**

The City shall give written notice of acceptance of the improvements upon finding that the applicant has met the requirements of this Chapter and the specifications of all approved plans.

**C. Maintenance Bond**

Prior to City acceptance of public improvements, the applicant shall provide the City a maintenance bond computed at ten percent (10%) of the full value of the improvements, for the purpose of correcting any defective work or maintenance that becomes apparent or arises within two (2) years after final acceptance of the public improvements.

**FINDING:** The proposal will not include any modification or expansion to public infrastructure; therefore, no approval of a public improvement plan is required. As presented these criteria are not applicable.

## **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 application was reviewed by City of Sherwood Engineering for compliance with applicable criteria, and found no impacts, mitigation, or other measures will be required for the subject proposal. As presented, the above criteria are met.

## **Chapter 16.112 - WATER SUPPLY**

### **16.112.010 - Required Improvements**

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

**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 application was reviewed by City of Sherwood Engineering for compliance with applicable criteria, and found no impacts, mitigation, or other measures will be required for the subject proposal. As presented, the above criteria are met.

## **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**

#### **A. Capacity**

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

#### **B. On-Site Source Control**

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

#### **C. Conveyance System**

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

### **16.114.030 - Service Availability**

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

**FINDING:** The application was reviewed by City of Sherwood Engineering for compliance with applicable criteria, and found no impacts, mitigation, or other measures will be required for the subject proposal. As presented, the above criteria are met.

## **Chapter 16.116 - FIRE PROTECTION**

### **16.116.010 - Required Improvements**

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

**16.116.020 - Standards**

**A. Capacity**

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

**B. Fire Flow**

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

**C. Access to Facilities**

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

**D. Hydrants**

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

**16.116.030 - Miscellaneous Requirements**

**A. Timing of Installation**

When fire protection facilities are required, such facilities shall be installed and made serviceable prior to or at the time any combustible construction begins on the land unless, in the opinion of the Fire District, the nature or circumstances of said construction makes immediate installation impractical.

**B. Maintenance of Facilities**

All on-site fire protection facilities, shall be maintained in good working order. The Fire District may conduct periodic tests and inspection of fire protection and may order the necessary repairs or changes be made within ten (10) days.

**C. Modification of Facilities**

On-site fire protection facilities may be altered or repaired with the consent of the Fire District; provided that such alteration or repairs shall be carried out in conformity with the provisions of this Chapter.

**FINDING:** The proposal includes a Conditional Use Permit (CUP) to establish a use categorized as an *automotive, boat, trailer and recreational vehicle storage*. No exterior alterations, expansions, or other modifications to the approved site plan are proposed.

Based on previous correspondence with TVF&R, they indicated Conditional Use Permits (CUP) with no onsite alterations to fire access or water supplies do not require additional review or conditions from their respective agency; as presented, the above criterion is 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 criteria, and found no impacts, mitigation, or other measures will be required for the subject proposal. As presented, the above criteria are met.

**Chapter 16.144 – NOISE**

**16.144.010 - Generally**

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

**16.144.020 - Noise Sensitive Uses**

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

- A. The applicant shall submit to the City a noise level study prepared by a professional acoustical engineer. Said study shall define noise levels at the boundaries of the site in all directions.
- B. The applicant shall show that the use will not exceed the noise standards contained in OAR 340-35-035, based on accepted noise modeling

procedures and worst-case assumptions when all noise sources on the site are operating simultaneously.

- C. If the use exceeds applicable noise standards as per subsection B of this Section, then the applicant shall submit a noise mitigation program prepared by a professional acoustical engineer that shows how and when the use will come into compliance with said standards.

**16.144.030 – Exceptions**

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

**FINDING:** The scope of the proposal is not anticipated to exceed the noise standards detailed under OAR 340-35-035. No exception is sought by the applicant. Any future violations related to noise can be addressed by the applicable State agency or City Code Enforcement; therefore, this standard is met.

**Chapter 16.146 - VIBRATIONS**

**16.146.010 - Generally**

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

**16.146.020 - Exceptions**

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

**FINDING:** The proposed development was reviewed by both the city and partner agencies for compliance with the above criteria. Based on the available information, it was determined the proposal is not anticipated to create vibrations in excess, as defined by this code section. No exception is sought by the applicant. Any future violations related to physical vibrations can be addressed by the applicable State agencies or City Code Enforcement; therefore, this standard is met.

**Chapter 16.148 - AIR QUALITY**

**16.148.010 - Generally**

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

- A. All such uses shall comply with standards for dust emissions as per OAR 340-21-060.
- B. Incinerators, if otherwise permitted by Section 16.138.020, shall comply with the standards set forth in OAR 340-25-850 through 340-25-905.
- C. Uses for which a State Air Contaminant Discharge Permit is required as per OAR 340-20-140 through 340-20-160 shall comply with the standards of OAR 340-220 through 340-20-276.

**16.148.020 - Proof of Compliance**

Proof of compliance with air quality standards as per Section 16.148.010 shall be in the form of copies of all applicable State permits, or if permits have not been issued, submission by the applicant, and acceptance by the City, of a report certified by a professional engineer indicating that the proposed use will comply with State air quality standards. Depending on the nature and size of the use proposed, the applicant may, in the City's determination, be required to submit to the City a report or reports substantially identical to that required for issuance of State Air Contaminant Discharge Permits.

**16.148.030 - Exceptions**

Nothing in this Chapter shall preclude the City from abating any air quality problem as per applicable City nuisance and public safety ordinances.

**FINDING:** The proposal is not anticipated to create substantial degradation of the surrounding air quality. Any future violations related to air quality can be addressed by the applicable State agency or City Code Enforcement; therefore, this standard is met.

**Chapter 16.150 - ODORS**

**16.150.010 - Generally**

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

**16.150.020 – Standards**

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

**16.150.030 – Exceptions**

Nothing in this Chapter shall preclude the City from abating any odor problem as per applicable City nuisance and public safety ordinances.

**FINDING:** It is not anticipated that the proposed use will produce noxious odors discernable at or beyond the property line, since all operations will occur indoors, and any odor-producing activities would be mitigated by appropriate air quality measures.

The site has multiple trash enclosures to contain any odors from waste. No exception is sought by the applicant; therefore, this criterion is satisfied.

## **Chapter 16.152 - HEAT AND GLARE**

### ***16.152.010 – Generally***

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

### ***16.152.020 – Exceptions***

**Nothing in this Chapter shall preclude the City from abating any heat and glare problem as per applicable City nuisance and public safety ordinances.**

**FINDING:** The proposal is not anticipated to generate heat or glare beyond that associated with otherwise permitted or conditionally permitted uses in the zone. No exterior alterations, expansions, or modifications to the approved site plan are proposed. No exception to this standard has been requested. As proposed, the above criteria are met.

## **IV. 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 site plan does not fully comply with the standards but can be conditioned to comply.

**Therefore, staff recommends approval of the application LU 2025-020 CUP 'West One Marine' – Conditional Use Permit, subject to the following conditions of approval:**

### **A. General Conditions**

1. Clear Vision Areas shall be maintained at each private driveway intersection, pursuant to 16.58.010.
2. Approval and authorization of the conditional use shall be valid for only two (2) years from the date of the Notice of Decision (LU 2025-020 CUP), unless substantial construction in the City's determination has taken place. A one (1) year extension may be granted by the City upon written request from the applicant showing adequate cause for such extension.
3. Any departure from approved plans not authorized by the Hearing Authority shall be cause for revocation of applicable building and occupancy permits. Furthermore, if, in the City's determination, a condition or conditions of CUP approval are not or cannot be satisfied, the CUP approval, or building and occupancy permits, shall be revoked.
4. The 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.

5. The property owner(s) shall be responsible for the maintenance and repair of the parking and loading areas, including associated infrastructure, pursuant to Chapter 16.94.010.H.
6. All storage (vehicles, boats, trailers, recreational vehicles, materials, or equipment) shall occur entirely within the existing enclosed structure.
7. 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.
8. Any change that alters or modifies the approved ingress, egress, or circulation for vehicles, without written approval, will result in Code Enforcement action, pursuant to 16.96.040.A.
9. The property owner(s) shall be responsible for the maintenance and repair of all on-site vehicle circulation areas located on the subject parcel, pursuant to Chapter 16.96.040.D.
10. The property shall comply with the applicable requirements of the Sherwood Zoning and Community Development Code and Municipal Code.
11. 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.
12. Any departure from approved plans that don't substantially comply and are not authorized by the Hearing Authority shall be cause for revocation of applicable building and occupancy permits.
13. The site shall conform to all local building and fire code regulations, in addition to any applicable state and federal regulations, for hazardous materials storage on the site.

#### **B. Prior to Occupancy**

1. Prior to Occupancy, the applicant shall obtain Final Site Plan approval, pursuant to 16.82.020.B.
2. Prior to Occupancy, the applicant shall submit documentation demonstrating that all applicable building permit requirements have been satisfied.

### **V. ATTACHMENTS**

- A.** Applicant Submittal and Narrative\*
- Appendix A – Land Use Application Form
  - Appendix B – Ownership Information: Statutory Warranty Deed
  - Appendix C – Tax Map
  - Appendix D – Project Narrative
  - Appendix E – Site Plan
  - Appendix F – Neighborhood Meeting Documentation
  - Appendix G – Clean Water Services (CWS) Service Provider Letter

- B.** City of Sherwood Engineering Memorandum dated February 10, 2026

- C.** Clean Water Services (CWS) memorandum dated January 21, 2026
- D.** Oregon Department of Transportation (ODOT) Commerce and Compliance Division: Correspondence, dated January 2, 2026
- E.** Public Notice/Request for Agency Comments
- F.** Correspondence with Applicant dated February 9, 2026