

CITY OF SHERWOOD
August 4, 2026
STAFF REPORT



Barkers Cabinets Phase II
Major Modification
LU 2026-003 MM

To: City of Sherwood Planning Commission

From: Hugo Agosto, Associate Planner

Pre-App Meeting:	April 11, 2024
App. Submitted:	February 17, 2026
App. Complete:	June 29, 2026
Hearing Date:	August 11, 2026
120-Day Deadline:	October 27, 2026

PROPOSAL: An application for a Type IV – Major Modification to an Approved Site Plan to develop an industrial structure intended for distribution and warehousing, provided product(s) are stored within an enclosed building, approximately 27,820 square feet in size. The site is currently developed with an existing industrial building, approved under LU 2022-013 SP. The subject property is zoned General Industrial (GI), ±3.48 acres in size, and located at 13470 SW Galbreath Drive (Washington County Assessors Map and Tax Lot Number: 2S128B/750).

I. BACKGROUND

- A. Applicant:
RA Gray Construction
Attn: Aj Michaud
PO Box 1000
Sherwood, OR 97140
- Owner:
Barkers Properties LLC
19355 SW 125th Court
Tualatin, OR 97062
- B. Location: 13470 SW Galbreath Drive (Washington County Assessors Map and Tax Lot Number: 2S128B/750).
- C. Review Type: Type IV – Major Modification to an Approved Site Plan

- D. Public Notice: Notice of the application was provided in accordance with § 16.72.020 of the Sherwood Zoning and Development Code (SZDC) as follows: notice was distributed in five locations throughout the City, posted on the property, and mailed to property owners within 1,000 feet of the site on or before July 22, 2026. Notice of the application was also published in a local newspaper (The Times) on July 17, 2024, and July 31, 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 16.90 – Site Planning; Chapter 16.92 – Landscaping; Chapter 16.94 – Off-Street Parking and Loading; Chapter 16.96 – On-Site Circulation; Chapter 16.98 – On-Site Storage; Chapter 16.104 – General Provisions; Chapter 16.106 Transportation Facilities; Chapter 16.108 Improvement Plan Review; Chapter 16.110 Sanitary Sewers; Chapter 16.112 Water Supply; Chapter 16.114 Storm Water; Chapter 16.116 Fire Protection; Chapter 16.118 Public and Private Utilities; Chapter 16.142 Parks, Trees, and Open Spaces; Chapter 16.144 – Noise; Chapter 16.146 – Vibrations ; Chapter – 16.148 Air Quality; Chapter 16.150 – Odors; Chapter – 15.152 – Heat and Glare; Chapter 16.154 – Energy Conservation.
- F. History and Background:
- LLA 01-07: A request to move a common property boundary.
 - LLA 03-03: A request to move a common property boundary. The purpose of the adjustment was to align the parcels with a future public road right-of-way; this was to prevent an additional lot from being created when the public right-of-way is dedicated for a future road that would connect Galbreath Drive to Cipole Road.
 - MLP 03-05: A request to partition a 10.98-acre parcel into three lots: Lot 1 consisted of 2.49 acres (108,654 sf), Lot 2 consisted of 6.59 acres (287,132 sf), and Lot 3 consisted of 1.89 acres (82,574 sf) in size.
 - MLP 06-03: A request for a minor land partition.
 - LU 2022-013 SP/PLA: A 29,500 Square foot industrial building, lot consolidation, and associated site improvements.
- G. Existing Conditions: The subject parcel is currently developed with one existing structure identified as ‘Phase I,’ including associated site improvements. The location of the proposed development is within a portion of unimproved property identified as ‘Phase II.’
- H. Surrounding Land Uses:
- West: Across SW Galbreath Drive, General Industrial (GI)
 - South: General Industrial (GI)
 - East: General Industrial (GI)

- North: General Industrial (GI) & Unincorporated Washington County, inside & outside the UGB

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 July 2, 2026. A full list of the agencies / staff receiving the routing email is included as **Attachment A, Appendix N**. The following responses were received:

1. City of Sherwood Engineering Department: The Sherwood Engineering Department provided comments dated July 20, 2026. Comments and Conditions of Approval are included in the Division IV- Public Improvements 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 July 21, 2026, states that prior to any work on the site, the proposed project must obtain a Clean Water Services (CWS) Storm Water Connection Permit Authorization in accordance with the requirements of the Design and Construction Standards, Resolution and Order No. 19-5 as amended by R&O 19-22, or prior standards as meeting the implementation policy of R&O 18-28. Comments and recommended Conditions of Approval are included in the Division IV – Staff Recommendation and Conditions of Approval section of this report and are included as **Attachment C**.

The following agencies provide correspondence indicating “no comment”: Oregon Department of Geology and Mineral Industries (DGMI) & Oregon Department of Transportation (ODOT)

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:**

5. Type IV

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

- c. Site Plans — Greater than 40,000 square feet of floor area, parking or seating capacity.**

B. Hearing and Appeal Authority

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

- e. The Type IV Hearing Authority is the Planning Commission, and the Appeal Authority is the City Council.**
- 1) The Planning Commission 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 Planning Commission at the public hearing or submitted written comments prior to the close of the record may appeal the Planning Commission's decision.**

FINDING: Consistent with Sherwood's Zoning and Community Development Code, the proposal is categorized under a Type IV – Major Modification to an Approved Site Plan; as further detailed under Section *16.90.030 - Site Plan Modifications and Revocation*, Major Modifications are subject to the same review procedure and decision-making body as the initial project approval (LU 2022-013 SP/PLA).

An initial Planning Commission hearing is scheduled for August 11, 2026, following public notice in accordance with Sections *16.72.020* through *16.72.080*. Any person who testifies before the Planning Commission at the public hearing or submits written comments prior to the closing of the record may appeal the Planning Commission's decision.

As presented, these criteria are met.

16.72.020 - Public Notice and Hearing

A. Newspaper Notice

Notices of all public hearings for Type III, IV and V land use actions required by this Code shall be published in a newspaper of general

circulation available within the City two (2) calendar weeks prior to the initial scheduled hearing before the Hearing Authority and shall be published one additional time in the Sherwood Archer, Sherwood Gazette or similarly local publication, no less than 5 days prior to the initial scheduled hearing before the hearing authority.

B. Posted Notice

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

C. Mailed Notice

1. For Type II, III, IV and V actions specific to a property or group of properties, the City shall send written notice by regular mail to owners of record of all real property within one thousand (1,000) feet from the property subject to the land use action. Written notice shall also be sent to Oregon Department of Transportation (ODOT), Metro, the applicable transit service provider and other affected or potentially affected agencies. If the subject property is located adjacent to or split by a railroad crossing ODOT Rail Division shall also be sent public notice.
2. Written notice to property owners shall be mailed at least fourteen (14) calendar days prior to a decision being made on a Type II land use action and at least twenty (20) calendar days in advance of the initial public hearing before the Hearing Authority. If two (2) or more hearings are required on a land use action, notices shall be mailed at least ten (10) calendar days in advance of the initial hearing before the Commission or Council.
3. For the purposes of mailing the written notice, the names and addresses of the property owners of record, as shown on the most recent County Assessor's records in the possession of the City, shall

be used. Written notice shall also be mailed to homeowner's associations when the homeowners association owns common property within the notification area and is listed in the County Assessor's records.

4. For written notices required by this Code, other than written notices to property owners of record, the City shall rely on the address provided by the persons so notified. The City shall not be responsible for verifying addresses so provided.
5. If a zone change application proposes to change the zone of property which includes all or part of a manufactured home park, the City shall give written notice by first class mail to each existing mailing address for tenants of the manufactured home park at least twenty (20) days but not more than forty (40) days before the date of the first hearing on the application. Such notice costs are the responsibility of the applicant.

FINDING: Mailed notice of this application, in compliance with Section 16.72.030, was sent to property owners within 1,000 feet of the subject property on July 6, 2026. Posted notice was placed in five (5) conspicuous locations within the City and posted on the subject property in a manner consistent with the above criteria on July 5, 2026. Notice of the public hearing was published in The Times, general circulation, on July 17, 2026, and July 31, 2026, at least two weeks prior to the initial public hearing. A complete description of the proposal, including accompanying application materials and approval criteria, were provided on the City of Sherwood website for all interested parties to review. As presented, the above criteria are met.

Chapter 16.31 - INDUSTRIAL LAND USE DISTRICTS

16.31.010 – Purpose

- 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.

Uses:	GI
Distribution and warehousing up to 150,000 square feet, provided product(s) are stored within an enclosed building	P

⁹ For standalone warehousing and distribution only. Warehousing and distribution associated with another approved use is ancillary and permitted without size limitations.

FINDING: The proposal includes the development of a structure intended for *distribution and warehousing* in which all products will be stored within an enclosed building. The existing development, identified as ‘Phase I,’ will retain its previously approved *distribution and warehousing* use, as established under LU 2022-013 SP/PLA.

Distribution and warehousing uses of up to 150,000 square feet are permitted outright within the underlying zoning district.

The proposed ‘Phase II’ structure will equate to approximately 27,820 square feet, while the existing development under ‘Phase I’ equates to 29,500 square feet. Collectively, the two buildings will provide a total of approximately 57,320 square feet (27,820 + 29,500) of distribution and warehousing floor area, which is below the applicable threshold. The applicant's narrative states the following:

“Anticipated use of building is Barker Cabinets, storage of their cabinet materials to be shipped.”

As presented, the above criterion is satisfied.

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:

Development Standards by Zone	GI Zone
Lot area - industrial uses:	20,000 SF
Lot area - commercial uses (subject to Section 16.31.050):	20,000 SF
Lot width at front property line:	100 ft
Lot width at building line:	100 ft
Front yard setback ¹¹	None
Side yard setback ¹⁰	None
Rear yard setback ¹¹	None
Corner lot Street Side ¹¹	None
Height ¹¹	50 ft

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

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

FINDING: The proposed development is on an existing tax lot equating to 3.48 -acre, exceeding the minimum lot size standards. The existing parcel configuration was created through a lot consolidation approved under LU 2022-013 SP/PLA.

The subject parcel has a lot width at the front building and property line of approximately 282-feet.

No front, side, or rear setbacks are required by the zone district. The tallest point of the proposed structure is 33-feet, below the maximum standard.

No residential uses or public parks directly abut the subject property, and no proposed structures are located within 100 feet of a residential zone.

As presented, the above criteria are met.

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 subject to the Community Design Standards of the development code. These standards are addressed throughout this report and are with each applicable code section; 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.

FINDING: The proposal includes two (2) points of vehicular access onto SW Galbreath Drive. The subject proposal is required to comply with the above standards, to ensure continued safety and navigation of the site.

The application did not delineate the clear vision areas within their submitted plan set for the new driveway location. Furthermore, staff found the incorporation of landscaping around the clear vision area – Spirea Bumalda ‘Gold Flame’ – likely conflict with the two and one-half (2½) foot height limitation; research into that specific plant species indicated an average height of approximately 3-4 feet, based on information provided by the *Oregon State University: College of Agricultural Sciences*.

To address this conflict, staff has conditioned the proposal to require landscaping within a clear vision area to remain below the height limitation or, alternatively, remove the plantings and provide additional ground coverage.

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 structures are proposed or allowed within clear vision areas.

The following conditions apply:

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

Condition B.1: Prior to Final Site Plan Approval, the applicant shall submit revised landscaping plans and associated application materials demonstrating a minimum twenty (20)-foot Clear Vision Area is delineated and established at each private driveway intersection, consistent with Section 16.58.010. Landscaping within required clear vision areas shall not exceed a height of two and one-half (2½) feet at maturity. Any proposed plant species that exceed this height limitation shall be replaced with compliant species or removed and replaced with an alternative ground cover treatment.

As Conditioned, the above criteria are met.

16.58.020 - Fences, Walls and Hedges.

A. Purpose:

The fence standards promote the positive benefits of fences without negatively impacting the community or endangering public or vehicle safety. Fences can create a sense of privacy, protect children and pets, provide separation from busy streets, and enhance the appearance of the

property by providing attractive landscape materials. The negative effect of fences can include the creation of street walls that inhibit police and community surveillance, decrease the sense of community, hinder the safe movement of pedestrians and vehicles, and create an unattractive appearance. These standards are intended to promote the positive aspects of fences and to limit the negative ones.

B. Applicability:

The following standards apply to walls, fences, hedges, lattice, mounds, and decorative toppers. These standards do not apply to sound walls and landscape features that are not hedges.

D. Location—Non-Residential Zone:

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

E. General Conditions—All Fences:

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

8. **Call before you dig (811) if placing a fence within the public utility easement (PUE) to have your utility lines located. This easement area is usually located eight (8) feet across the front yard and the side yard setback on a corner lot. Utility lines can be buried just beneath the surface.**

FINDING: The applicant is proposing the incorporation of a 48' back vinyl fencing with privacy slats to help support required screening of the dock area (Attachment A, Appendix D: Sheet L1.0). Consistent with the requirements of Section 16.140.040, the applicant is conditioned to relocate the affected portions of the fence farther into the site to ensure the visual corridor remains dedicated to required landscaping improvements. The required relocation is limited to the physical placement of the fence, and staff do not require or anticipate any changes to the approved fence dimensions, height, or materials.

The property owner shall ensure the fence installation complies with the applicable provisions of Section 16.58.020, including ongoing structural maintenance requirements and finished-side orientation.

Condition A.2: The property owner(s) shall be responsible for maintaining the approved fence in good repair and ensure it remains structurally sound at all times, consistent with Section 16.58.020.E.2.

Chapter 16.90 - SITE PLANNING

16.90.010 - Purpose

Site planning review is intended to:

- A. **Encourage development that is compatible with the existing natural and manmade environment, existing community activity patterns, and community identity.**
- B. **Minimize or eliminate adverse visual, aesthetic or environmental effects caused by the design and location of new development, including but not limited to effects from:**
 1. **The scale, mass, height, areas, appearance and architectural design of buildings and other development structures and features.**
 2. **Vehicular and pedestrian ways and parking areas.**
 3. **Existing or proposed alteration of natural topographic features, vegetation and waterways.**

16.90.020 - Site Plan Review

A. Site Plan Review Required

Site Plan review is required prior to any substantial change to a site or use that is not subject to Residential Design Checklist or Residential Design Review, does not meet the criteria of a minor or major modification per 16.90.030, issuance of building permits for a new building or structure, or for the substantial alteration of an existing structure or use. Exemptions noted below.

Site Plan Review is required for the following development:

1. Multi-dwelling
2. Commercial
3. Industrial
4. Mixed-use

For the purposes of Section 16.90.020, the terms "substantial change" and "substantial alteration" mean any development activity as defined by this Code that generally requires a building permit and may exhibit one or more of the following characteristics:

1. The activity alters the exterior appearance of a structure, building or property and is not considered a modification.
2. The activity involves changes in the use of a structure, building, or property from residential to commercial or industrial and is not considered a modification.
3. The activity involves non-conforming uses as defined in Chapter 16.48.
4. The activity constitutes a change in a City approved plan, per Section 16.90.020 and is not considered a modification.
5. The activity is subject to site plan review by other requirements of this Code.
6. The activity increases the size of the building by more than 100% (i.e. the building more than doubles in size), regardless of whether it would be considered a major or minor modification.

B. Exemption to Site Plan Requirement

1. Single Family detached and middle housing developments are exempt from Site Plan Review but are required to complete either a Residential Design Checklist or Residential Design Review per Chapter 16.89, unless otherwise noted.
2. Manufactured homes located on individual residential lots per Section 16.46.010 and including manufactured home parks.

FINDING: The proposal includes the development of a structure intended for *distribution and warehousing* within an enclosed building, approximately 27,820 square feet in size, as described under Section 16.31.020 – *Uses*.

Pursuant to the above criteria, this development is subject to criteria under *Chapter 16.90 – Site Planning*; therefore, these code standards are applicable.

D. Required Findings

No site plan approval will be granted unless each of the following is found:

1. The proposed development meets applicable zoning district standards and design standards in Division II, and all provisions of Divisions V, VI, VIII and IX.

FINDING: The subject parcel is zoned General Industrial – GI and subject to the criteria under Chapter 16.31 – Industrial Land Use Districts, including all other applicable provisions of Divisions V, VI, VIII and IX. Compliance with all applicable code is further outlined within this staff report; therefore, this criterion is satisfied.

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

FINDING: The application was reviewed by the City of Sherwood Engineering and Building department for compliance with the above criterion. An Engineering memorandum (Attachment B), dated July 20, 2026, indicated the proposed development would have adequate access to services, as further detailed in subsequent sections of this report; therefore, this criterion is satisfied.

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

FINDING: The application was reviewed for compliance with Title 16 – Zoning and Community Development Code and other applicable City documents. No additional covenants, agreements, or other specific documents were required beyond those identified within this staff report or existing prior to application submittal. Therefore, this criterion is satisfied.

- 4. The proposed development preserves significant natural features to the maximum extent feasible, including but not limited to natural drainage ways, wetlands, trees, vegetation (including but not limited to environmentally sensitive lands), scenic views, and topographical features, and conforms to the applicable provisions of Division VIII of this Code and Chapter 5 of the Community Development Code.**

FINDING: The subject parcel does not contain existing natural features as described above; therefore, this criterion is not applicable.

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

effect and the scope of the impact study must be coordinated with the provider of the affected transportation facility.

FINDING: The applicant provided a Trip Generation Analysis (Attachment A, Appendix K), dated May 28, 2026, utilizing data from the *Trip Generation Manual, 12th Edition*, published by the Institute of Transportation Engineers (ITE). Trip generation rates were calculated based on the gross floor area of both the existing and proposed structures.

The site will generate approximately 132 net new weekday daily trips, with 15 peak morning (7:00 a.m. to 9:00 a.m.) and 20 peak evening trips (4:00 PM and 6:00 PM). Furthermore, the proposal is anticipated to generate 18 additional daily truck trips, including one additional truck trip during the peak morning period.

As detailed both in the Engineering memorandum (Attachment B), dated July 20, 2026, and the Trip Generation Analysis, SW Galbreath Drive can adequately serve the subject parcel, therefore, the proposed development can be constructed without further degrading the operational mobility standards and safety standards established for the surrounding transportation system.

As conditioned, and addressed in subsequent sections, this criterion is met.

6. Electric Vehicle Conduits

- a. For proposed multi-family residential or mixed-use developments - proposed multi-family residential buildings with five or more residential dwelling units and proposed mixed-use buildings consisting of privately owned commercial space and five or more residential dwelling units, shall provide sufficient electrical service capacity, as defined in ORS 455.417, to accommodate no less than 40 percent of all vehicle parking spaces. Dwelling units in townhouses are not included for purposes of determining the applicability of this regulation.**
- b. For proposed Non-Residential Development under private ownership - Each building for a proposed non-residential development, under private ownership, shall provide electrical service capacity at no less than 20 percent of the vehicle parking spaces in the garage or parking area for the building. Fractional numbers derived from a calculation of the vehicle parking spaces must be rounded up to the nearest whole number.**

FINDING: As further delineated under Chapter 16.94, the proposed development will provide a total of thirty-five (35) new off-street parking stalls and be required to provide electrical service capacity for no less than twenty (20) percent of all vehicle parking spaces. Accordingly, the minimum electrical service capacity must be for a minimum of seven (7) parking stalls ($35 \times 0.20 = 7$).

Submitted plans (Attachment A, Appendix D: Sheet C3) identify two (2) electric vehicle charging stations; however, the application does not demonstrate that sufficient electrical service capacity will be provided to each stall. Specifically, the plans do not identify the exact location of the proposed electric vehicle charging stations positioned for stalls 31 and 32, all other required electrical conduits, or how the conduits will connect to the site's electrical distribution system. As a result, staff cannot verify compliance with this standard. Therefore, the following conditions apply:

Condition B.2: Prior to Final Site Plan Approval, the applicant shall submit revised plans demonstrating compliance with the required electrical service capacity for a minimum of twenty (20) percent of the proposed off-street parking stalls. The revised plans shall identify the location of all proposed electric vehicle charging stations, including the charging stations serving parking stalls 31 and 32, as well as the location of all required electrical conduits for future charging infrastructure. The plans shall also demonstrate how the proposed conduits and charging stations will connect to the site's overall electrical distribution system.

As conditioned, the above standard is met

8. **Industrial developments provide employment opportunities for citizens of Sherwood and the region as a whole. The proposed industrial development is designed to enhance areas visible from arterial and collector streets by reducing the "bulk" appearance of large buildings. Industrial design standards include the following:**
 - a. **Portions of the proposed industrial development within 200 feet of an arterial or collector street and visible to the arterial or collector (i.e. not behind another building) must meet any three of the following five design criteria:**
 - 1) **Primary building entries - entries open to the general public**
Primary building entries should be readily identifiable and well-defined through the use of pedestrian scale improvements such as, but not limited to, projections, recesses, columns, roof structures, extra landscaping, hardscapes, seating, or other design elements.
 - 2) **A minimum of two (2) building materials used to break up vertical facade street facing frontages (no T-111 or aluminum siding).**
 - 3) **Maximum thirty-five (35) foot setback for all parts of the building from the property line separating the site from all arterial or collector streets (required visual corridor falls within this maximum setback area).**

- 4) Parking is located to the side or rear of the building when viewed from the arterial or collector.
- 5) Loading areas are located to the side or rear of the building when viewed from the arterial or collector. If a loading area is visible from an arterial or collector, it must be screened with vegetation, or a screen made of materials matching the building materials.
- b. A minimum 15% window glazing shall be required for all frontages facing an arterial or collector.
- c. All roof-mounted equipment shall be required to be screened with materials complimentary to the building design materials.
- d. As an alternative to Section 16.90.020.D.7.a—c, an applicant may opt to have a design review hearing before the Planning Commission to demonstrate how the proposed development meets or exceeds the applicable industrial design objectives below (this design review hearing will be processed as a Type IV review):
 - 1) Provide high-value industrial projects that result in benefits to the community, consumers and developers.
 - 2) Provide diversified and innovative working environments that take into consideration community needs and activity patterns.
 - 3) Support the City's goals of economic development.
 - 4) Complement and enhance projects previously developed under the industrial design standards identified in Section 16.90.020.D.7.
 - 5) Enhance the appearance of industrial developments visible from arterials and collectors, particularly those considered "entrances" to Sherwood, including but not limited to: Highway 99W, Tualatin-Sherwood Road and Oregon Street.
 - 6) Reduce the "bulk" appearance of large industrial buildings as viewed from the public street by applying exterior features such as architectural articulation, windows and landscaping.
 - 7) Protect natural resources and encourage integration of natural resources into site design (including access to natural resources and open space amenities by the employees of the site and the community as a whole).

FINDING: The northern street section of SW Galbreath Drive is designated as a Collector status road within the adopted Sherwood Transportation System Plan (TSP), while West of the subject property is a standard industrial street. The proposed structure is 54-feet away from the Collector portion of Galbreath Drive, and subject to the industrial design standards above:

Primary building entries: The primary entry is identified at the structures corner facing SW Galbreath Drive. This entry is distinguished using HR-34 white metal paneling surrounding each entrance (Attachment A, Appendix E: Sheet A3.0-1), satisfying the portion of the standard requiring the primary entrance to be readily identifiable. The applicant's narrative stated the following:

“Additional hardscape at [the] entry is provided for bike parking and picnic table[s]. Metal panels have been added around the front entry storefront to further highlight the primary building entry.”

Conversely, staff find that the proposal does not fully satisfy the requirement of pedestrian-scale improvements. While the contrasting metal paneling helps identify the entrances, the proposed bicycle parking cannot be relied upon as a sole qualifying pedestrian-scale improvement, particularly as bicycle parking is required separately under Chapter 16.94 and is not considered an additional design feature intended to enhance the building entrances. Furthermore, the submitted plan set does not clearly identify the location or design of the referenced picnic table within the narrative, preventing staff from verifying its incorporation into the overall entry design.

Accordingly, staff has included a condition of approval requiring the applicant to enhance the primary entrance with additional pedestrian-scale design elements. At a minimum, these improvements shall include a steel awning extending across the 18-foot-wide entrance area, pedestrian seating (e.g., benches), and at least two pedestrian-oriented lighting fixtures (i.e. wall sconce, bollard lighting, etc.), or comparable design elements that provide similar visual emphasis and functionality.

A minimum of two (2) building materials: The application materials (Attachment A, Appendix E) illustrate the use of concrete wall panels and metal accent panels, with metal awnings serving as complementary architectural features. Collectively, these elements provide sufficient differentiated materials and façade articulation consistent with the intent of the standard.

The applicant's narrative stated the following:

“Revised elevations note locations for formliner to create a distinct building materials. Photos of existing building to be matched included to show proposed finishes.”

Staff review notated a deficiency in proportions of materials to meet the described standard; a majority of material variation is concentrated along a limited portion of the building elevation, primarily to one side, rather than being consistently incorporated throughout the building façade. The metal glazing around the primary entry, intended to meet other criteria, partially helps with this misbalance but requires additional treatment to break up the vertical façade.

As proposed, the use of materials does not fully achieve the intended level of material variation and articulation contemplated by the standard.

Conversely, the required primary entrance enhancements, as subsequently conditioned, will include architectural awnings and other on-site features that provide additional break up the vertical façade along the front elevation, thereby achieving the intent of this standard. As conditioned, staff find this criterion will be met.

Maximum thirty-five (35) foot setback: The proposed building is located approximately 93-feet, at its nearest point, from the portion of SW Galbreath Drive designated as a Collector Street. The applicant acknowledges in their project narrative that the proposal does not comply with this standard.

Rear or Side Parking: The proposed off-street parking area is located at the front of the building, between the building and SW Galbreath Drive. The applicant acknowledges in the project narrative that their proposal does not comply with this standard.

Loading Areas: The proposal includes two (2) loading areas that are visible from SW Galbreath Drive. To reduce their visual impact, the applicant has proposed approximately 134 linear feet of decorative sight-obscuring fencing and supplemental landscaping along the front property line to screen the loading areas from the public right-of-way. Additional landscaping is also proposed along the western property line to further screen the smaller delivery dock. The applicant's narrative states:

“Additional plantings have been added in this area outside of the [visual] corridor. Further, a 48” tall black vinyl fence with privacy slats is proposed at the landscaping area screening the dock area, see L1.0 plan page. Trees and shrubs proposed to screen the western overhead door, no fencing at this location.”

Staff concur with this approach of combining both landscaping and fencing to create a greater visual buffer, given the site's limited development potential. Conversely, staff review of the landscape plan indicates the majority of the proposed tree species are deciduous. Because deciduous trees lose their foliage during portions of the year, they provide a reduced level of year-round visual screening for the loading areas. While the proposed fencing meaningfully contributes to the required screening, additional evergreen vegetation is necessary to ensure the landscape buffer continues to effectively screen the loading areas in all seasons. Accordingly, staff has conditioned the approval to require that at least 50 percent of the proposed trees, including all street trees, be evergreen to provide permanent, year-round screening consistent with the intent of the standard.

As presented, staff believe this is sufficient to meet the applicable criteria.

Minimum 15% Window Glazing: The applicants' narrative stated the following:

“Minimum 15% window glazing on north frontage.

Front building frontage total area = 6,780 SF.

6,753 SF x .15 = 1,017 SF

Total area window glazing = 1,067 SF”

Staff verified these metrics utilizing the submitted elevations (Attachment A, Appendix E). The front building façade contains approximately 6,780 square feet of wall area, consistent with the applicant's calculations. However, staff's review determined that the proposed glazing totals approximately 913 square feet, below the minimum standard.

Accordingly, staff has included a condition of approval requiring the applicant to either revise the building elevations to incorporate additional glazing at the corner entrances or submit a revised glazing analysis demonstrating compliance with the minimum glazing requirement. Any additional glazing shall be concentrated at the corner entrances to reinforce the prominence of the primary building entrance and improve the pedestrian-oriented character of the façade.

Roof-Mounted Equipment: The application materials did not detail the location of future mechanical equipment. Alternatively, the applicant submitted a narrative stating,

“All roof-mounted equipment shall be required to be screened with materials complimentary to the building design materials. The parapets will be tall enough to adequately screen roof-mounted equipment from view from collector street. Refer to section on elevation sheets for typical view. Office wall parapets taller at front of building. Mechanical units will be set back from front face of building to further reduce viewing.”

Staff believe this approach and understanding is sufficient to satisfy the above criteria and will be reviewed for compliance under the future building permit submittal.

Based on the above analysis, the application either meets or can be required to meet the applicable design standards. The following conditions of approval apply:

Condition B.3: Prior to Final Site Plan Approval, the applicant shall revise their plan sets and architectural elevations to include additional pedestrian-scale improvements. At a minimum, the entrance(s) shall incorporate:

- A steel or other architecturally compatible awning extending across the approximately 18-foot-wide entrance area;
- One (1) pedestrian seating element (e.g., bench or equivalent seating feature); and
- A minimum of two (2) pedestrian-oriented lighting fixtures (e.g., wall sconces, bollard lights, or equivalent fixtures).

Condition B.4: Prior to Final Site Plan Approval, the applicant shall revise their architectural elevations to provide the minimum required glazing along the front building façade. Additional glazing shall be concentrated at the corner building entrances to reinforce the prominence of the primary entrances and improve the pedestrian-oriented design of the street-facing façade; or

If the applicant believes the proposed design already satisfies the glazing requirement, a revised glazing analysis shall be submitted using scaled architectural elevations for staff review in lieu of modifying the building elevations.

Condition B.5: Prior to Final Site Plan Approval, the applicant shall revise the planting plan to ensure that a minimum of fifty (50) percent of all proposed trees are evergreen species. All proposed street trees shall be evergreen and consistent with Section 16.140.060 - Street Trees.

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

FINDING: The proposal includes one (1) new driveway with access onto SW Galbreath Drive. The width of the proposed driveway is approximately 24-feet. This driveway will align with planned streets and be in compliance the Sherwood Transportation System Plan (TSP); therefore, this criterion is met.

E. Approvals

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

F. Time Limits

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

FINDING: The proposed application was reviewed in compliance with Chapter 16.72 action was taken to approve, approve with conditions, or deny the application for site plan review, as further detailed in this report. The following condition applies:

Condition A.3: Approval of this decision is valid for a period of two (2) years from the date of Notice of Decision (LU 2026-003 MM) unless construction on the site has begun. A one (1) year extension may be granted by the City upon written request from the applicant showing adequate cause for such extension.

16.90.030 - Site Plan Modifications and Revocation

A. Modifications to Approved Site Plans

1. Major Modifications to Approved Site Plans

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

1) A change in land use (i.e. residential to commercial, commercial to industrial, etc.);

FINDING: No changes to the designated land use are proposed; therefore, this criterion is not applicable.

2) An increase in density by more than ten (10) percent, provided the resulting density does not exceed that allowed by the land use district;

FINDING: Pursuant to 16.10.020, density is defined as the “intensity of residential land uses per acre,” and has not been historically applied to commercial or industrial parcels; therefore, this criterion is not applicable.

3) A change in setbacks or lot coverage by more than ten (10) percent, provided the resulting setback or lot coverage does not exceed that allowed by the land use district;

FINDING: The subject property is approximately 3.48 acres (151,589 square feet) in size and is currently developed with a structure approved under LU 2022-013-SP, establishing approximately 29,500 square feet of existing lot coverage.

The proposal includes the development of an additional structure, adding approximately 27,820 square feet to the overall lot coverage. Based on the subject property's total area of approximately 3.48 acres (151,589 square feet), the proposal increases lot coverage from approximately 19.46 percent to 37.81 percent, representing an increase of approximately 18.35 percentage points $[(57,320 \div 151,589) - (29,500 \div 151,589) = 0.1835]$, exceeding the ten (10) percent threshold.

Pursuant to Section 16.10.020 – Specifically, Lot Coverage is defined as “the proportional amount of land on a lot covered by buildings.”

Accordingly, the proposal is subject to the Major Modification approval criteria and associated findings contained within this section and throughout Title 16 – Sherwood Zoning and Community Development Code.

- 4) A change in the type and/or location of access-ways, drives or parking areas negatively affecting off-site traffic or increasing Average Daily Trips (ADT) by more than 100;

FINDING: The proposal includes one (1) new access-way and modification/expansion of an existing off-street parking area.

The applicant provided a Trip Generation Analysis (Attachment A, Appendix K), dated May 28, 2026, indicating the site will generate approximately 132 net new weekday daily trips, with 15 peak morning (7:00 a.m. to 9:00 a.m.) and 20 peak evening trips (4:00 PM and 6:00 PM). Furthermore, the proposal is anticipated to generate 18 additional daily truck trips, including one additional truck trip during the peak morning period.

Based on the above information, the proposal will not exceed the 100 Average Daily Trip (ADT); therefore, this criterion is not applicable.

- 5) An increase in the floor area or height proposed for non-residential use by more than ten (10) percent;

FINDING: The subject property is currently developed with an existing structure, approved under LU 2022-013 SP, establishing the total floor area on the subject parcel as approximately 29,500 square feet of floor area.

The proposal includes the development of an industrial structure, adding approximately 27,820 square feet to the overall site. Accordingly, the proposal increases the existing floor area by approximately 94.31% ($27,820 \div 29,500 = 0.9431$), exceeding the ten (10) percent threshold established under this criterion.

Pursuant to Section 16.10.020 – Specifically, floor area is “the total area of all floors of a building. Floor area is measured for each floor from the exterior faces of a building or structure.”

Accordingly, the proposal is subject to the Major Modification approval criteria and associated findings contained within this section and throughout Title 16 – Sherwood Zoning and Community Development Code.

- 6) A reduction of more than ten (10) percent of the area reserved for common open space; or

FINDING: No existing open/common space is located on the subject parcel; therefore, this criterion is not applicable.

- 7) Change to a condition of approval that was specifically applied to this approval (i.e. not a "standard condition"), or a change similar to items identified in Section 16.90.030.A.1.a.(1)—(2) as determined by the Review Authority.

FINDING: No changes to any of the previous conditions of the approval are sought; therefore, this criterion is not applicable.

B. Revocation

Any departure from an approved plan is cause for revocation of applicable building and occupancy permits. Furthermore if, in the City's determination, a condition or conditions of site plan approval are not or cannot be satisfied, the site plan approval, or building and occupancy permits, will be revoked.

FINDING: The proposed development shall be constructed in substantial conformance with the approved plans and all applicable conditions of approval. Any deviation from the approved plans or failure to satisfy the conditions of approval may result in revocation of the site plan approval and any associated building or occupancy permits, consistent with the Sherwood Zoning and Community Development Code. The following condition applies:

Condition A.4: The applicant shall construct and maintain the development in accordance with the approved plans and all conditions of approval. Any departure from the approved plans without prior City authorization, or failure to satisfy any condition of approval, may result in revocation of the site plan approval and any associated building or occupancy permits.

Chapter 16.92 - LANDSCAPING

16.92.010 - Landscaping Plan Required

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

FINDING: The proposal includes the development of an industrial structure intended for distribution and warehousing, approximately 27,820 square feet in size. The applicant submitted a preliminary landscaping plans for review (Attachment A, Appendix F: Sheet L1.0 & L2.0), in compliance with this chapter, as further detailed in this staff report. As proposed, these criteria are applicable.

16.92.020 - Landscaping Materials

A. Type of Landscaping

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

1. Ground Cover Plants

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

FINDING: The applicant submitted landscaping plans indicating all areas not planted with trees or shrubs will have adequate ground coverage. All ground cover plantings are evenly spaced throughout the parcel and will cover the entire area within three (3) years from the time of planting, based on the species and type of each proposed planting. Mulch may be utilized in addition to the proposed ground coverage planting; therefore, this criterion is met.

2. Shrubs

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

FINDING: The applicant submitted preliminary landscaping plans indicating each proposed shrub, at a minimum, will be at least one-gallon container size at the time of planting. Analysis of the provided plant schedule indicates each proposed shrub will reach full growth within three (3) years of initial planting.

Staff review determined several shrub species within required sight-distance requirements, as defined under the Sherwood Engineering Design Standards (210.5), are capable of exceeding the maximum permitted height of 2.5 feet at maturity if not routinely maintained. For example, the *Cornus alba* 'Argenteo-Marginata' can reach approximately 10 feet in height at maturity and has been proposed within these defined sight-distance areas. To ensure continued compliance with applicable sight-distance standards, staff has included the following condition:

Condition B.6: Prior to Final Site Plan Approval, the applicant shall revise their landscape plan to replace all shrub species within required sight-distance areas, as

defined by the Sherwood Engineering Design Standards (210.5), that exceed the maximum height limitation of two and half (2.5) feet at maturity with appropriate alternative species that will remain at or below the maximum permitted limitation at maturity. Final compliance with sight-distance requirements meeting the approval of the Sherwood Engineering department in accordance with applicable Engineering Design Standards and AASHTO standards.

As presented, the above condition is met.

3. Trees

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

FINDING: The applicant submitted preliminary landscaping plans indicating each proposed tree will be at least two (2) caliper inches and at least six (6) feet in height at the time of planting; therefore, this standard is met.

B. Plant Material Selection and Preparation

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

FINDING: The applicant submitted preliminary landscaping plans (Attachment A, Appendix F: Sheet L2.0), illustrating adequate preparation of the topsoil and subsoil will be undertaken during the establishment of vegetation. Research into each plant type and species indicating landscaping materials were at least moderately resistant to drought conditions. Future maintenance of the proposed landscaping will be at responsibility of the owner(s), as conditioned below:

Condition A.5: The property owner(s) shall be responsible for ensuring the overall maintenance and health of the approved landscaping materials. Only hardy and drought-resistant landscaping shall be permitted on the parcel, pursuant to 16.92.020.B.

This criterion is met.

C. Existing Vegetation

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

FINDINGS: A review of the existing conditions indicates no significant vegetation is present on the western half of the subject parcel, nor will any perceived vegetation be utilized to meet Chapter 16.92; therefore, this criterion is not applicable.

D. Non-Vegetative Features

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

FINDING: The proposal does not include any architectural features or artificial plants being incorporated into the overall landscaping plans. No impervious paving is being counted towards the minimum landscaping requirements. As presented, the above criteria are not applicable.

16.92.030 - Site Area Landscaping and Perimeter Screening Standards

A. Perimeter Screening and Buffering

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

institutional/public or industrial zones subject to the provisions of Chapter 16.48.020 (Fences, Walls and Hedges).

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

FINDING: The subject parcel(s) do not directly abut a residential zone. The adjacent properties located within Washington County, across SW Galbreath Drive and within the Urban Growth Boundary (UGB), are designated for future General Industrial (GI) uses; therefore, this criterion does not apply.

2. Perimeter Landscaping Buffer

- a. A minimum ten (10) foot wide landscaped strip comprised of trees, shrubs and ground cover shall be provided between off-street parking, loading, or vehicular use areas on separate, abutting, or adjacent properties.
- b. The access drives to a rear lots in the residential zone (i.e. flag lot) shall be separated from abutting property(ies) by a minimum of forty-two-inch sight-obscuring fence or a forty-two-inch to an eight (8) feet high landscape hedge within a four-foot wide landscape buffer. Alternatively, where existing mature trees and vegetation are suitable, Review Authority may waive the fence/buffer in order to preserve the mature vegetation.

FINDING: The applicant provided landscaping plans indicating at least 10-feet of landscaping, comprised of trees, shrubs, and ground coverage will be provided between proposed off-street parking, loading, and other vehicle use areas with separate, abutting, and adjacent properties; as presented, the above criteria is met.

3. Perimeter Landscape Buffer Reduction

If the separate, abutting property to the proposed development contains an existing perimeter landscape buffer of at least five (5) feet in width, the applicant may reduce the proposed site's required

perimeter landscaping up to five (5) feet maximum, if the development is not adjacent to a residential zone. For example, if the separate abutting perimeter landscaping is five (5) feet, then applicant may reduce the perimeter landscaping to five (5) feet in width on their site so there is at least five (5) feet of landscaping on each lot.

FINDING: The applicant is not seeking a reduction to the required landscape buffer area and is proposing sufficient landscaping to the site, either meeting or exceeding the general intent of the standard; therefore, this criterion is not applicable.

B. Parking Area Landscaping

1. Purpose

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

2. Applicability.

The provisions of this section apply to off-street parking areas of more than four (4) parking and/or loading spaces.

3. Definitions

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

b. **Canopy Factor**

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

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

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

FINDING: The applicant is proposing thirty-five (35) off-street parking stalls, and therefore, subject to the applicability of this code section; this criterion applies.

4. Required Landscaping

There shall be at least forty-five (45) square feet parking area landscaping for each parking space located on the site. The amount

of required plant materials are based on the number of spaces as identified below.

FINDING: The amount of off-street parking provided on the site is thirty-five (35) dedicated stalls, which equate to approximately 1,575 square feet of required landscaped area ($35 \times 45 = 1,575$ square feet). The applicant submitted plans indicating that sufficient landscaping is provided, equating to approximately 1,586 square feet of parking area landscaping; therefore, this standard is met.

5. Amount and Type of Required Parking Area Landscaping

a. Number of Trees required based on Canopy Factor

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

1) Any combination of the following is required:

- i. One (1) large tree is required per four (4) parking spaces;
- ii. One (1) medium tree is required per three (3) parking spaces; or
- iii. One (1) small tree is required per two (2) parking spaces.
- iv. At least five (5) percent of the required trees must be evergreen.

2) Street trees may be included in the calculation for the number of required trees in the parking area.

FINDING: The applicant is proposing thirty-five (35) dedicated off-street parking stalls. The proposed parking area landscaping, in relation to the total number of tree canopy factor, is displayed below:

Tree Name	Quantity	Size	Mature Spread	Mature Radius	Mature Radius	Mature Canopy Area (SF)	Canopy Coverage (SF)
Red Sunset Maple (Acer Rubrum Red Sunset) (Deciduous)	16	Small	25'	12.5	$\pi(12.5')^2$	490.87	7,853.92
Acer Circinatum (Vine Maple) (Deciduous)	4	Small	25'	12.5'	$\pi(12.5')^2$	490.87	1,963.48
Tilia Tomentosa	7	Medium	40'	20'	$\pi(20')^2$	1,256.64	8,796.48

'Sterling' (Sterling Silver Linden) (Deciduous)							
Pinus Flexilis 'Vanderwolf's Pyramid' (Canderwolf's Pyramid Pine) (Evergreen)	5	Small	15'	7.5'	$\pi(7.5')^2$	176.71	883.55
Thuja Plicata (Western Red Cedar) (Evergreen)	10	Small	30'	15'	$\pi(15')^2$	706.86	7,068.60
Development Area (SF)						71,540	
Total Site Canopy Coverage (SF)						26,566.03	
Canopy Coverage (%)						37.15%	
Proposed Evergreen Trees (%)						35.71%	

The proposal illustrates the minimum number of trees will be met, based on the provided off-street parking amounts, resulting in forty-two (42) new trees throughout the development area, including new street trees.

Of the proposed trees, approximately fifteen (15) will be evergreen species, representing approximately 35.71 percent of the total tree count and exceeding the minimum evergreen requirement.

The subject site is subject to the industrial design standards pursuant to Section 16.90.020.D.8 – *Industrial Design Standards*. To ensure consistency with the intent of applicable standards, staff have conditioned the application to provide a minimum of fifty (50) percent evergreen vegetation prior to Final Site Plan Approval.

The total canopy coverage of the modified area will exceed the minimum 30 percent threshold, further described under Section 16.140.070.D.3.a.

As presented, these criteria are met.

b. Shrubs:

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

FINDING: The proposal includes thirty-five (35) dedicated off-street parking stalls. Pursuant to 16.94.020.B.3.c - *Dimensional and General Configuration Standards*, the applicant is requesting a two (2) foot reduction to the paved portion of each off-street parking stall along the property's perimeter, replacing the area with additional landscaping surfaces. The number of stalls with additional landscaping equates to twenty-five (25), therefore requiring one (1) shrub per space. The remaining ten (10) stalls are required to provide two (2) shrubs per space. In total, the minimum required shrub for the proposed development is 45.

The applicants preliminary landscaping plans indicating 188 shrubs will be provided throughout the site, exceeding the minimum standard. As presented, the above criteria are met.

c. Ground cover plants:

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

FINDING: The submitted preliminary landscaping plans indicating all internal or abutting parking area (not dedicated to off-street parking and maneuvering) will consist of sufficient ground coverage planting, if not already occupied by either trees or shrubs. Ground coverage will be evenly spaced throughout and cover the area within three (3) years of planting. No mulch or alternative type of ground coverage is proposed but may be utilized to supplement establishment of ground coverage; therefore, this criterion is met.

6. Individual Landscape Islands Requirements

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

- e. Storm water bio-swales may be used in lieu of the parking landscape areas and may be included in the calculation of the required landscaping amount.
- f. **Exception to Landscape Requirement**
Linear raised or marked sidewalks and walkways within the parking areas connecting the parking spaces to the on-site buildings may be included in the calculation of required site landscaping provide that it:
 - 1) Trees are spaced a maximum of thirty (30) feet on at least one (1) side of the sidewalk.
 - 2) The minimum unobstructed sidewalk width is at least six (6) feet wide.
 - 3) The sidewalk is separated from the parking areas by curbs, bollards, or other means on both sides.

FINDING: Submitted plans indicate each proposed landscaped island will be curbed and evenly spaced throughout the site. Each island will be at least 5-feet in width, comprised of at least 90 square feet, and have at least one tree planted. The proposed use designation of the site is 'industrial,' and requires at least one (1) island, at a minimum, for every twelve (12) contiguous parking spaces. No other exceptions or alternatives in lieu of the requirement, as described above, are sought; therefore, these criteria are met.

7. Landscaping at Points of Access

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

8. Exceptions

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

FINDING: Submitted materials and proposed conditions display compliance with clear vision standards, pursuant to Chapter 16.58. The subject parcel is not within or directly abutting an environmentally sensitive area and/or woodland. No reduction or exceptions are sought by the applicant; therefore, the criteria are satisfied.

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

FINDINGS: Based on submitted materials, the applicant will provide the necessary screening of mechanical equipment, outdoor storage, service, and delivery areas to the maximum extent feasible. Future infrastructure equipment, storage, and expansion of delivery areas shall be screened from all public streets, as conditioned below:

Condition A.6: The property owner(s) shall be responsible for maintaining and installing required screening of all Mechanical Equipment, Outdoor Storage, Service and Delivery Areas from any public street.

This standard is met.

D. Visual Corridors

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

FINDING: The subject parcel abuts SW Galbreath Drive; portions of SW Galbreath Drive that is adjacent to the site's north boundary is designated as a Collector status road, while the portion of SW Galbreath Drive adjacent to the site's western boundary is designated as a local industrial road. Therefore, the site's north property boundary is subject to the Visual Corridor provisions of Chapter 16.142 – Parks, Trees, and Open Space and addressed within subsequent sections of this report; therefore, the above criterion is met.

16.92.040 - Installation and Maintenance Standards

A. Installation

All required landscaping must be in-ground, except when in raised planters that are used to meet minimum Clean Water Services storm water management requirements. Plant materials must be installed to current nursery industry standards. Plant materials must be properly supported to

ensure survival. Support devices such as guy wires or stakes must not interfere with vehicular or pedestrian movement.

B. Maintenance and Mitigation of Landscaped Areas

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

C. Irrigation

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

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

D. Deferral of Improvements

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

FINDING: The applicant did not submit details related to the proposed irrigation of the site. Future Installation, maintenance, and mitigation of all landscaped areas is the responsibility of the property owner(s). No deferral of landscaping improvements is requested. The applicant is conditioned, prior to building occupancy, to have all required landscaping in-ground with an approved irrigation system, pursuant to 16.92.040.C., as defined below:

Condition F.1: Prior to Occupancy, the applicant shall place all required landscaping in-ground, including installation of an approved irrigation system, pursuant to the 16.92.040 standards.

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 commercial, institutional and public, or industrial zones, shared parking may be provided on lots that are within five hundred (500) feet of the property line of the use to be served.
 - b. Shared parking is allowed if the application can show that the combined peak use is available by a parking study that demonstrates:
 - 1) There is a sufficient number of parking spaces to accommodate the requirements of the individual businesses; or
 - 2) That the peak hours of operation of such establishments do not overlap, and
 - 3) That an exclusive permanent easement over a delineated area has been granted for parking space use.
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.

D. Prohibited Uses

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

FINDING: The proposal includes the development of an industrial structure intended for distribution and warehousing, approximately 27,820 square feet in size; 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 reduction to the off-street parking, as described above, is requested. The property owner(s) will be responsible for ensuring that no prohibited use will occur within the off-street parking area, as conditioned below:

Condition A.7: 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 conditioned, these criteria are met.

E. Location

2. For other non-residential uses, required off-street parking spaces may include adjacent on-street parking spaces, nearby public parking and shared parking located within five hundred (500) feet of the use. The distance from the parking, area to the use shall be measured from the nearest parking space to a building entrance, following a sidewalk or other pedestrian route. The right to use

private off-site parking must be evidenced by a recorded deed, lease, easement, or similar written notarized letter or instrument.

3. Vehicle parking is allowed only on improved parking shoulders that meet City standards for public streets, within garages, carports and other structures, or on driveways or parking lots that have been developed in conformance with this code. Specific locations and types of spaces (car pool, compact, etc.) for parking shall be indicated on submitted plans and located to the side or rear of buildings where feasible.
 - a. Any new development with more than fifty (50) employees shall include preferential spaces for carpool/vanpool designation. Carpool and vanpool parking spaces shall be located closer to the main employee entrance than all other parking spaces with the exception of ADA parking spaces. Carpool/vanpool spaces shall be clearly marked as reserved for carpool/vanpool only.
 - b. Existing development may redevelop portions of designated parking areas for multi-modal facilities (transit shelters, park and ride, and bicycle parking), subject to meeting all other applicable standards, including minimum space standards.
 - c. In applying subsections a and b above, access for emergency vehicles must be retained and adequate parking for truck loading should be considered.

FINDING: The applicant submitted materials indicating the proposed off-street parking will be located entirely on the subject parcel and meet applicable city standards, as further detailed in subsequent portions of this report.

The applicant's narrative indicated that less than fifty (50) employees will be on-site and therefore will not require dedicated carpool/vanpool stalls. Staff concur with this statement and find it aligns proportionality with the described use.

The modified area is currently undeveloped and does not include multi-modal facilities in a manner that would affect the proposed off-street parking area. As presented, the above criteria are met.

F. Marking

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

FINDING: The applicant submitted materials illustrating each parking and loading area will be clearly marked, painted, and delineated, as further detailed in subsequent sections of this report.

Conversely, the applicant failed to display interior drives and access aisles will be marked and signed to illustrate the directional flow of traffic, as to maintain vehicular and pedestrian safety. The following condition applies:

Condition B.7: Prior to Final Site Plan Approval, the applicant shall submit a revised plan set demonstrating all interior drives and access aisles are clearly marked and signed to indicate the direction of vehicular traffic.

As presented, the above criterion is met.

G. Surface and Drainage

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

FINDING: The applicant submitted application materials indicating that all off-street parking, loading, and vehicle use areas will be improved with permanent hard surfaces. This includes dedicated storm water drainage facilities per City Engineer requirements; therefore, this standard is met.

H. Repairs

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

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.8: 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.

I. Parking and Loading Plan

- 1. Delineation of individual parking and loading spaces and dimensions.**

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

FINDING: The applicant provided materials that included sufficient detail of the proposed off-street parking and loading area. Compliance with all applicable standards and criteria, pursuant to Chapter 16.94, were reviewed against these materials and approved as part of this decision; therefore, this standard is met.

16.94.020 - Off-Street Parking Standards

A. Generally

Where square feet are specified, the area measured shall be the gross building floor area primary to the functioning of the proposed use. Where employees are specified, persons counted shall be those working on the premises, including proprietors, during the largest shift at peak season. Fractional space requirements shall be counted as a whole space. The Review Authority may determine alternate off - street parking and loading requirements for a use not specifically listed in this Section based upon the requirements of comparable uses. 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 A¹
Industrial	45 minimum off-street parking stalls = (27,820 x 1.6/1,000 = 44.51)	None

Total	45 minimum off-street parking stalls	
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FINDING: The proposal includes the development of an industrial structure intended for distribution and warehousing, approximately 27,820 square feet in size. This use is categorized under Section 16.94.020.A, *Table 1: Minimum and Maximum Parking Standards*, as “**Industrial.**” Based on the scope of the proposal, the applicant is required to provide a minimum of 45 off-street parking stalls; no maximum off-street parking for industrial uses is imposed.

As displayed within the modified area, the applicant is proposing 35 parking stalls, below the minimum standard; No off-street parking surplus from the previous approval (LU 2022-013 SP) was available to satisfy the deficiency in parking.

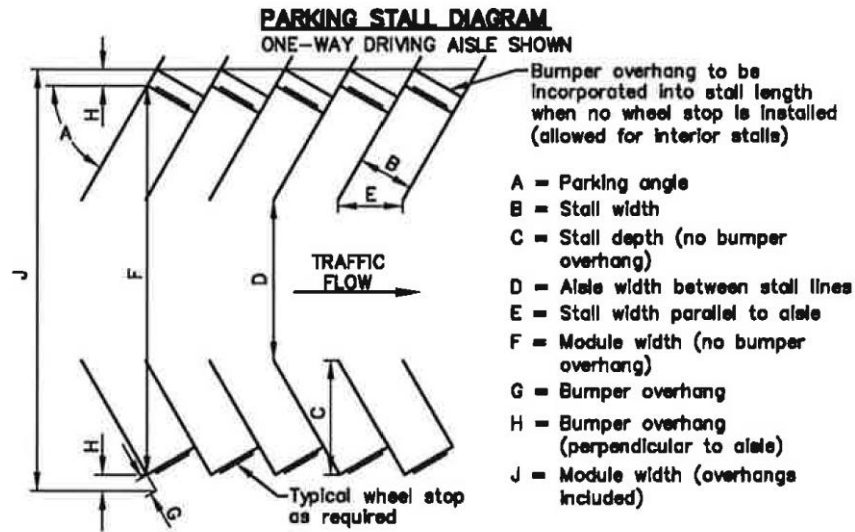
As further discussed below, the applicant is seeking a reduction to the required parking, based on the criteria outlined under Section 16.94.020.B.6.

The subject property is not located within one-half ($\frac{1}{2}$) mile of an existing frequent transit corridor or within one-quarter ($\frac{1}{4}$) mile of Sherwood's Town Center, pursuant to the regulations outlined under OAR 660-012-0440 & 660-012-0435.

As presented, the above criteria are met.

B. Dimensional and General Configuration Standards

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



FINDING: The applicant is proposing thirty-five (35) dedicated off-street parking stalls positioned at a 90° degree angle.

Based on the presented materials, the proposed off-street parking will meet the minimum dimensional requirements. Measurements indicate the proposed dimensional length of each stall will vary between approximately 15 to 18-feet in length; the applicant is requesting a reduction between 2 to 3-feet of the minimum length requirements, pursuant to 16.94.020.B.3.c, through incorporation of impervious surfaces with low lying landscape. Each stall's width will be at least 9-feet.

Eight (8) parking stalls are defined as 'Compact,' representing approximately 22.8% of the total off-street parking stalls provided. This is below the maximum allowable limit for compact parking stalls.

Off-street parking will be serviced by one interconnected driveway equating to at least 24-feet in width, meeting the minimum size requirement for two-driving aisles.

As presented, the above criteria are met.

3. Wheel Stops

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

landscape or hardscape in lieu of a wheel stop; however, a curb is still required. In other words, the traditional three-foot vehicle overhang from a wheel stop may be low-lying landscaping rather than an impervious surface.

FINDING: The applicant is proposing thirty-five (35) dedicated off-street parking stalls within the modified area. Twenty-five (25) proposed stalls are seeking a reduction to the minimum stall length by two (2) or three (3) feet, through providing low-lying landscaping or hardscape in lieu of a wheel stop; adequate curbing and infrastructure improvements will be required by city engineering standards. As presented, these criteria are met.

4. Service Drives

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

5. Credit for On-Street Parking

- a. On-Street Parking Credit.** Except for residential uses, the amount of off-street parking required shall be reduced by one (1) off-street parking space for every on-street parking space adjacent to the development. On-street parking shall follow the established configuration of existing on-street parking, except that angled parking may be allowed for some streets, where permitted by City standards.
- b. The following constitutes an on-street parking space:**
 - 1) Parallel parking, each twenty-four (24) feet of uninterrupted curb;**
 - 2) Forty-five (45)/sixty (60) degree diagonal, each with ten (10) feet of curb;**
 - 3) Ninety (90) degree (perpendicular) parking, each with eight (8) feet of curb;**
 - 4) Curb space must be connected to the lot which contains the use;**
 - 5) Parking spaces that would not obstruct a required clear vision area, nor any other parking that violates any law or street standard; and;**
 - 6) On-street parking spaces credited for a specific use may not be used exclusively by that use, but shall be available for general public use at all times. No signs or actions limiting general public use of on-street spaces is permitted.**

6. Reduction in Required Parking Spaces

- a. Developments utilizing Engineered storm water bio-swales or those adjacent to environmentally constrained or sensitive areas**

may reduce the amount of required parking spaces by ten (10) percent when twenty-five (25) through forty-nine (49) parking spaces are required, fifteen (15) percent when fifty (50) and seventy-four (74) parking spaces are required and twenty (20) percent when more than seventy-five (75) parking spaces are required, provided the area that would have been used for parking is maintained as a habitat area or is generally adjacent to an environmentally sensitive or constrained area.

- b. Solar Panels or Wind Power - developments utilizing solar panels or wind power may reduce the amount of required parking spaces by one (1) parking space when three kilowatts of capacity in solar panels or wind power is proposed to be provided in a development.
 - c. Car-Sharing - developments utilizing car-sharing parking may reduce the amount of required parking spaces by one (1) off-street parking space for each dedicated car-sharing parking space in a development. Dedicated car-sharing parking spaces shall count as spaces for parking mandates.
 - d. Electric Vehicle Charging Station - developments that provide electric vehicle charging station may reduce the amount of required parking spaces by two (2) off-street parking spaces for every electric vehicle charging station provided in a development. Parking spaces that include electric vehicle charging while an automobile is parked shall count towards parking mandates.
 - e. Fully Accessible Parking - developments utilizing this provision may reduce one (1) off-street parking space for every two units in a development above minimum requirements that are fully accessible to people with mobility disabilities.
 - f. Any reductions under Section 16.94.020.B.6 (a-e) above, shall be cumulative and not capped.
7. Parking Location and Shared Parking
Owners of off-street parking facilities may post a sign indicating that all parking on the site is available only for residents, customers and/or employees, as applicable.

FINDING: The applicant is seeking a reduction to the required off-street parking stalls are detailed above. The applicant submitted a narrative stating the following:

*“Bio-swale is proposed at SW corner of property. With 45 spaces required a 10% reduction can be applied. $45 \times 0.1 = 4.5$ $45 - 5 = (40)$ spaces.
(2) car pool spaces are provided $40 - 2 = (38)$ spaces
(2) EV charging spaces provided $38 - 4 (34)$ spaces
(35) spaces are too be provided.”*

Staff evaluated both the requests and supplemental evidence.

Staff concur with applicants' position regarding the carpool and EV charging station reductions described above. The proposed bioswale, approximately 388 square feet in area, will be designed to allow additional on-site stormwater treatment allowing a reduction to ten (10) percent of the required off-street parking; while illustrated on the site plan, the application materials do not include engineered civil plans or other supporting documentation demonstrating that the facility satisfies the applicable stormwater design standards, therefore staff have conditioned the applicant to provide additional materials to ensure the intent of the reduction is fulfilled.

No service drives are proposed. The applicant is not seeking credit for off-street parking. The applicant did not indicate if a sign will be posted on the premises indicating the site is only available for customers and/or employees but will retain the right to pursue this option in the future.

Condition C.1: Prior to Approval of Public Improvement Plans/Issuance of an Engineering Compliance Agreement, the applicant shall submit engineered plans demonstrating that the proposed Bioswale or Non-Structural Structural Planter/Rain Garden meets Clean Water Services (CWS) Low Impact Development Approaches (LIDA) standards and meets the approval of the Sherwood Engineering Department.

As presented, the above criteria are met.

C. Bicycle Parking Facilities

1. General Provisions

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

FINDING: The proposal includes the development of an industrial structure. As presented, this constitutes new development; 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.

Table 4: Minimum Required Bicycle Parking Spaces

Use Categories	Minimum Required Spaces
Industrial Categories	
Industrial	2 or 1 per 40 spaces, whichever is greater

FINDING: The proposed use is categorized under SDZC section 16.94.020.A, Table 4: Minimum Required Bicycle Parking Spaces, as “**Industrial.**” Based on the scope of the proposal, the applicant is required to dedicate two (2) bicycle parking spaces ($45/40=1.125$). As indicated on the site plan, the applicant is proposing two (2) short-term bicycle parking spaces, located adjacent to proposed entrances. No long-term bicycle spaces are required or proposed.

As presented, the above criteria are met.

2. Location and Design.

a. General Provisions

- 1) Each space must be at least two (2) feet by six (6) feet in area, be accessible without moving another bicycle, and provide enough space between the rack and any obstructions to use the space properly.**
- 2) There must be an aisle at least five (5) feet wide behind all required bicycle parking to allow room for bicycle maneuvering. Where the bicycle parking is adjacent to a sidewalk, the maneuvering area may extend into the right-of-way.**
- 3) Lighting. Bicycle parking shall be at least as well-lit as vehicle parking for security.**
- 4) Reserved Areas. Areas set aside for bicycle parking shall be clearly marked and reserved for bicycle parking only.**
- 5) Bicycle parking in the Old Town Overlay District can be located on the sidewalk within the right-of-way. A standard inverted "U shaped" or staple design is appropriate. Alternative, creative designs are strongly encouraged.**

- 6) **Hazards.** Bicycle parking shall not impede or create a hazard to pedestrians. Parking areas shall be located so as to not conflict with vision clearance standards.

b. Short-term Bicycle Parking

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

FINDING: The applicant submitted materials indicating each dedicated bicycle parking stall would encapsulate an area of at least two (2) feet by six (6) feet, with enough space between the proposed racks and any obstructions to ensure adequate usage; there is at least five (5) feet of width behind all required bicycle parking, as to allow room for bicycle maneuvering. The location is recessed to adequately identify the area reserved for bike parking, within thirty (30) feet of an entrance as defined under Section 16.10.020, and have enough lighting provided by the adjacent office area for security.

As presented, the above criteria are met.

16.94.030 - Off-Street Loading Standards

A. Minimum Standards

1. A driveway designed for continuous forward flow of passenger vehicles for the purpose of loading and unloading passengers shall be located on the site of any school, or other public meeting place, which is designed to accommodate more than twenty-five (25) persons at one time.
2. The minimum loading area for non-residential uses shall not be less than ten (10) feet in width by twenty-five (25) feet in length and shall have an unobstructed height of fourteen (14) feet.
3. Multiple uses on the same parcel or adjacent parcels may utilize the same loading area if it is shown in the development application that the uses will not have substantially overlapping delivery times.
4. The following additional minimum loading space is required for buildings in excess of twenty thousand (20,000) square feet of gross floor area:
 - a. Twenty thousand (20,000) to fifty (50,000) sq. ft. - five hundred (500) sq. ft.
 - b. Fifty (50,000) sq. ft. or more - seven hundred fifty (750) sq. ft.

B. Separation of Areas

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

FINDING: The proposal includes the development of an industrial structure approximately 27,820 square feet in size; structures between 20,000 and 50,000 square feet are required to provide a minimum of 500 square feet of loading area. The submitted materials illustrated a dedicated loading equating to 3,665 square feet, including an auxiliary loading area at the southwestern quadrant used for smaller more frequent delivery services.

These areas will be separated from the surrounding vehicle parking stalls using a recess and accompanying railing, as illustrated in the abutting development. The applicant's narrative stated the following,

"Loading areas (docks) are isolated from vehicular parking areas to the greatest extent possible and have been placed on the site to eliminate the potential for encroachment on to public right-of-way. Deliveries at the loading docks are typically made prior to business hours 630 am – 800 am with business hours 800 am – 500pm. Signage to be posted at the north driveway noting deliveries to be made [between] 630 am – 800 am."

Staff concur with the above statement and find that these defined timeframes create the loading separation in areas that could be perceived to overlap with off-street parking. It will be the discretion of the property owner(s) to ensure adequate operational functionality of the site. The following condition applies:

Condition F.2: Prior to Occupancy, permanent signage shall be installed at each loading area stating that deliveries are restricted to 6:30 a.m. through 8:00 a.m. The property owner shall maintain the required signage and ensure loading operations are conducted in accordance with the approved site plan and applicable criteria outlined under section 16.94.030.B - Off-Street Loading Standards: Separation of Areas.

As presented, the above criteria are met.

Chapter 16.96 - ON-SITE CIRCULATION

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

A. Purpose

All new development, (except single-family detached and middle housing types), shall provide a continuous system of private pathways/sidewalks. The on-site facilities shall connect to adjacent residential areas and neighborhood activity centers within one-half mile of the development.

Neighborhood activity centers include but are not limited to existing or planned schools, parks, shopping areas, transit stops or employment centers.

FINDING: The proposal includes the development of an industrial structure intended for distribution and warehousing. The applicant submitted materials indicating that a continuous on-site circulation system of pathways/sidewalks will be provided. No adjacent or neighborhood activity centers are within one-half mile of the parcel. The proposed pedestrian pathways connect directly onto the adjacent public right away: SW Galbreath Drive. As presented, this criterion is satisfied.

B. Maintenance

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

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 this 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.9: 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 criteria are met.

D. Connection to Streets

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

FINDING: The applicant submitted materials indicating a pedestrian pathway network will connect all proposed ingress and egress with adjacent public streets. As presented these standards are met.

16.96.030 - Minimum Non-Residential Pedestrian Circulation Standards

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

A. Sidewalks and Curbs

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

FINDING: The applicant submitted materials indicating a proposed pedestrian pathway network will connect each proposed entrance to adjacent public right of way, with frontage along SW Galbreath Drive. No existing transit facilities are located within five hundred (500) feet of the site, nor does the parcel abut any parks or open spaces. Pathway surfaces are proposed to be constructed with impervious materials and other durable surfaces. Measurements of the pedestrian pathway indicate each segment will be at least 6'-feet in width and conform to ADA standards. No exceptions to the standards are sought.

As presented, these criteria are met.

16.96.040 - General Requirements for On-Site Vehicle Circulation

- A. Maintenance.** No building permit or other City permit shall be issued until plans for vehicle ingress, egress and circulation have been approved by the City. Any change increasing any ingress, egress, or circulation requirements, shall be a violation of this Code unless additional facilities are provided in accordance with this Chapter.
- 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 staff reviewed on-site vehicle circulation for compliance with all ingress, egress, and other circulation requirements as it relates to the project scope and is further addressed in subsequent sections of this staff report. Maintenance of 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, the above criteria are satisfied.

Condition A.10: Any change that alter or modifies the approved ingress, egress, or circulation for vehicles 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: The applicant submitted a site plan indicating the proposed on-site vehicle circulation will connect with abutting public right of way, with access off SW Galbreath Drive. 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.11: 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.

16.96.060 - Minimum Non-Residential Vehicle Circulation Standards

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

A. Driveways

- 2. Industrial: Improved hard surfaced driveways are required as follows:**

Required Parking Spaces	Number of Driveways	Minimum Width One-Way (Pair)	Minimum Width Two-Way
1—249	1	15 feet	24 feet
250 or more	2	15 feet	24 feet

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

FINDING: The applicant submitted materials indicating two (2) driveways will be utilized to access the subject parcel along SW Galbreath Drive. The proposed width of both the existing and proposed driveways will be approximately 25-feet, exceeding the minimum standard for industrial development; therefore, this criterion is met.

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.

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: The applicant submitted materials indicating trash/recycling will be provided between by an existing facility approved under Phase I, and consistent with P.R.I.D.E disposal standards. Truck(s) accessing the site will retain safe navigation of the trash enclosure area, with at least 75-feet' of unobstructed access. No overhead structure is proposed. Review of Phase I and subsequent site visits indicated access gates are hinged in front of the walls, not inside the walls, and are able to fully swing as required. No center post is proposed at the access point; therefore, the On-Site Storage standards of both the Sherwood Zoning and Development Code and P.R.I.D.E disposal standards are met.

Chapter 16.106 - TRANSPORTATION FACILITIES

16.106.020 - Required Improvements

A. Generally

Except as otherwise provided, all developments containing or abutting an existing or proposed street, that is either unimproved or substandard in right-of-way width or improvement, shall dedicate the necessary right-of-way prior to the issuance of building permits and/or complete acceptable improvements prior to issuance of occupancy permits. Right-of-way requirements are based on functional classification of the street network as established in the Transportation System Plan, Figure 17.

B. Existing Streets

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

D. Extent of Improvements

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

16.106.040 - Design

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

F. Grades and Curves

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

K. Traffic Controls

1. Pursuant to Section 16.106.080, or as otherwise required by the City Engineer, an application must include a traffic impact analysis to determine the number and types of traffic controls necessary to accommodate anticipated traffic flow.
2. For all other proposed developments including commercial, industrial or institutional uses with over an estimated 400 ADT, or as otherwise required by the City Engineer, the application must include a traffic impact analysis to determine the number and types of traffic controls necessary to accommodate anticipated traffic flow.

L. Traffic Calming

1. The following roadway design features, including internal circulation drives, may be required by the City in new construction in areas where traffic calming needs are anticipated:
 - a. Curb extensions (bulb-outs).
 - b. Traffic diverters/circles.
 - c. Alternative paving and painting patterns.
 - d. Raised crosswalks, speed humps, and pedestrian refuges.
 - e. Other methods demonstrated as effective through peer reviewed Engineering studies.
2. With approval of the City Engineer, traffic calming measures such as speed humps and additional stop signs can be applied to mitigate traffic operations and/or safety problems on existing streets. They should not be applied with new street construction unless approved by the City Engineer and Tualatin Valley Fire & Rescue.

M. Vehicular Access Management

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

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

-
- The diagram illustrates a double driveway layout with the following components and labels:
- Top Section:**
 - R/W LINE:** Right-of-way boundary at the top.
 - P.C. (Point of Curvature):** Located at the start of the driveway easement on the left.
 - RADIUS:** The curved easement line connecting the P.C. to the Radius Point.
 - RADIUS POINT:** The point where the easement line meets the easement line.
 - EASEMENT LINE:** The vertical line defining the easement boundary.
 - ACCESS TRAVEL LANE:** The horizontal line for vehicle access.
 - EASEMENT LINE:** The vertical line defining the easement boundary.
 - P.C. (Point of Curvature):** Located at the end of the driveway easement on the right.
 - RADIUS:** The curved easement line connecting the P.C. to the Radius Point.
 - RADIUS POINT:** The point where the easement line meets the easement line.
 - EASEMENT LINE:** The vertical line defining the easement boundary.
 - ACCESS TRAVEL LANE:** The horizontal line for vehicle access.
 - EASEMENT LINE:** The vertical line defining the easement boundary.
 - Bottom Section:**
 - R/W LINE:** Right-of-way boundary at the bottom.
 - POINT 'A' (TPI):** The intersection of the driveway easement and the R/W line on the left.
 - POINT 'B' (P.C.):** The Point of Curvature for the driveway easement on the left.
 - POINT 'C':** The intersection of the driveway easement and the R/W line on the right.
 - POINT 'C' (P.C.):** The Point of Curvature for the driveway easement on the right.
 - POINT 'A' (TPI):** The intersection of the driveway easement and the R/W line on the right.
 - Central Section:**
 - MINIMUM DRIVEWAY SPACING:** The horizontal distance between the two access travel lanes.

16.106.060 - Sidewalks

A. Required Improvements

1. Except as otherwise provided, sidewalks shall be installed on both sides of a public street and in any special pedestrian way within new development.

B. Design Standards

1. **Arterial and Collector Streets**

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

2. **Local Streets**

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

3. **Handicapped Ramps**

Sidewalk handicapped ramps shall be provided at all intersections.

C. Pedestrian and Bicycle Paths

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

16.106.070 - Bike Lanes

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

16.106.080 - Traffic Impact Analysis (TIA)

A. Purpose

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

analysis methods and content involved in a TIA; criteria used to review the TIA; and authority to attach conditions of approval to minimize the impacts of the proposal on transportation facilities.

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

B. Applicability

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

1. An amendment to the Sherwood Comprehensive Plan or zoning map.
2. A new direct property approach road to Highway 99W is proposed.
3. The proposed development generates fifty (50) or more PM peak-hour trips on Highway 99W, or one hundred (100) PM peak-hour trips on the local transportation system.
4. An increase in use of any adjacent street or direct property approach road to Highway 99W by ten (10) vehicles or more per day that exceed the twenty thousand-pound gross vehicle weight.
5. The location of an existing or proposed access driveway does not meet minimum spacing or sight distance requirements, or is located where vehicles entering or leaving the property are restricted, or such vehicles are likely to queue or hesitate at an approach or access connection, thereby creating a safety hazard.
6. A change in internal traffic patterns that may cause safety problems, such as back up onto the highway or traffic crashes in the approach area.

C. Requirements

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

1. Pre-application Conference. The applicant shall meet with the City Engineer prior to submitting an application that requires a TIA. This meeting will be coordinated with Washington County and ODOT when an approach road to a County road or Highway 99W serves the property, so that the TIA will meet the requirements of all relevant agencies.
2. Preparation. The TIA shall be prepared by an Oregon Registered Professional Engineer qualified to perform traffic Engineering analysis and will be paid for by the applicant.
3. Typical Average Daily Trips and Peak Hour Trips. The latest edition of the Trip Generation Manual, published by the Institute of Transportation Engineers (ITE), shall be used to gauge PM peak hour vehicle trips, unless a specific trip generation study that is approved

by the City Engineer indicates an alternative trip generation rate is appropriate.

4. **Intersection-level Analysis.** Intersection-level analysis shall occur at every intersection where the analysis shows that fifty (50) or more peak hour vehicle trips can be expected to result from the development.
5. **Transportation Planning Rule Compliance.** The requirements of OAR 660-012-0060 shall apply to those land use actions that significantly affect the transportation system, as defined by the Transportation Planning Rule.

D. Study Area

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

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

E. Analysis Periods

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

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

land use conditions as compared to approved comprehensive planning documents.

F. Approval Criteria

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

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

G. Conditions of Approval

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

16.106.090 - Rough Proportionality

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 subject parcel has frontage along SW Galbreath Drive with that portion of SW Galbreath Drive along the north property boundary designated as a collector status street and SW Galbreath Drive along the west property boundary designated as a local industrial road.

Transportation facilities and capacity were previously reviewed under LU 2022-013 SP “Barkers Cabinets Phase I.” Sherwood Engineering and Planning staff reviewed existing transportation facilities for compliance with the provisions of this code section, Chapter 6 of the Community Development Plan, TSP, and Engineering Design and Standard Details Manual. An Engineering memorandum was provided with the following findings:

“Currently SW Galbreath Drive along the north side of the subject property has an 18-foot half street paved width within a 30-foot wide half-street right-of-way section with a 6-foot wide sidewalk (in front of Phase 1) with a varying width landscape strip with an 8-foot wide public sidewalk and utility easement.

Currently SW Galbreath Drive along the west side of the subject property has a 32-foot wide street section with 13.5 feet on the subject property side of the center line with no sidewalk within a 25-foot wide half-street right-of-way section with an 8-foot wide public sidewalk and utility easement.

The required half-street pavement width for a 2-lane standard industrial street is 20 feet with a 5-foot wide landscape strip, a 6-foot wide concrete sidewalk and 1-foot wide buffer within a 32-foot wide half street right-of-way section. Therefore the existing pavement width is 4-feet narrower than required. Widening SW Galbreath Drive west of the subject property at this time is not recommended since it would be a short section of widening that would not match the rest of the existing street conditions. Also SW Galbreath Drive is signed for “no parking” on the east side of the street thereby being able to reduce the 40-foot wide to the 32 feet width that currently exists.

The developer will need to install a 6-foot wide sidewalk, varying width landscape strip and street trees along the remaining subject property’s street frontage of SW Galbreath Drive.

The proposed driveway for the eastern parcel has access to SW Galbreath Drive north of the subject property and has been aligned to match the existing driveway to the north. There is a second driveway proposed for the new development that accesses SW Galbreath Drive west of the subject property.

Right-of-way dedication and an 8-foot wide public sidewalk and utility easement was previously dedicated along the entire subject property frontage of SW Galbreath Drive as part of phase 1.

A technical memorandum (dated May 28, 2026) was prepared by Ard Engineering. This memorandum shows that the subject development is not a significant generator of traffic. The study did establish a location for the proposed driveway in order to obtain needed sight distance to the south. It also identified that a clear vision easement will need to encompass a portion of the property north of the driveway to allow for left turns out of the proposed driveway.”

Based on the above information and analysis, staff concur that the proposal will meet the applicable requirements under this Chapter. The following conditions apply:

Condition C.2: Prior to Approval of the Engineering Public Improvement Plans/Issuance of an Engineering Compliance Agreement, the developer shall design for the installation of a 6-foot wide sidewalk, landscape strip, and street trees along any portion of the subject property frontage that doesn’t have these improvements, meeting the approval of the Sherwood Engineering Department.

Condition E.1: Prior to Acceptance of Public Improvements, the developer shall record a clear vision easement over an area north of the southern driveway meeting the approval of the Sherwood Engineering Department.

As conditioned, these 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 development project will include the alteration and construction of new public facilities, requiring approval of a public improvement plan. All work impacting or creating public facilities requires an Engineering Compliance Agreement issued by the City of Sherwood Engineering Department. The following conditions apply:

Condition A.12: Construction of improvements shall not begin, or after a discontinuance, be restarted until the city is notified in writing.

Condition A.13: 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.

Condition C.3: Prior to Final Approval of Public Improvement Plans, an Engineering Compliance Agreement shall be executed with Sherwood Engineering Department. Performance and payment bonds and insurance riders must be submitted to the City.

Condition D.1: Prior to Building Permits, all required easements shall be recorded and provided in a form acceptable to the City.

Condition D.2: Prior to Building Permits, the applicant shall file the following documents with the City:

- Liability Insurance
Evidence of liability and property damage insurance is adequate to protect the applicant and the City from all claims for damage or personal injury.
- 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 improvement 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.

Condition E.2: 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.

Condition E.3: Prior to Acceptance of Public Improvements, all public improvements and private storm water quality/hydro-modification facilities shown within the approved engineering/plumbing plans shall be in place and have received approved by the Sherwood Engineering Department.

Condition F.3: Prior to Occupancy, final acceptance of the constructed public improvements shall be obtained from the Sherwood Engineering Department.

As conditioned, in both this chapter and other sections, these criteria are met.

Chapter 16.110 - SANITARY SEWERS

16.110.010 - Required Improvements

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

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 criterion and provided the following findings:

“Public sanitary sewer exists within SW Galbreath Drive along the north side of the subject property. This sanitary sewer was extended from SW Cipole Road to the western end of the subject property previously by the developer. No further extension of the sanitary sewer is required.

Currently the existing building has public sanitary service. There is currently a sanitary sewer lateral stubbed to the subject property for the proposed new building. The developer will need to either connect to this sanitary lateral or disconnect/cap it at the sewer main.”

Staff concur with the above statement. The following conditions apply:

Condition A.14: All private sanitary sewer piping shall be installed in compliance with the current Oregon Plumbing Specialty Code.

Condition C4: Prior to Approval of Public Improvement Plans/Issuance of an Engineering Compliance Agreement, the subject development shall design to connect to the existing public sanitary sewer lateral meeting the approval of the Sherwood Engineering Department.

As conditioned, these 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 provided the following findings:

“A public water line exists within SW Galbreath Drive along the entirety of the subject property frontage. Currently the existing building is on public water for fire suppression and domestic. There is a stubbed water service available for fire suppression and domestic water for the new building. The developer will need to make use of this existing stubbed service line.

Fire systems require a backflow device in a vault to be installed. Domestic service will require a reduced pressure backflow assembly. The fire vault will need to be encompassed by a public water line easement.”

Staff concur with the above statement. The following conditions apply:

Condition A.15: All private water piping shall be installed in compliance with the current Oregon Plumbing Specialty Code.

Condition C.5: Prior to Approval of Public Improvement Plans/Issuance of an Engineering Compliance Agreement, the subject development shall design to use the existing stubbed water service for fire suppression and domestic water meeting the approval of the Sherwood Engineering Department.

Condition C.6: Prior to Approval of Public Improvement Plans/Issuance of an Engineering Compliance Agreement, the subject development shall design to provide domestic water service to the subject property (including a reduced pressure backflow assembly) meeting the approval of the Sherwood Engineering Department.

Condition C.7: Prior to Approval of Public Improvement Plans/Issuance of an Engineering Compliance Agreement, the subject development shall design for backflow prevention on the fire water service meeting the approval of the Sherwood Engineering Department.

Condition E.4: Prior to Acceptance of Public Improvements, any public water lines located within private property shall be encompassed by a public water line easement meeting the approval of the Sherwood Engineering Department.

As conditioned, these 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 provided the following findings:

“Public storm sewer exists within SW Galbreath Drive along the north and west sides of the subject property. No extension of the storm sewer is required. Currently there is an existing lateral serving the existing parking lot and building. There is also an existing storm lateral stubbed to the western portion of the subject property. Since this lateral is not proposed to be used, it will need to be grouted up from inside the manhole.

Currently the subject property has a storm water runoff water quality treatment/hydromodification facility that serves the existing parking lot and building. This subject development proposes to use the existing facility to provide storm water runoff water quality treatment/hydromodification for the new development.

The existing storm water runoff water quality treatment/hydromodification facility will need to be planted with herbaceous plants in accordance with Clean Water Services standards.

The preliminary plan shows a pond in the southwest corner of the subject property. This pond is in conjunction with a planning rule for the allowance of a reduction in on-site parking. As such the pond will need to be a functioning water quality facility designed and able to provide treatment in accordance with Clean Water Services standards.

The subject property will need a new Private Stormwater Facility Access and Maintenance Covenant and a revised O&M plan.”

Condition A.16: All private stormwater piping shall be installed in compliance with the current Oregon Plumbing Specialty Code.

Condition C.8: Prior to Approval of Public Improvement Plans/Issuance of an Engineering Compliance Agreement, the subject development shall design to provide for storm water runoff water quality treatment and hydromodification for the subject property meeting the approval of the Sherwood Engineering Department.

Condition C.9: Prior to Approval of Public Improvement Plans/Issuance of an Engineering Compliance Agreement, the subject development shall design to provide for on-site storm water runoff water quality treatment and hydromodification meeting the approval of the Sherwood Engineering Department.

Condition C.10: Prior to Approval of Public Improvement Plans/Issuance of an Engineering Compliance Agreement, the subject development shall design to provide

herbaceous plants within the existing storm water runoff water quality treatment and hydromodification facility in compliance with Clean Water Services standards meeting the approval of the Sherwood Engineering Department.

Condition C.11: Prior to Approval of Public Improvement Plans/Issuance of an Engineering Compliance Agreement, a Final Stormwater Drainage Report in compliance with Clean Water Services standards shall be provided meeting the approval of the Sherwood Engineering Department.

Condition C.12: Prior to Approval of Public Improvement Plans/Issuance of an Engineering Compliance Agreement, a Stormwater Connection Permit Authorization shall be obtained from Clean Water Services.

Condition E.5: Prior to Acceptance of Public Improvements, a Private Stormwater Facility Access and Maintenance Covenant shall be executed/recorded meeting the approval of the Sherwood Engineering Department. An O&M plan is required for any onsite storm water quality treatment/hydro-modification facilities meeting the approval of the Sherwood Engineering Department.

As conditioned, these 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: Fire protection and emergency services are provided by Tualatin Valley Fire and Rescue (TVFR). The applicant has obtained a Service Provider Permit from TVF&R (TVFR Permit #2024-0160), dated October 3, 2024 (Attachment A, Appendix J), and was approved.

As presented, the above criteria are met as conditioned below:

Condition A.17: 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. When 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.

Condition A.18: All on-site fire protection facilities shall be maintained in good working order. Compliance with the standards defined by Tualatin Valley Fire & Rescue (TVF&R), or their successor, shall be the responsibility of the property owner(s).

Condition A.19: On-site fire protection facilities may be altered or repaired with the consent of the Tualatin Valley Fire & Rescue (TVF&R), or their successor, provided that such alteration or repairs shall be carried out in conformity with the provisions of this Chapter.

Condition F.4: Prior to Occupancy, the applicant shall obtain a final approval from Tualatin Valley Fire & Rescue for occupancy of the site and structure(s).

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: As detailed in the Engineering Memorandum (Attachment B), there are no existing arial utility lines along the subject property frontage of SW Galbreath Drive. Any new utilities shall be installed underground. Sherwood Broadband facilities exist along the subject property frontage of SW Galbreath Drive. The following condition applies:

Condition C.14: Prior to Approval of Public Improvement Plans/Issuance of an Engineering Compliance Agreement, the developer shall design for any new utilities to be installed underground meeting the approval of the Sherwood Engineering Department.

As presented, these criteria are met.

Chapter 16.140 - PARKS, TREES AND OPEN SPACES

16.140.010 - Purpose

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

16.140.040 - Visual Corridors

A. Corridors Required

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

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

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

FINDING: The subject parcel has approximately 225-feet of frontage along SW Galbreath Drive, designated under a collector status road and subject to the 10-foot visual corridor requirements; therefore, these criteria are applicable.

B. Landscape Materials

The required visual corridor areas shall be planted as specified by the review authority to provide a continuous visual and/or acoustical buffer between major streets and developed uses. Except as provided for above, fences and walls shall not be substituted for landscaping within the visual corridor. Uniformly planted, drought resistant street trees and ground cover, as specified in Section 16.140.060, shall be planted in the corridor by the developer. The improvements shall be included in the compliance agreement. In no case shall trees be removed from the required visual corridor.

C. Establishment and Maintenance

Designated visual corridors shall be established as a portion of landscaping requirements pursuant to Chapter 16.92. To assure continuous maintenance of the visual corridors, the review authority may require that the development rights to the corridor areas be dedicated to the City or that restrictive covenants be recorded prior to the issuance of a building permit.

FINDING: The applicant submitted preliminary landscaping plans displaying a 10-foot visual corridor with continuous and uniformly planted landscaping along SW Galbreath Drive. Conversely, portions of the proposed fence (Attachment A, Appendix F: Sheet L1.0) are located within the visual corridor and shall be relocated farther into the site to ensure the visual corridor remains unobstructed and landscaping serves as the primary visual element along the street frontage.

The establishment and maintenance of the visual corridor shall be the responsibility of the property owner(s). The applicant shall execute a compliance agreement with the City's Engineering Department to ensure installation of the required visual corridor improvements. The following conditions apply:

Condition B.8: Prior to Final Site Plan Approval, the applicant shall revise their plans to relocate all portions of the proposed fence outside of the required 10-foot visual corridor. The revised fence alignment shall be located farther into the site to ensure that landscaping remains the primary visual element along the street frontage and meets the intent of 16.140.040.B

Condition F.5: Prior to Occupancy, the applicant shall execute a compliance agreement with the City's Engineering Department that provides for the establishment and ongoing maintenance of the visual corridor and all associated improvements in accordance with Section 16.140.040 - Visual Corridors.

As presented, the above criteria are met.

16.140.060 - Street Trees

A. Installation of Street Trees on New or Redeveloped Property.

Trees are required to be planted to the following specifications along public streets abutting or within any new development or re-development. Planting of such trees shall be a condition of development approval. The City shall be subject to the same standards for any developments involving City-owned property, or when constructing or reconstructing City streets. After installing street trees, the property owner shall be responsible for maintaining the street trees on the owner's property or within the right-of-way adjacent to the owner's property.

1. **Location:** Trees shall be planted within the planter strip along a newly created or improved streets. In the event that a planter strip is not required or available, the trees shall be planted on private property within the front yard setback area or within public street right-of-way between front property lines and street curb lines or as required by the City.
2. **Size:** Trees shall have a minimum trunk diameter of two (2) caliper inches, which is measured six inches above the soil line, and a minimum height of six (6) feet when planted.
3. **Types:** Developments shall include a variety of street trees. The trees planted shall be chosen from those listed in 16.140.080 of this Code.
4. **Required Street Trees and Spacing:**
 - a. The minimum spacing is based on the maximum canopy spread identified in the recommended street tree list in section 16.140.080 with the intent of providing a continuous canopy without openings between the trees. For example, if a tree has a canopy of forty (40) feet, the spacing between trees is forty (40) feet. If the tree is not on the list, the mature canopy width must be provided to the planning department by a certified arborist.

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

FINDING: The subject parcel has frontage along SW Galbreath Drive with existing street trees located along the perimeter of 'Phase I' (LU 2022-013 SP/PLA). The proposed development, identified as 'Phase II,' includes an additional sixteen (16) street trees along the remaining perimeter of the property. These trees meet all applicable spacing, size, location, and type requirements.

The currently proposed street trees are Red Sunset Maple, classified as a deciduous species, and identified under Section 16.140.090 - *Recommended Street Trees*.

To meet the intent of Section 16.90.020.D.8 – *Industrial Design Standards*, the applicant has been conditioned to revise their landscaping plan to replace the proposed street trees with a similar evergreen species. This modification will ensure adequate year-round screening of the proposed loading docks, consistent with the intent of the standards. Continued compliance with the above standard will be verified by staff prior to Final Site Plan Approval.

As presented, the above criteria are satisfied.

16.140.070 - Trees on Property Subject to Certain Land Use Applications

A. Generally

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

B. Applicability

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

D. Retention requirements

3. Required Tree Canopy - Non-Residential and Multi-Family Dwelling Developments

Each net development site shall provide a variety of trees to achieve a minimum total tree canopy of 30 percent. The canopy percentage is based on the expected mature canopy of each tree by using the equation πr^2 to calculate the expected square footage of each tree. The expected mature canopy is counted for each tree even if there is an overlap of multiple tree canopies.

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

**Commercial, Industrial,
Institutional, Public and,
Multi-Family dwelling.**

Canopy Requirement	30%
Counted Toward the Canopy Requirement	
Street trees included in canopy requirement	No
Landscaping requirements included in canopy requirement	Yes
Existing trees onsite	Yes x2
Planting new trees onsite	Yes
Mature Canopy in Square Feet Equation πr^2 or $(3.14159 \times \text{radius}^2)$ (This is the calculation to measure the square footage of a circle.) The Mature Canopy is given in diameter. In gardening and horticulture reference books, therefore, to get the radius you must divide the diameter in half.	
Canopy Calculation Example: Pin Oak Mature canopy = 35' $(3.14159 \times 17.5^2) = 962$ square feet	

FINDING: As described under Section 16.92.030.B.5 - *Site Area Landscaping and Perimeter Screening Standards*, the subject parcel is proposing an overall canopy coverage of 37.15 percent; the applicant submitted calculations indicating the expected mature canopy will exceed the minimum standards; as presented, this criterion is met.

H. Penalties.

The abuse, destruction, defacing, cutting, removal, mutilation or other misuse of any tree planted on public property or along a public street as per this Section, shall be subject to the penalties defined by Section 16.02.040, and other penalties defined by applicable ordinances and statutes, provided that each tree so abused shall be deemed a separate offense.

FINDING: The property owner(s) shall be responsible for preventing the abuse, destruction, defacing, cutting, removal, mutilation or other misuse of any tree planted on public property or along a public street, pursuant to 16.140.070.G. Future violations are subject to Code Compliance.

Condition A.20: The property owner(s) shall be responsible for preventing the abuse, destruction, defacing, cutting, removal, mutilation or other misuse of any tree planted on public property or along a public street, pursuant to 16.140.070.G.

As conditioned, this criterion is 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 city engineering, and was 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 agency 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 scope of the project 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: While specific users are not known at this time, it is not anticipated that the proposed industrial operations 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 proposed project does not produce heat or glare outside of otherwise permitted uses. No exception to this standard is sought by the applicant. Proposed lighting will be directed away from neighboring properties, as conditioned below:

Condition A.21: The property owner(s) shall install and maintain lighting in a manner that prevents exterior lighting from shining or creating glare on abutting properties, pursuant to 16.154.010.

This criterion is satisfied.

Chapter 16.154 - ENERGY CONSERVATION

16.154.010 – Purpose

This Chapter and applicable portions of the Comprehensive Plan provide for natural heating and cooling opportunities in new development. The requirements of this Chapter shall not result in development exceeding allowable densities or lot coverage, or the destruction of existing trees.

16.154.020 - Applicability

The standards in this Chapter shall apply to any new uses or changes to existing uses in multi-dwelling, commercial, industrial and institutional zones. The standards in this Chapter do not apply to accessory dwelling unit or single detached, or middle housing development in residential zones.

16.154.030 – Standards

- A. Building Orientation** - The maximum number of buildings feasible shall receive sunlight sufficient for using solar energy systems for space, water or industrial process heating or cooling. Buildings and vegetation shall be sited with respect to each other and the topography of the site so that unobstructed sunlight reaches the south wall of the greatest possible number of buildings between the hours of 9:00 AM and 3:00 PM, Pacific Standard Time on December 21st.
- B. Wind** - The cooling effects of prevailing summer breezes and shading vegetation shall be accounted for in site design. The extent solar access to adjacent sites is not impaired vegetation shall be used to moderate prevailing winter wind on the site.

16.154.040 - Variance to Permit Solar Access

Variances from zoning district standards relating to height, setback and yard requirements approved as per Chapter 16.84 may be granted by the Commission through a Type IV review where necessary for the proper functioning of solar energy systems, or to otherwise preserve solar access on a site or to an adjacent site.

FINDING: The applicant submitted materials indicating the proposed structure will be located within the SW portion of the parcel, with the primary entrance located at the NW corner of the building. Further review of the proposal's location and orientation with respect to solar exposure indicates that sunlight will reach the southern walls of the structure between the hours of 9:00 AM and 3:00 PM, providing opportunities for the use of solar energy systems for space, water, or industrial process heating or cooling. New vegetation incorporated into the site design will provide opportunities for natural cooling and shading during warmer months while accounting for solar access. The proposed site design will not impair prevailing cooling winds or future solar access to adjacent properties. The proposed development does not exceed allowable density or lot coverage standards. The proposed building orientation and site design are consistent with the energy conservation standards. No variances are requested; therefore, the applicable 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 2026-003 MM "Barkers Cabinets Phase II" – Major Modification to an Approved Site Plan subject to the following conditions of approval:

A. General Conditions

1. Clear Vision Areas shall be established and maintained at each private driveway intersection, pursuant to 16.58.010.
2. The property owner(s) shall be responsible for maintaining the approved fence in good repair and ensure it remains structurally sound at all times, consistent with Section 16.58.020.E.2.
3. Approval of this decision is valid for a period of two (2) years from the date of Notice of Decision (LU 2026-003 MM) unless construction on the site has begun. A one (1) year extension may be granted by the City upon written request from the applicant showing adequate cause for such extension.
4. The applicant shall construct and maintain the development in accordance with the approved plans and all conditions of approval. Any departure from the approved plans without prior City authorization, or failure to satisfy any condition of approval, may result in revocation of the site plan approval and any associated building or occupancy permits.
5. The property owner(s) shall be responsible for ensuring the overall maintenance and health of the approved landscaping materials. Only hardy and drought-resistant landscaping shall be permitted on the parcel, pursuant to 16.92.020.B.
6. The property owner(s) shall be responsible for maintaining and installing required screening of all Mechanical Equipment, Outdoor Storage, Service and Delivery Areas from any public street.
7. 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.
8. 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.
9. 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.
10. Any change that alter or modifies the approved ingress, egress, or circulation for vehicles will result in Code Enforcement action, pursuant to 16.96.040.A.
11. 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.
12. Construction of improvements shall not begin, or after a discontinuance, be restarted until the city is notified in writing.

13. 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.
14. All private sanitary sewer piping shall be installed in compliance with the current Oregon Plumbing Specialty Code.
15. All private water piping shall be installed in compliance with the current Oregon Plumbing Specialty Code.
16. All private stormwater piping shall be installed in compliance with the current Oregon Plumbing Specialty Code.
17. 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. When 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.
18. All on-site fire protection facilities shall be maintained in good working order. Compliance with the standards defined by Tualatin Valley Fire & Rescue (TVF&R), or their successor, shall be the responsibility of the property owner(s).
19. On-site fire protection facilities may be altered or repaired with the consent of the Tualatin Valley Fire & Rescue (TVF&R), or their successor, provided that such alteration or repairs shall be carried out in conformity with the provisions of this Chapter.
20. The property owner(s) shall be responsible for preventing the abuse, destruction, defacing, cutting, removal, mutilation or other misuse of any tree planted on public property or along a public street, pursuant to 16.140.070.G.
21. The property owner(s) shall install and maintain lighting in a manner that prevents exterior lighting from shining or creating glare on abutting properties, pursuant to 16.154.010.
22. Compliance with the Conditions of Approval is the responsibility of the developer or its successor in interest.
23. The property shall comply with the applicable requirements of the Sherwood Zoning and Community Development Code and Municipal Code.
24. 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.
25. Any departure from approved plans that don't substantially comply and not authorized by the Hearing Authority shall be cause for revocation of applicable building and occupancy permits.
26. 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.
27. The development shall substantially comply with the submitted preliminary plans and narrative except as indicated in the conditions of the Notice of Decision (LU 2024-009 SP/CUP). Additional development or change of use may require a new development application and approval.
28. The applicant shall comply with conditions described in the Clean Water Services (CWS) Memorandum dated July 21, 2026, the CWS Service Provider Letter in

the applicant's submittal and all applicable CWS Design and Construction Standards.

B. Prior to Final Site Plan Approval

1. Prior to Final Site Plan Approval, the applicant shall submit revised landscaping plans and associated application materials demonstrating a minimum twenty (20)-foot Clear Vision Area is delineated and established at each private driveway intersection, consistent with Section 16.58.010. Landscaping within required clear vision areas shall not exceed a height of two and one-half (2½) feet at maturity. Any proposed plant species that exceed this height limitation shall be replaced with compliant species or removed and replaced with an alternative ground cover treatment.
2. Prior to Final Site Plan Approval, the applicant shall submit revised plans demonstrating compliance with the required electrical service capacity for a minimum of twenty (20) percent of the proposed off-street parking stalls. The revised plans shall identify the location of all proposed electric vehicle charging stations, including the charging stations serving parking stalls 31 and 32, as well as the location of all required electrical conduits for future charging infrastructure. The plans shall also demonstrate how the proposed conduits and charging stations will connect to the site's overall electrical distribution system.
3. Prior to Final Site Plan Approval, the applicant shall revise their plan sets and architectural elevations to include additional pedestrian-scale improvements. At a minimum, the entrance(s) shall incorporate:
 - A steel or other architecturally compatible awning extending across the approximately 18-foot-wide entrance area;
 - One (1) pedestrian seating element (e.g., bench or equivalent seating feature); and
 - A minimum of two (2) pedestrian-oriented lighting fixtures (e.g., wall sconces, bollard lights, or equivalent fixtures).
4. Prior to Final Site Plan Approval, the applicant shall revise their architectural elevations to provide the minimum required glazing along the front building façade. Additional glazing shall be concentrated at the corner building entrances to reinforce the prominence of the primary entrances and improve the pedestrian-oriented design of the street-facing façade; or

If the applicant believes the proposed design already satisfies the glazing requirement, a revised glazing analysis shall be submitted using scaled architectural elevations for staff review in lieu of modifying the building elevations.

5. Prior to Final Site Plan Approval, the applicant shall revise the planting plan to ensure that a minimum of fifty (50) percent of all proposed trees are evergreen species. All proposed street trees shall be evergreen and consistent with Section 16.140.060 - Street Trees.
6. Prior to Final Site Plan Approval, the applicant shall revise their landscape plan to replace all shrub species within required sight-distance areas, as defined by

the Sherwood Engineering Design Standards (210.5), that exceed the maximum height limitation of two and half (2.5) feet at maturity with appropriate alternative species that will remain at or below the maximum permitted limitation at maturity. Final compliance with sight-distance requirements meeting the approval of the Sherwood Engineering department in accordance with applicable Engineering Design Standards and AASHTO standards.

7. Prior to Final Site Plan Approval, the applicant shall submit a revised plan set demonstrating all interior drives and access aisles are clearly marked and signed to indicate the direction of vehicular traffic.
8. Prior to Final Site Plan Approval, the applicant shall revise their plans to relocate all portions of the proposed fence outside of the required 10-foot visual corridor. The revised fence alignment shall be located farther into the site to ensure that landscaping remains the primary visual element along the street frontage and meets the intent of 16.140.040.B.

C. Prior to Approval of the Engineering Public Improvement Plans / Issuance of the Engineering Compliance Agreement/ Approval of Engineering Plans

1. Prior to Approval of Public Improvement Plans/Issuance of an Engineering Compliance Agreement, the applicant shall submit engineered plans demonstrating that the proposed Bioswale or Non-Structural Structural Planter/Rain Garden meets Clean Water Services (CWS) Low Impact Development Approaches (LIDA) standards and meets the approval of the Sherwood Engineering Department.
2. Prior to Approval of the Engineering Public Improvement Plans/Issuance of an Engineering Compliance Agreement, the developer shall design for the installation of a 6-foot wide sidewalk, landscape strip, and street trees along any portion of the subject property frontage that doesn't have these improvements, meeting the approval of the Sherwood Engineering Department.
3. Prior to Final Approval of Public Improvement Plans, an Engineering Compliance Agreement shall be executed with Sherwood Engineering Department. Performance and payment bonds and insurance riders must be submitted to the City.
4. Prior to Approval of Public Improvement Plans/Issuance of an Engineering Compliance Agreement, the subject development shall design to connect to the existing public sanitary sewer lateral meeting the approval of the Sherwood Engineering Department.
5. Prior to Approval of Public Improvement Plans/Issuance of an Engineering Compliance Agreement, the subject development shall design to use the existing stubbed water service for fire suppression and domestic water meeting the approval of the Sherwood Engineering Department.
6. Prior to Approval of Public Improvement Plans/Issuance of an Engineering Compliance Agreement, the subject development shall design to provide domestic water service to the subject property (including a reduced pressure backflow assembly) meeting the approval of the Sherwood Engineering Department.
7. Prior to Approval of Public Improvement Plans/Issuance of an Engineering Compliance Agreement, the subject development shall design for backflow

prevention on the fire water service meeting the approval of the Sherwood Engineering Department.

8. Prior to Approval of Public Improvement Plans/Issuance of an Engineering Compliance Agreement, the subject development shall design to provide for storm water runoff water quality treatment and hydromodification for the subject property meeting the approval of the Sherwood Engineering Department.
9. Prior to Approval of Public Improvement Plans/Issuance of an Engineering Compliance Agreement, the subject development shall design to provide for on-site storm water runoff water quality treatment and hydromodification meeting the approval of the Sherwood Engineering Department.
10. Prior to Approval of Public Improvement Plans/Issuance of an Engineering Compliance Agreement, the subject development shall design to provide herbaceous plants within the existing storm water runoff water quality treatment and hydromodification facility in compliance with Clean Water Services standards meeting the approval of the Sherwood Engineering Department.
11. Prior to Approval of Public Improvement Plans/Issuance of an Engineering Compliance Agreement, a Final Stormwater Drainage Report in compliance with Clean Water Services standards shall be provided meeting the approval of the Sherwood Engineering Department.
12. Prior to Approval of Public Improvement Plans/Issuance of an Engineering Compliance Agreement, a Stormwater Connection Permit Authorization shall be obtained from Clean Water Services.
13. Prior to Approval of Public Improvement Plans/Issuance of an Engineering Compliance Agreement, the subject development shall obtain a DEQ NPDES 1200CN permit and a city grading and erosion control permit.
14. Prior to Approval of Public Improvement Plans/Issuance of an Engineering Compliance Agreement, the developer shall design for any new utilities to be installed underground meeting the approval of the Sherwood Engineering Department.

D. Prior to Issuance of Building Permits

1. Prior to Building Permits, all required easements shall be recorded and provided in a form acceptable to the City.
2. Prior to Building Permits, the applicant shall file the following documents with the City:
 - Liability Insurance
Evidence of liability and property damage insurance is adequate to protect the applicant and the City from all claims for damage or personal injury.
 - 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 improvement 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.

E. Prior to Acceptance of Public Improvements

1. Prior to Acceptance of Public Improvements, the developer shall record a clear vision easement over an area north of the southern driveway meeting the approval of the Sherwood Engineering Department.
2. 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.
3. Prior to Acceptance of Public Improvements, all public improvements and private storm water quality/hydro-modification facilities shown within the approved engineering/plumbing plans shall be in place and have received approval by the Sherwood Engineering Department.
4. Prior to Acceptance of Public Improvements, any public water lines located within private property shall be encompassed by a public water line easement meeting the approval of the Sherwood Engineering Department.
5. Prior to Acceptance of Public Improvements, a Private Stormwater Facility Access and Maintenance Covenant shall be executed/recorded meeting the approval of the Sherwood Engineering Department. An O&M plan is required for any onsite storm water quality treatment/hydro-modification facilities meeting the approval of the Sherwood Engineering Department.

F. Prior to Receiving Occupancy

1. Prior to Occupancy, the applicant shall place all required landscaping in-ground, including installation of an approved irrigation system, pursuant to the 16.92.040 standards.
2. Prior to Occupancy, permanent signage shall be installed at each loading area stating that deliveries are restricted to 6:30 a.m. through 8:00 a.m. The property owner shall maintain the required signage and ensure loading operations are conducted in accordance with the approved site plan and applicable criteria outlined under section 16.94.030.B - Off-Street Loading Standards: Separation of Areas.
3. Prior to Occupancy, final acceptance of the constructed public improvements shall be obtained from the Sherwood Engineering Department.
4. Prior to Occupancy, the applicant shall obtain a final approval from Tualatin Valley Fire & Rescue for occupancy of the site and structure(s).
5. Prior to Occupancy, the applicant shall execute a compliance agreement with the City's Engineering Department that provides for the establishment and ongoing maintenance of the visual corridor and all associated improvements in accordance with Section 16.140.040 - Visual Corridors.

V. ATTACHMENTS

- A.** Applicant Submittal and Narrative*
- Appendix A – Vicinity Map
 - Appendix B – Neighborhood Meeting Documentation
 - Appendix C – Tax Map
 - Appendix D – Preliminary Development Plans
 - Appendix E – Preliminary Architectural Plans
 - Appendix F – Preliminary Landscaping Plans
 - Appendix G – Prelim Storm Water Calculations
 - Appendix H – Preliminary Title Report
 - Appendix I – Clean Water Services SPL
 - Appendix J – Tualatin Valley Fire & Rescue SPL
 - Appendix K – Trip Generation Analysis
 - Appendix L – Project Narrative
 - Appendix M – Land Use Application
 - Appendix N – Public Notice/Request for Comments
- B.** City of Sherwood Engineering Memorandum dated July 20, 2026
- C.** Clean Water Services (CWS) Memorandum dated July 21, 2026
- D.** Oregon Department of Transportation (ODOT) correspondence dated July 8, 2026.
- E.** Oregon Department of Geology and Mineral Industries (DGMI) correspondence dated February 18, 2026.