



Home of the Tualatin River National Wildlife Refuge

Planning Commission Meeting Packet

FOR

**June 23, 2015
at 7 PM**

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



City of Sherwood
PLANNING COMMISSION
Sherwood City Hall
22560 SW Pine Street
Sherwood, OR 97140
June 23, 2015 at 7:00 PM

Agenda

1. Call to Order/ Roll Call

2. Consent Agenda

- a. April 14, 2015 Planning Commission Minutes
- b. May 12, 2015 Planning Commission Minutes

3. Council Liaison Announcements (Council President Robinson)

4. Staff Announcements (Brad Kilby)

5. Community Comments

6. New business

a. Public Hearing – SP 15-02 Snyder Park Dog Park (Brad Kilby)

The City proposes to add an off-leash area for dogs within Snyder Park. The fenced dog park will be approximately 1 acre in size and will contain separated areas for large and small dogs. The proposed off-leash area is located on the west side of the park near SW Pine Street.

7. Planning Commissioner Announcements

8. Adjourn

City of Sherwood, Oregon
Planning Commission
April 14, 2015

Planning Commission Members Present: Staff Present:

Chair Jean Simson

Vice Chair Russell Griffin

Commissioner Chris Flores

Commissioner Michael Meyer

Commissioner Alan Pearson

Commissioner Lisa Walker

Joseph Gall, City Manager

Tom Pessemier, Assistant City Manager

Julia Hajduk, Community Development Director

Brad Kilby, Planning Manager

Michelle Miller, Senior Planner

Kirsten Allen, Planning Dept. Program Coordinator

Planning Commission Members Absent:

Commissioner James Copfer

Council Members Present:

Council President Sally Robinson

Councilor Jennifer Kuiper

Councilor Jennifer Harris

Legal Counsel:

Chad Jacobs

1. Call to Order/Roll Call

Chair Jean Simson called the meeting to order at 7:02 pm.

2. Consent Agenda

Chair Simson accepted a motion.

Motion: From Vice Chair Russell Griffin to approve the Consent Agenda, Seconded by Commissioner Alan Pearson. All present Planning Commissioners voted in favor (Commissioner James Copfer was absent).

3. Council Liaison Announcements

Council President Sally Robinson said she was thrilled to have a full Planning Commission again and the City Council was looking forward to a recommendation for medical marijuana dispensaries with the first reading in a special meeting on April 28, 2015 and the second reading at the May 5, 2015 regular meeting. She said the ordinance would have an emergency clause to make the legislation effective immediately.

4. Staff Announcements

Brad Kilby, Planning Manager, announced the two new Planning Commissioners as Chris Flores and Michael Meyer. He reminded commissioners to fill out their Statements of Economic Interest for the State. He announced a Public Forum to be held for the Sherwood West Preliminary Concept Plan project on May 21, 2015 at 6:30 pm at Edy Ridge Elementary School. Brad noted that over sixty property owners in the concept area have been interviewed as part of the outreach for the project. He commented that many of those property owners have history because they have lived in the Sherwood area for many years and sent their children through the school system.

5. Community Comments

There were no community comments.

6. New Business

a. Public Hearing – PA 15-02 Medical Marijuana Dispensary Code Amendments

Chair Simson read the public hearing statement and explained that the Planning Commission would be making a recommendation to the City Council on the matter. The City Council was the final hearing authority and will have the first hearing on April 28, 2015.

Senior Planner, Michelle Miller gave a presentation (see record, Exhibit 1), she explained that the hearing was not about recreational marijuana and indicated that the state rules are not in place yet. The council has indicated in previous work sessions that the City will not consider banning Medical Marijuana Dispensaries (MMD) outright because that would likely face legal challenges.

Ms. Miller gave a history of medical marijuana in Oregon:

- 1998-Voters approved Oregon Medical Marijuana Act, caregivers and card holders could obtain marijuana
- 2013-HB 3460- required a dispensary to register with the Oregon Health Authority
- 2014- Senate Bill 1531 authorized local jurisdictions to regulate dispensaries by imposing time, place, and manner restrictions on their operations
 - Allowed a moratorium on dispensaries through May 1, 2015
 - Sherwood enacted a moratorium

Ms. Miller then explained the statewide regulations that were put in place regarding Medical Marijuana Dispensaries (MMD):

- Dispensary must be located in Commercial, Industrial Mixed Use or Agricultural zone
- Cannot be in same location as a Grow site
- Cannot be within 1,000 feet from a school-public or private or another dispensary
- Background check
- Must be a Registered Business in Oregon
- Must install a Security System
- Cannot be Mobile

Ms. Miller showed a map with the school buffers shown that showed locations where MMD's would be allowed per the state regulations in the General, Retail, and Office Commercial and General and Light Industrial zones. During the course of evaluating whether the City wanted to imposed more restrictions than the state we conducted some public outreach. We had a public work session on March 10, 2015 where the planning commissioners met in small groups with citizens, we had an online survey that ran from March 6-31 and generated over 180 responses, details are in the staff report. Staff met with the police advisory board on April 2, 2015 and they came up with some additional thoughts on regulating medical marijuana dispensaries.

The proposed code language includes amendments to the code that added a medical marijuana and mobile vendor definition and also added based on public outreach a restriction on zoning limiting the zones to the general and retail commercial and the general and light industrial zones. (Restricting use in the office and neighborhood commercial and the employment industrial zones). Public outreach

indicated a preference for added buffers around our public parks. She showed a map with added buffers around public parks.

We heard that a type II land use process was the recommended course. A type II is a staff level decision. It will be reviewed under a special use category with a 14 day notice to property owners within 1000' feet and they can comment on the proposal. A public notice for the application will be published at five locations throughout the city and any appeal would be heard by the Hearing Officer.

In the special use category we added language and criteria that regulates time place and manner restrictions with hours of operation, buffers, and various security measures. Also an important component was the registration and compliance with the Oregon Health Authority (OHA) regulations found in ORS 175.314 which was the Oregon Medical Marijuana Act. Any violations of the OHA rules would be a violation of the Development Code.

The police advisory board had some recommended language:

- Limiting the land use zoning to Industrial Land only
- Reduce the allowable size of a dispensary to 2,500 square feet (current is 5000 square feet)
- Allow the dispensary to remain open to 7 pm during the week days
- Add a definition for public plaza

Ms. Miller displayed a comparison of how other local jurisdictions regulate MMD's that included different zoning, added buffers, hours of operation and other regulations. She noted that the City of Tigard was regulating both medical and recreational marijuana at the same time and was restricting Retail marijuana sales to be on 99W or Main Street. She pointed out that Tualatin and Washington County had reduced the size of a dispensary to 3000 square feet and that the City of Hillsboro had increase the buffer between dispensaries to 2000 feet. Ms. Miller displayed a map of the northeast portion of the city showing the location of where Tualatin might place a dispensary and the states required 1000 foot buffer that overlapped into the city. She noted, as an example that no properties in the City's General Industrial zone within 1000 feet of a dispensary in Tualatin would be permitted to site a dispensary. Chair Simson asked if there was a dispensary located there now and was informed that there was not, but whoever had a dispensary first would prevent another one within 1000 feet.

Ms. Miller stated that staff recommended adding definitions to Chapter 16.10, Medical Marijuana to the Use Categories in Commercial and Industrial zones, placing Medical Marijuana Dispensary under a Type II process, and adding criteria for a Medical Marijuana Dispensary in the Special Use category with hours, additional buffers for parks and plazas, and the additional security measures.

Ms. Miller explained that the Commission had the Staff Report with findings and recommendation; Exhibit A, the Proposed Code Amendments; Exhibit B, the Final Rules for Medical Marijuana Dispensary Program (OARS); Exhibit C, the Police Advisory Board Recommendation; Exhibit D, a citizen comment regarding hours of operation; Exhibit E, a letter from Chief Groth regarding Time, Place and Manner Regulations he was recommending; and Exhibit F, the School and Parks Buffer Map of Sherwood. Ms. Miller asked for questions from the Commission and asked that the public hearing be conducted.

Chair Simson asked if any commission members had questions for staff regarding the presentation.

Commissioner Pearson pointed to news reports that showed Tualatin was committed to the industrial area shown in Ms. Miller's presentation. He said the state mandated that each city has to have an opportunity for at least one dispensary and the area was the only place in Tualatin where a dispensary would be permitted. Commissioner Pearson suggested that the City assume as much for intergovernmental relations purposes.

Chair Simson opened the hearing for public testimony.

Anthony Bevel, Sherwood resident, commented that the map showed a refined area where dispensaries could be located. He asked how many actual dispensaries were anticipated coming to Sherwood and advocated that medical marijuana was non-issue because it was prescribed by a doctor similar to any prescription. Mr. Bevel asked the Commission to give the matter a hard look beyond the areas identified.

Sheri Ralston, resident on Lebeau Road, said she provided the hours of operation information for staff and she had attended several different city's meetings regarding medical marijuana regulation. She said there are currently over one hundred and one medical marijuana dispensaries in the state of Oregon and some have been open for several years. Ms. Ralston asserted that issues or problems with dispensaries are not in the paper or on the news and they have been running efficiently and quietly the entire time. She asked the Commission to take that into consideration when deciding on the hours of operation, adding that most of the medical marijuana patients she knew worked. Ms. Ralston commented that having a dispensary open until 8 o'clock pm would be consistent with what many other cities were voting for and the hours of operation for many of currently open dispensaries. She added that there are dispensaries on the east side open until 10 pm or 24 hours a day as allowed by the state regulations. Ms. Ralston disclosed that she was a medical marijuana patient and had an application in to the state for a dispensary in Sherwood.

Commissioner Walker commented on the hours of operation and said the Police Advisory Board discussed them. She said the Police advisory Board wanted to set the hours of operation so that different work scheduled could be accommodated. Ms. Walker asked Ms. Ralston if she thought the dispensaries should be open passed 8 pm on the weekends.

Ms. Ralston responded that it would be great to have them open until 9 pm but to her it seemed that medical marijuana dispensary open times were similar to liquor stores, even though they are run like a drug store. She commented that she had her personal opinion on the hours and what she thought customers would prefer.

Dave Poarch, Sherwood resident said he was late to the party and had reached out to the mayor about banning dispensaries similar to in LaGrande, Oregon. He said he had a lot of questions and had heard the State of Washington was retracting all of their medical marijuana licenses because of the approval of regular marijuana dispensaries. Mr. Poarch asked if it was futile to pass medical marijuana legislation only to have its license pulled. He asked about the requirement to have one dispensary in every city and about the timeline for the moratorium. Discussion followed and Chair Simson indicated that staff would answer Mr. Poarch's questions.

Mr. Poarch asked about the Statement of Economic Interest mentioned by the planning manager at the top of the meeting. Chair Simson responded that the Statement of Economic Interest was a requirement for any public official to turn in a form to the State of Oregon and has nothing to do with medical marijuana dispensaries but with public officials reporting their income to the state and was outside of the hearing process.

Chair Simson asked staff to clarify this action to regulate medical marijuana dispensaries in Sherwood, compare it with the impact of recreational marijuana regulation as in the State of Washington, and if the City was required to site one here.

With no other public testimony, Chair Simson closed the public testimony portion of the hearing.

Ms. Miller responded that it was not too late to get involved in the process as there would be at least two more hearings before the City Council with the next hearing on April 28th and offered to speak with Mr. Poarch offline. She said the difference between medical and recreational marijuana can get really confusing because of the recent passage of legalizing recreational marijuana. Ms. Miller clarified that medical marijuana is regulated by the Oregon Health Authority (OHA) and recreational marijuana will be regulated by Oregon Liquor Control Commission (OLCC); currently the agencies are not planning on merging the programs.

Ms. Miller explained the medical marijuana dispensary program has been in place since fall of 2013 with final regulations coming about a year later. In March 2014 a house senate bill passed that allowed local jurisdictions to regulate time, place and manner of medical marijuana dispensaries and for local jurisdictions to pass a

moratorium that expires on May 1, 2015. She affirmed that the issue of banning gets into murky legal territory; on one hand we have a strong home rule principal which allows local jurisdictions to make a number of regulations if they are not expressly forbidden by the state, on the other Medical Marijuana Dispensary bans are now being litigated in a couple of jurisdictions that have opted to ban them, which could be tied up for several years in court.

Ms. Miller reprised that City Council indicated early on in this process that they did not want to face legal challenges because of a Medical Marijuana Dispensary ban. Council directed staff to find out what the local community wanted to do regarding time, place and manner regulations.

Ms. Miller indicated that the City would tackle recreational marijuana after completing medical marijuana legislation and when more information regarding how the OLCC will regulate recreational marijuana and its dispensaries is available. She said the state is required to start accepting applications in January 2016, but may not be issuing licenses for retail until 9 months after that.

Chair Simson indicated that when language for hours of operation was being crafted for Medical Marijuana Dispensaries the Commission looked for guidelines from the hours of operation for liquor stores. Ms. Miller said the OLCC had given guidelines indicated that a liquor store must be open at least 8 hours a day, but it was up to each individual operator how late they wanted to be open.

Ms. Miller concluded by saying the Oregon legislature was working on laws concerning combining medical and recreational marijuana sales, in a recent conference she attended it appeared to be going nowhere, but we do not know for sure.

Chair Simson synopsised the Medical Marijuana Dispensary became a City of Sherwood issue in March of 2014 when the State of Oregon allowed local jurisdictions to regulate time, place and manner and the City put a complete moratorium in place until May 1, 2015 to give the community time to research. She said the research was done and it was time to put something together for our community.

Commissioner Walker asked if recreational licenses would be issued in July. Ms. Miller responded that personal recreational use would be permitted, but it was unknown how one would obtain the marijuana because there was no place to legally obtain it in Oregon.

Ms. Miller disclosed that the number of dispensaries required within a jurisdiction had not been legally tested and there may be issues if the City restricted the number be limited to one. Chair Simson commented that regulating the distance between dispensaries, given the linear feet inside the city limits, restricted the number of dispensary locations available.

Chad Jacobs indicated that the state law allowed jurisdictions to create reasonable time, place and manner restrictions, so any legal challenge would be to whether or not the restrictions were reasonable. If the City could demonstrate that, given the size and population of Sherwood, one or two dispensaries as enough then there would have a strong argument that those are reasonable regulations. He commented that imposing restrictions so broad that it was basically a ban, hit the unreasonable point. Chair Simson remarked that Hillsboro and Washington County had each expanded their buffers so it was reasonable to add to the distance between dispensaries and the City would not be outside of reasonable. Mr. Jacobs cautioned looking at the distance used by other jurisdictions because they may have a larger size or different zoning. He suggested looking at the map provided by staff and determining areas where the dispensaries can be located based on those restrictions and decide if that was a reasonable number of dispensaries based on population.

Chair Simson explained that there were two versions of the proposed language. One provided by staff and a second with suggested amendments by the Police Advisory Board. She acknowledged the extra work performed by the Police Advisory Board and asked for comments from the Commission.

Chair Simson asked about the definition of a public plaza on page 63. She commented that the definition could fit an area similar to the open area next to Rose's Restaurant and she was hesitant to use a definition that

could be used to define any landscaped open space in the city. She expressed concern the definition would restrict the remainder of the city, because there are open green spaces with amenities throughout both the commercial and industrial zones

Ms. Miller noted that it was the dictionary definition of a plaza; when there was ambiguity staff refers to a dictionary definition. She said one solution would be to define a public plaza as owned by the city.

Chair Simson noted that a public park was defined as being controlled, operated or managed by the city. *Under the control, operation or management of the City* was added to the definition of a public plaza.

Chair Simson commented that she was quoted in the newspaper as being concerned about Medical Marijuana Dispensaries being in the industrial areas. As a Planning Commissioner she had always heard the value of not using industrial land for retail purposes. She expressed that the public work session helped her to understand public sentiment and with feedback from the Police Advisory Board and Chief Groth the importance of looking at the industrial zones as a viable alternative for Medical Marijuana Dispensaries.

Chair Simson said she was in support reducing the size of the facility to 2500 square feet as recommended by the Police Advisory Board because it was not a secondary use to a large manufacturing facility.

Commissioner Walker stated she was in complete agreement with the Police Advisory Board language. The Commission went through each section of the Policy Advisory Board's recommended code language.

Commissioner Walker commented on the definition for a *mobile vender*. She asked about items that could be prepared offsite then brought to a site and stated she would consider that mobile. Discussion followed. Staff suggested the following, which was accepted by the Commission.

Mobile Vendor: A service establishment operated from a licensed and moveable vehicle that vends or sells food and/or drink or other retail items.

Chair Simson noted that the Police Advisory Board had removed dispensaries from the permitted uses in the Commercial Zones. Commissioner Walker commented that the majority of the people at the public work session wanted the dispensaries in the Industrial Zone; however the staff recommendation was both commercial and industrial zones. Chair Simson clarified that the public work session consensus was both commercial and industrial, but the online survey was mostly in favor of industrial zones.

Commissioner Walker pointed to page 16 of the packet that stated 54% of the 180 persons taking the online survey wanted industrial zones and in the public meeting there were 27 people. She said the survey might be a better representation of what the public wanted.

Ms. Miller responded that the survey information given about zoning issues was limited and many of the responses came before the public meeting. When we dug a little deeper at the public work session and discussed the alternatives, a different response was generated. She said it was up to the commission to gauge the sentiment across the community as to what was preferred, but from a land use perspective these dispensaries are more of a pharmacy (retail type of use). Ms. Miller stated the Commission would have to come up with a reasonable restriction that medical marijuana dispensaries are better served in the Industrial Zone. She allowed that from a safety point of view the Police Chief thought the Industrial Zone was better for the community.

Chair Simson said it was the exact opposite of where she started because she was preserving the industrial land. She remarked that Chief Groth had a compelling argument when he explained that medical marijuana dispensaries are contrary to a pharmacy; they are not a retail for profit business that needs to be out on the street corner with big signs to gather in the public. Chair Simson held that if placement works in the Industrial Zone it would be easier to put it in one zone and expand to add commercial zones at a later date then to remove a zone. She said she was more comfortable with industrial only when taking into account the Police Advisory Board's recommendation and the online survey results. Chair Simson asked for other comments about medical marijuana dispensaries being restricted in the Commercial Zone.

Commissioner Pearson commented there were empty storefronts in the Commercial Zone, the state run liquor store was in the commercial zone, and a medical marijuana dispensary used plant based derivatives like most pharmaceuticals. He said the Commission was responding in fear and eliminating commercial areas with established buildings. Commissioner Pearson pointed out that the City would not mandate the landlord must rent the space for medical marijuana; they have the right to refuse. He stated there were no buildings in the Industrial Zone to house a medical marijuana dispensary so a new building would have to be built, which would cause further delay and may lead the City to a law suit which the it was trying to avoid. He stated he had no objection to allowing commercial and industrial and the police already patrol in the commercial areas because those businesses need protection.

Chair Simson asked for the presentation slide that showed what other jurisdictions were doing.

Commissioner Walker stated that she gave a lot of credence to what the police thought and Chief Groth's letter in regard to advertising was something she had not thought about. She commented on dispensary advertising needs and referred to the possibility that, at some point, medical and recreation marijuana dispensaries may be merged, as in Washington. She said if that happens the businesses would already be in the retail area and she did not know if that was something people in Sherwood wanted, and she had heard not.

Chair Simson said she there was a comment that we don't need to hide dispensaries in the back corner like it was a dirty little secret and commented we also don't need to advertise it in our community. She stated there were two more hearing and the Planning Commission would give their best recommendation taking the Police Advisory Board's recommendation into account and the City Council would make their own decision. Chair Simson expressed greater comfort starting with one zone to see how it worked and fit in our community and then add another zone later.

Commissioner Walker asked if Tualatin's manufacturing zone was the same as our Industrial Zone and if Commissioner Pearson was correct that this was the only location in Tualatin where Medical Marijuana Dispensaries would be allowed. Brad Kilby, Planning Manager, responded that the map provided with Tualatin's legislation showed a very small area adjacent to Sherwood.

Michelle Miller commented that it was semantics, because if you look Sherwood's busiest thoroughfares; either Tualatin Sherwood Road near the industrial zones or 99W where the commercial zones are, they are both heavily travelled areas. Keeping Medical Marijuana Dispensaries out of public view was going to be pretty impossible. Chair Simson countered that we don't have to have Medical Marijuana Dispensaries right next to the movie theater and we should start small and if it works well we can add it to the Commercial Zone.

Vice Chair Griffin commented that Sherwood liked to be found in the middle; not too extreme one way or the other. He thought Tualatin might be a little too restrictive whereas others have gone the other direction being open until 10 pm. He said it was smart to start with our industrial zone and Tualatin Sherwood road goes right through the middle of it intersecting with roads leading behind the scenes so it was an easily trafficked area and easy to patrol for the police. He agreed with starting with one zone in a busy area and deciding later because of need or because it was the will of the people to expand to other zones. Vice Chair Griffin stated he did not think it was too restrictive or out of fear but careful planning.

Commissioner Mike Meyer asked if dispensaries are restricted to the Industrial Zone are there buildings for these facilities to locate. If there aren't and we restrict to that zone only does that make it an unreasonable restriction for those businesses, because they have to go to the expense of building the entire infrastructure and they are supposed to be a not for profit facility.

Brad Kilby clarified that restricting facilities to industrial zones as proposed would include both Light Industrial and General Industrial zones.

Vice Chair Griffin added that he takes Herman Road to downtown Portland and he noticed a number of signs indicating there was space for lease in those light industrial plazas.

Mr. Kilby agreed that there are spaces available in Light and General Industrial that could locate a dispensary. The only struggle would be ensuring they do not exceed the 2500 square feet. He commented the location where Two Kilts was sited as having suites small enough and it was light industrial.

Chair Simson said what she was referring to earlier was that Metro wanted us to not burn all of our light industrial with commercial activities such as the light industrial across the street from Home Depot, but the area looks very commercial in those bays. She said all the properties along Tualatin Sherwood Road and north along 99W was light industrial and there was a lot commercial application.

Commissioner Flores requested clarification regarding Commissioner Pearson commented that landlords are not required to lease the spaces to commercial uses and asked if it was the same in the industrial area.

Michelle Miller responded that they could decline to rent unless the potential business was a protected class. Chad Jacobs confirmed that Ms. Miller was correct and as long as they are not refusing to rent the space for an illegal reason such as because the renter was in a protected class (i.e. a female). He continued by stating a landlord had the right to refuse to rent because the type of business was medical marijuana (which is prohibited by federal law) and would not be illegal for a landlord to refuse. Mr. Jacobs said if there were no landlords within Sherwood who wanted to rent to a medical marijuana dispensary then there would not be any dispensaries in the city.

Chair Simson noted that it was whether the City provided the opportunity and even if the landlord says “no” the City of Sherwood has complied with the regulations by offering it in those zones.

Vice Chair Griffin commented that he did not have any direct involvement because he did not have a need for medical marijuana, but there was obviously a need for it and I did not want to heavily restrict it for those individuals. He wanted them to be able to get to what they needed and as a citizen of Sherwood they have as much right to that as those that do not need it. He said if there was a need then opportunity would open the door.

Chair Simson acknowledged that Commissioner Pearson was in favor of retaining the original staff recommended language and asked for a response for taking the Police Advisory Board’s recommendation to restrict dispensaries from commercial zones and to make them a permitted use in Light and General Industrial zones from the other commissioners. All other commissioners were in favor of the Board’s recommendation.

Chair Simson asked about the size limitation of 2500 square feet. Vice Chair asked how much space a dispensary needed. Commissioner Walker commented that two other jurisdictions limited the space to 3000 square feet. Discussion followed with the consensus to allow up to 3000 square feet of space for a dispensary.

Chair Simson moved to Medical Marijuana Dispensaries being a Type II land use process. She reminded that in the public discussion it was indicated that a Type II application for a Medical Marijuana Dispensary was the appropriate place, because it utilized objective standards that staff can review. She said there was no need for large fees or for applicants to come to the Planning Commission when objective standards are used.

Chair Simson noted the characteristics of a Medical Marijuana Dispensary and stated the big one was hours of operation. In earlier discussions it was noted that the Sherwood Liquor Store closed earlier than other retail establishments. She said the Police Advisory Board recommended a 7 pm closing time on weekdays and 8 pm on the weekends, which was nine hours open during the weekday and someone working an eight hour shift would have time to go before or after work. Ms. Miller noted that the Sherwood Liquor Store was open 10:30 am to 7:30 pm Monday through Thursday and 10:30 am to 8 pm on Friday and Saturday; closed on Sunday.

Commissioner Pearson suggested using liquor store hours. Ms. Miller replied that those hours were imposed by the local operator, at their discretion, and the times could change. Vice chair Griffin suggested 10 am to 8 pm, seven days a week and said it put Sherwood in line with other jurisdictions. The Commission was in agreement.

Chair Simson asked if there were any other concerns for the proposed language. Commissioner Walker asked what prohibited colocation meant. Ms. Miller responded that a dispensary may not be located at the same address as a manufacturing facility or a grow operation. She added that you cannot consume at the same location either.

Chair asked about the information on page 68 that said the addition of a dispensary may not operate as a mobile business to deliver medical marijuana. Ms. Miller responded that a concern was raised that if there was a dispensary, then deliveries should not be permitted. She noted that there was opportunity for caregivers to obtain the medical marijuana for the patient.

Commissioner Walker asked about number 5 regarding drive-through or walk-up sales. She suggested using the word “access” instead of “window”. Discussion followed. Ms. Miller commented that it was a provision from the ORS and checked the statute. Chad Jacobs suggested the Sherwood code should mirror the state language. He suggested *a medical marijuana dispensary may not engage in sales outside of the facility through means such as a walk-up window or drive-through access*. The Commission changed the language to such.

Commissioner Pearson pointed out that 6.c should include a public park or a public plaza as discussed earlier.

The Commission discussed the proximity restrictions but did not make and other changes.

Chair Simson said Chief Groth suggested in his letter that ORS 475.314 be adopted as part of the Sherwood Municipal Code. She said staff explained to her that this was the intent of proposed language for 16.38.020A.2, as shown on page 67 of the packet. The language requires dispensaries to register with the Oregon Health Authority under ORS 475.314 and failure to comply was a violation of the Code. She described that because the language was in our code, the Police Chief would have jurisdiction.

Ms. Miller noted some scrivener’s errors. The first under the Medical Marijuana Dispensary definition where she asked to change the word “plans” to “plants”. She said she referenced Chapter 16.22 in the staff report as Residential Land Use and it should have been Commercial Land Use zones.

Chair Simson noted that staff had been in contact with the OHA and their process was sixty days out so the passage of this language in Sherwood should put code in place prior to any applications in Sherwood.

With no other discussion, the following motion was received.

Motion: From Vice Chair Russell Griffin to forward a recommendation of approval to the City Council for Medical Marijuana Dispensary Code Amendments (PA 15-02), based on the applicant testimony, public testimony received, and the analysis, finding and conditions with the stated modifications. Seconded by Commissioner Alan Pearson. All present Planning Commissioners voted in favor (Commissioner James Copfer was absent).

Chair reminded that the first hearing with the City Council would be a special session on April 28, 2015. They will take public testimony at that time.

7. Planning Commissioner Announcements

Chair Simson commented on the great turnout for the public meetings regarding Sherwood West Preliminary Concept Plan. The eighteen Community Advisory Committee members were all in attendance at the last meeting with twenty seven additional people. She said Brad and Connie have been conducting one on one meetings with the property owners in the area and the engagement process has been going very well. Chair Simson expressed excitement regarding how the process would move forward and invited all to take the opportunity to attend the May 21, 2015 meeting to get more information.

Vice Chair Griffin reported that the next play “Into the Woods” will be July 8-11 at Stella Olsen Park.

Commissioner Pearson commended Ms. Miller for her efforts.

The Planning Manager solicited for a Planning Commissioner to serve on the Local Trails Advisory Committee for the Cedar Creek Trail. Commissioner Flores accepted the call to serve.

8. Adjourn

Chair Simson adjourned the meeting at 8:39 pm.

Submitted by:

Kirsten Allen

Planning Department Program Coordinator

Approval Date: _____

**City of Sherwood, Oregon
Planning Commission
Work Session
May 12, 2015**

Planning Commission Members Present: Staff Present:

Chair Jean Simson

Commissioner Michael Meyer

Commissioner Alan Pearson

Commissioner Lisa Walker

Julia Hajduk, Community Development Director

Brad Kilby, Planning Manager

Michelle Miller, Senior Planner

Kirsten Allen, Planning Dept. Program Coordinator

Planning Commission Members Absent:

Vice Chair Russell Griffin

Commissioner James Copfer

Commissioner Chris Flores

Council Members Present:

None

Legal Counsel:

None

1. Call to Order/Roll Call

Chair Jean Simson called the meeting to order at 6:06 pm.

2. Council Liaison Announcements

None

3. Staff Announcements

Brad Kilby, Planning Manager, announced a Sherwood West Preliminary Concept Plan Community Workshop on May 21, 2015 from 6-8 pm at Edy Ridge Elementary School. He said the consultant was beginning to develop alternatives.

Mr. Kilby informed of a Washington County Transportation Future Study survey to study the limitations to transportation in all the jurisdictions within the Washington County area. The study will help inform the Washington County commissioners where to invest towards future growth. Chair Simson indicated that she had difficulty with the survey and Julia Hajduk, Community Development Director, confirmed that she had similar issues. Mr. Kilby indicated he would inform the County.

Mr. Kilby stated that City Council approved legislation forwarded with recommendations by the Planning Commission regarding Medical Marijuana Dispensaries and the Water System Master Plan update, on May 5, 2015 and announced the annual Tualatin River Bird Festival on May 16, 2015 at the Tualatin River National Wildlife Refuge beginning at 10 am with early morning walks starting at 5:30 am.

Mr. Kilby disclosed that an application for an off leash area at Snyder Park has been received which will come to the Planning Commission in June or July.

Chair Simson noted that because it was a work session, the Planning Commission would not be accepting citizen comments and reminded that citizens could sign up for [email notifications](#). She moved to the next agenda item and turned the time over staff.

4. Backyard Chickens

Michelle Miller, Senior Planner, recounted that the Planning Commission conducted a code clean-up in 2011 resulting in draft code language to the City Council. She said Council decided to wait and gather more information before they considered it any further, then in April 2015 the City Council directed the Planning Commission to revisit the code language. Ms. Miller gave a presentation about Backyard Chickens (see record, Exhibit 1) and noted that over 560 responses were received in an online survey conducted by the City (see record, Exhibit 2).

Ms. Miller noted that the draft code language was provided in the memo dated May 12, 2015 (see record, Exhibit 3) which included:

- Four hens
- No roosters
- Chicken enclosures must be secure and at least 10 feet from property line
- A Type I process that includes no notice
- Non-compliance would go in Municipal Code under nuisance criteria

Ms. Miller stated the code language would have been in the development code in the residential use category. She gave a summary of the survey results and compared the results to the draft language.

Ms. Miller noted that public outreach was conducted in 2011 to help draft the language. She asked how the Commission wanted additional public outreach beyond the survey and when to start the formal hearing process for a recommendation to City Council. She noted that the final page of the memorandum included a listing of how other jurisdictions were regulating backyard chickens and stated many jurisdictions were placing the regulations in the Municipal Code. Ms. Miller pointed out that the draft language did not have noticing requirements to adjoining property owners, and asked if the Commission wanted to open the process to other animals.

Julia Hajduk, Community Development Director, commented that the Council's directive was to revisit the old language and see if it was worth another look. She said a majority of the City Council supported the motion in April, community sentiment was still split, and the comments on the survey validated the work done in 2011.

Discussion followed regarding noise, licensing, education, public outreach, noticing requirements, who would administer the regulations, if other animals should be included in this language, and the fees for comparable licensing.

Staff was directed to

- Find out about nuisance abatement regarding chickens,
- Prepare an Archer article, then schedule public hearings for July after the next edition of the Sherwood Archer has been distributed,
- Report on the number of responses the code enforcement officer makes for nuisance animals and animals other than household pets
- Inform on the language from other jurisdictions regarding "poultry" or other non-domesticated animals.
- Add language that bases the number of hens to the lot size with a minimum of 5000 square feet for three hens and minimum of 10,000 square feet for five hens.

- Add language that places enclosures 10 feet from the property line and 25 feet from any other dwelling unit.
- Add language for notifying neighbors that abut the property
- Update the municipal code section referencing violations

Chair Simson recessed the meeting at 7:10 pm and reconvened at 7:13 pm.

5. Tonquin Employment Area Update

Community Development Director, Julia Hajduk informed the Commission that the Tonquin Employment Area (TEA) is a concept planned area that was not inside the city limits, but inside the urban growth boundary and designated as Employment Industrial zone. She stated annexation of the area was preapproved by voters (2013) so when property owners are ready to come into the city the process will be easier. Ms. Hajduk added that no activity has taken place so the City applied to Metro for Construction Excise Tax Grant Funds to identify obstacles that are preventing the area from growing. Metro combined the grant request with a request from Washington County for a large lot industrial site readiness grant. She pointed out that the area has been reviewed holistically with industrial land in Tualatin; however, more details will be provided for the TEA area. Ms. Hajduk turned the time over to the consultant team.

Todd Johnson, Project Manager with Mackenzie, in answer to a question from Chair Simson said that they were not looking at design standards to help promote development, but they were looking at the physical characteristics of the land, utilities and market constraints with Johnson Economics. They were looking to see if the vision for the area is aligned with current employment trends, refining information in the concept plan and reporting the cost of infrastructure through phasing and funding strategies, because the area is underserved. He provided handouts to the Commission (see record, Exhibits 4 and 5). Mr. Johnson informed that they were working on two studies; evaluation of the sub area and creating specific layouts on certain properties to help evaluate the value of investing in infrastructure and to inform how physical land characteristics impede large format industrial development in the region.

Mr. Johnson said that Apex (brownfields consultant) and Pacific Habitat Services (wetland inventory) were on board to help with any environmental constraints in the area, but were not present.

Chris Blakney with Johnson Economics reviewed the Economic and Market Conditions handout (Exhibit 4) and said they looked at Sherwood's Economic Opportunities Analysis from 2007 and the TEA Concept Plan to gain some background information. Mr. Blakney advised that the information was updated based on an industry analysis. He said Sherwood had a solid manufacturing base, good access to work force and a strong quality of life. The challenges come with infrastructure capacity and how to fund site improvements in order to make the area more marketable for development. He said the types of industrial uses that might develop were small to midsize companies, at fifty thousand to one hundred thousand square foot building ranges with flex spaces for specialty contractors and creative services. Mr. Blakney stated the evaluation area extended from Boones Ferry Road (east), to Herman (north) to 99W (west) with the southern boundary where development stops. He revealed that the area had over sixty six companies with twenty-five to seventy-five employees that fit in this market. Mr. Blakney spoke of recent growth and a tightness in the market that has started to spur development. He said the industrial real

estate market is at a jumping off point characterized by falling vacancy rates, increasing rents, and an interest in construction.

Brian Varricchione, Land Use Planner and Civil Engineer with Mackenzie, explained that the Tonquin Employment Area Concept Plan and Tualatin's Southwest Concept Plan about each other, were part of a common market, and were looked at as one area for the purposes of the study. He said they were looking for barriers to development and would provide recommendations to overcome them with marketing strategies. Mr. Varricchione went over Exhibit 5 and explained that Mackenzie's task was to discover specific site needs for the industrial properties and to refine the concept plan.

Mr. Varricchione showed refined roadway alignments intended to minimize impact to the wetlands and commented that there were several power line easements running through the area. He identified different nodes; areas where industrial development can occur, and labeled them in phases. As the phases are built, roadway and infrastructure improvements will enable adjacent phases to develop.

Brent Ahrend, Traffic Engineer with Mackenzie, explained that developing properties along Tualatin Sherwood Road are required by Washington County to make frontage improvements for a future five lane road. He said the County was considering a five lane road in the area funded by the Major Streets Transportation Improvement Program project (MSTIP). Mr. Ahrend indicated that properties will be required to access development from new roadways, because of access restrictions off of 124th Avenue and Oregon Street. One of the new roads (tentatively named Blake Road) is proposed to have connectivity to 115th Avenue, but will not be a through road parallel to Tualatin Sherwood Road as originally envisioned.

Julia commented that the TEA Concept Plan identified zoning and a collector road, but the purpose of the study was to refine the assumptions with more data and the consultant would provide a tool kit of what can be done to make the industrial sites more ready for development. She said the study will go to City Council for acceptance in mid-June and staff will move forward as directed by Council. It will not be the adoption of a new plan, but information to take into account when reviewing the Capital Improvement Plan or for the city to be more supportive of Low Impact Development (LID).

Note: Brent Nielson, Civil Engineer with Mackenzie, was there to answer questions focused on the utility side of the infrastructure but did not present.

Discussion followed.

6. Adjourn

Chair Simson adjourned the meeting at 8:09 pm.

Submitted by:

Kirsten Allen
Planning Department Program Coordinator

Approval Date: _____

New Business Agenda

Item A

Staff Report

June 12, 2015
File No: SP15-01

Snyder Park Off-Leash Dog Park

TO: Planning Commission

App. Submitted: May 8, 2015
App. Complete: May 27, 2015
Hearing Date: June 23, 2015
120 Day Deadline: September 24, 2015

From:



Brad Kilby, AICP
Planning Manager

Proposal: The City is proposing to add a fenced and gated off-leash area for dogs within the existing boundary of Snyder Park. The fenced area, will be approximately 1 acre in size, and contain separate areas for large and small dogs. The proposed amenity will be located near the western edge of the park, along SW Pine Street. The area is not proposed to be lit and will operate under existing park rules. The proposed addition to Snyder Park will include a watering station, a table, benches, a shelter, play features, and entry gates. Patrons of the park continue to use the existing off street parking areas within Snyder Park, and on-street parking located along SW Division Street and SW Pine Street when it's available.

I. BACKGROUND

A. Applicant/Owner:

The City of Sherwood
Attn: Joe Gall, ICMA
22560 SW Pine Street
Sherwood, OR 97140

Applicant's Representative:

Michelle Miller, AICP – Senior Planner
22560 SW Pine Street
Sherwood, OR 97140

Contact:

503-625-4242

B. Location: 15356 SW Sunset Blvd. WCTM 2S132DB tax lot 0800

C. Parcel Size: The subject site is 20.88 acres in size.

- D. Existing Development and Site Characteristics: Snyder Park is approximately 20.88 acres in size with parking areas on the north side of the park on SW Division and the south, off of SW Sunset. The site contains a variety of typical park amenities such as a baseball diamond, an interactive water feature, playground equipment, park fixtures, a covered picnic area, a soccer field and an existing reservoir and pump station.
- E. Site History: Snyder Park serves as a focal point of the City and sits atop a hill overlooking the community. The City acquired the site in 1993 and built the park under (SP03-07) as Sunset Park. Other improvements have been added over the years. The reservoir, pump station and tennis courts were added at the park in 2008. These improvements were approved under (SP07-11). Lighting for the park was approved under (SP07-09).
- F. Zoning Classification and Comprehensive Plan Designation: Snyder Park is zoned Low Density Residential (LDR).
- G. Adjacent Zoning and Land Use: With the exception of one parcel on the northern boundary of the site zoned Institutional/Public (IP), the properties surrounding Snyder Park on the north, south and east sides are all Low Density Residential (LDR). The properties west of SW Pine Street are zoned Medium Density Residential Low (MDRL).
- H. Review Type: The applicant proposes an off-leash dog park within the existing boundaries of Snyder Park. This would constitute a major modification to the site plan. Because of the change in use of that area, and the size of the proposed amenity, it was determined that a review by the Planning Commission would be required. Because it is a major modification to an existing park, the scope of the review is limited to the impacts of the proposal. An appeal would be heard by the City Council.
- I. Public Notice and Hearing: A neighborhood meeting was held regarding the project on March 2, 2015 at City Hall. The neighborhood meeting was attended by seven members of the general public according to the applicant's minutes included with the submittal packet. Questions raised concerned parking along SW Pine Street, fencing, the size of the small dog enclosure, materials inside the park, and park maintenance.
- Notice of this application was mailed to property owners within at least 1,000 feet of the subject property on June 3, 2015, and posted on the property and in five locations throughout the City on the same day in accordance with Section 16.72.020 of the SZCDC. The notice was published in the June edition of the Sherwood Gazette (a paper of local circulation) and is scheduled to be published in the June 18th edition of the Tigard Times in accordance with Section 16.72.020 of the SZCDC.
- J. Review Criteria: Sherwood Zoning and Community Development Code, 16.12 (Low Density Residential), 16.90 (Site Planning), 16.92 (Landscaping), 16.94 (Off-Street Parking), Division VI 16.104-16.118 (Public Improvements), 16.142 (Parks and Open Space), 16.146 (Noise), and 16.153 (Odors).

II. PUBLIC COMMENTS

Public notice was mailed on June 3, 2015, and posted on the property in five locations throughout the City on the same day. As of the date of this staff report, staff has received two comments from the public. One comment was a concern that this was going through such an

extensive public review and hearing. That comment was received by phone with no name or request for follow up. The second comment comes from Eileene Gillson in a letter dated June 10, 2015. Ms. Gillson is concerned that the small dog enclosure is not large enough. She conveyed these same sentiments at a public meeting, and contends that three letters have been submitted to the committee (Parks Board) relaying the same message. Ms. Gillson relates that small dogs need a lot of room to burn off energy too, and that it is not a good idea to have small and large dogs in the same enclosure as was recommended to her at an earlier meeting.

STAFF RESPONSE: The SZCDC does not address park design as it relates to programming. The Planning Commissions scope of review is limited to the impacts on surrounding land uses within the context of the development code. Unfortunately, Ms. Gillson must continue to lobby the Parks Board for additional space in the small dog enclosure. Her request to make it larger is not a function of the Planning Commission review. Ms. Gillsons' letter is attached as Exhibit B to this report.

The public has been notified that comments are accepted prior to, and until the close of the Planning Commission public hearing.

III. AGENCY COMMENTS

Staff sent e-notice to affected agencies on June 1, 2015. The following is a summary of the comments received. Copies of full comments are included in the record unless otherwise noted.

Sherwood Engineering Department: The Sherwood Engineering Department submitted comments on June 15, 2015. Their comments are attached to this report as Exhibit C, and have been incorporated into this report where applicable.

Tualatin Valley Fire and Rescue: TVFR returned the City request for comments on June 8, 2015 indicating that they had none.

Pride Disposal, the US Fish and Wildlife, Washington County, METRO, PGE, ODOT, CWS, BPA, Kinder Morgan Energy, and NW Natural Gas were also notified of this proposal and did not respond or provided no comments to the request for agency comments by the date of this report.

IV. SITE PLAN REVIEW REQUIRED FINDINGS (SECTION 16.90)

16.90.030 SITE PLAN MODIFICATIONS AND REVOCATION

D. Required Findings

No site plan approval shall 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.
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.
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.
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.

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 shall provide adequate information, such as a traffic impact analysis or traffic counts, to demonstrate the level of impact to the surrounding street system. The developer shall be required to mitigate for impacts attributable to the project. The determination of impact or effect and the scope of the impact study shall be coordinated with the provider of the affected transportation facility.

6. The proposed commercial, multi-family, institutional or mixed-use development is oriented to the pedestrian and bicycle, and to existing and planned transit facilities.

Urban design standards shall include the following:

a. Primary, front entrances shall be located and oriented to the street, and have significant articulation and treatment, via facades, porticos, arcades, porches, portal, forecourt, or stoop to identify the entrance for pedestrians. Additional entrance/exit points for buildings, such as a postern, are allowed from secondary streets or parking areas.

b. Buildings shall be located adjacent to and flush to the street, subject to landscape corridor and setback standards of the underlying zone.

c. The architecture of buildings shall be oriented to the pedestrian and designed for the long term and be adaptable to other uses. Aluminum, vinyl, and T-111 siding shall be prohibited. Street facing elevations shall have windows, transparent fenestration, and divisions to break up the mass of any window. Roll up and sliding doors are acceptable. Awnings that provide a minimum 3 feet of shelter from rain shall be installed unless other architectural elements are provided for similar protection, such as an arcade.

d. As an alternative to the above standards 7a—7c, the following Commercial Design Review Matrix may be applied to any commercial, multi-family, institutional or mixed use development (this matrix may not be utilized for developments within the Old Town Overlay). A development must propose a minimum of 60 percent of the total possible points to be eligible for exemption from standards 7a—7c above. In addition, a development proposing between 15,001 and 40,000 square feet of floor area, parking or seating capacity and proposing a minimum of 80 percent of the total possible points from the matrix below may be reviewed as a Type II administrative review, per the standards of Section 16.72.010.A.2.

STAFF ANALYSIS: The proposed development meets all applicable zoning district standards as detailed in this report. Public services are already available to Snyder Park. A storm line will need be installed as discussed later in this report. All other public services are adequate to serve the proposed off-leash area. The City owns and maintains all parking and landscaping areas on the site. Natural features are preserved to the greatest extent possible as detailed further in this report.

FINDING: The required findings for site plan are met with this proposal, as discussed and conditions recommended further in this report.

V. APPLICABLE CODE PROVISIONS

The applicable zoning district standards are identified in Chapter 16.12 below.

A. Division II– Land Use and Development

The applicable provisions of Division II include:

16.12 RESIDENTIAL LAND USE DISTRICTS

16.12.010.B Low Density Residential (LDR)

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

16.12.020.A. Residential Land Uses

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

FINDING: The property is zoned Low Density Residential (LDR). Public recreational facilities are permitted outright in the LDR zoning district. Further, the property has been an approved for a park since 2003. This modification is for additional programming to serve a community need identified by the public and the Sherwood Parks Board.

16.12.030 Residential Land Use Development Standards

A. Generally

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

B. Development Standards

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

C. Development Standards per Residential Zone

Development Standard by Residential Zone-	VLDR	VLDR-PUD	LDR	MDRL	MDRH	HDR
Minimum Lot areas:(in square ft.)						
• Single-Family Detached	40,000	10,000	7,000	5,000	5,000	5,000
• Single Family Attached	40,000	10,000	7,000	5,000	4,000	4,000
• Two or Multi-Family: for the first 2 units	X	X	X	10,000	8,000	8,000
• Multi-Family: each additional unit after first 2	X	X	X	X	3,200	1,500
Minimum Lot width at front property line: (in feet)	25	25	25	25	25	25
Minimum Lot width at building line ^[6] : (in feet)						
• Single-Family	None	None	60	50	50	50
• Two-Family	X	X	X	60	60	60
• Multi-family	X	X	X	X	60	60
Lot Depth	None	None	80	80	80	80
Maximum Height ^[4] (in feet)	30 or 2 stories	30 or 2 stories	30 or 2 stories	30 or 2 stories	35 or 2.5 stories	40 or 3 stories
• Amateur Radio Tower	70	70	70	70	70	70
• Chimneys, Solar or Wind Devices, Radio and TV aerials ^[8]	50	50	50	50	55	60
Setbacks (in feet)						
• Front yard ^[9]	20	20	20	14	14	14
• Face of garage	20	20	20	20	20	20
• Interior side yard						
• Single-Family Detached	5	5	5	5	5	5
• Single-Family Attached	20	20	20	10	5	5
• Two Family	X	X	X	5	5	5
• Multi-Family						
• 18 ft. or less in height	X	X	X	X	5	5
• Between 18-24 ft. in height	X	X	X	X	7	7
• If over 24 ft. in	X	X	X	X	§ 16.68	§ 16.68

height					Infill	Infill
• Corner lot street side						
• Single Family or Two Family	20	20	20	15	15	15
• Multi-Family	X	X	X	X	20	30
• Rear yard	20	20	20	20	20	20

16.12.040 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, see Divisions V, VIII, IX.

STAFF ANALYSIS: With the exception of a park shelter the proposal does not include any other structures that would be subject to these standards. The park Shelter is placed well to the interior of the proposed park (See sheet L1.2). Future design of the structure will be reviewed for consistency with the residential standards to ensure that the height requirement is not exceeded. The closest portion of the park to any adjacent residential use is still 13-feet away from the property line, and will be separated from that use by proposed buffer plantings (See sheet L 1.6) and a fence to ensure that the visual impacts of the added use are mitigated.

FINDING: The proposed addition to the park meets the residential land development standards.

16.58 CLEAR VISION 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. (Ord. 96-1014 § 1; 86-851)**
- 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. (Ord. 86-851 § 3)**
- C. A clear vision area shall contain no planting, sight obscuring fence, wall, structure, or temporary or permanent obstruction exceeding two and one-half (2-1/2) feet in height, measured from the top of the curb, or where no curb exists, from the established street center line grade, except that trees exceeding this height may be located in this area, provided all branches and foliage are removed to the height of seven (7) feet above the ground. (Ord. 86-851 § 3)**

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: This standard is not applicable as no physical improvements are located at or near an intersection where a clear vision area would exist.

16.58.020 Fences, Walls, and Hedges

D. Location—Residential Zone:

- 1. Fences up to forty-two (42) inches high are allowed in required front building setbacks.**
- 2. Fences up to six (6) feet high are allowed in required side or rear building setbacks, except fences adjacent to public pedestrian access ways and alleys shall not exceed forty-two (42) inches in height unless there is a landscaped buffer at least three (3) feet wide between the fence and the access way or alley.**
- 3. Fences on corner lots may not be placed closer than eight (8) feet back from the sidewalk along the corner-side yard.**
- 4. All fences shall be subject to the clear vision provisions of Section 16.58.010.**
- 5. 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.**
- 6. Hedges are allowed up to eight (8) feet tall in the required side and rear setbacks.**

FINDING: A five-foot tall chain link fence is proposed to enclose the proposed dog park (see Sheet L1.3 for detail). The fence is located 85.3 feet away from the SW Pine Street right-of-way. This is well outside of the front yard setback. The adjacent side property line is approximately 13-feet away from the fence line, and there is a proposed landscape buffer between the dog park and the adjacent residential use. The proposed landscaping includes an irrigation system and will be maintained by the City consistent with other park maintenance obligations.(see Sheets L1.6-L1.8 for details)This criterion is satisfied.

Division V- Community Design

The applicable provisions of Chapter 5 include: 16.90 (Site Planning) (discussed previously), 16.92 (Landscaping), 16.94 (Off-street parking and Loading), and 16.96 (On-site Circulation).

Compliance with the applicable standards is discussed below:

16.92 LANDSCAPING

16.92.010 Landscape Plan

All proposed developments for which a site plan is required pursuant to Section 16.90.020 shall submit a landscaping plan which 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. Maintenance of existing not-invasive native vegetation is encouraged within a development and required for portions of the property not being developed.

FINDING: A landscaping plan is included with the applicant's submittal materials (see sheets L1.6-L1.8). The site is a park and consists of walkways, play structures, etc. All other areas are landscaped as required. The landscape plan provided for this proposal includes additional plantings along the southern edge of the park to buffer the dog park from the adjacent residential uses. This standard is met.

16.92.020 Landscaping Materials

Type of Landscaping

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

1. Ground Cover Plants

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

2. Shrubs

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

3. Trees

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

Applicant's Response: The landscape plan provides a combination of trees, large and small shrubs, ground cover and lawn; therefore, this standard is satisfied.

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.

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.

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.

STAFF ANALYSIS: The applicant proposes to preserve the existing trees on site. The application includes picnic tables and benches and other amenities that would be consistent with an off-leash area. These items are not located within a required landscaped area. The site is zoned residential and the proposed off-leash area is adjacent to two residential homes. The applicant has provided a landscape plan that provides a 13 foot buffer between the proposed dog park and the adjacent residential properties. The landscape plan (see Sheet L1.6) includes a mixture of deciduous and evergreen trees and shrubs as required by this section.

FINDING: The proposal meets the general landscaping standards.

16.94. OFF-STREET PARKING AND LOADING (relevant sections)

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.

FINDING: All existing parking is located on-site. There is no new parking proposed with the dog park. Because there are no minimum parking requirements for parks, the existing parking is not being reduced or affected by the proposed change, and the park is an existing use, additional parking is not required. These standards are not applicable to the proposed improvements.

16.98 ON-SITE STORAGE

16.98.020 Solid Waste and Recycling Storage

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

FINDING: The City has existing trash receptacles around the park and plan to include additional receptacles for the dog park. Pride Disposal does not serve this site specifically; rather, City maintenance staff collects the refuse on a daily basis and transports it to a central location for collection. The proposed dog park will continue to utilize this system. This standard is met.

16.106 TRANSPORTATION FACILITIES

16.106.020 Required Improvements

A. Generally

Except as otherwise provided, all developments containing or abutting an existing or proposed street, that is either unimproved or substandard in right-of-way width or improvement, shall dedicate the necessary right-of-way prior to the issuance of building permits and/or complete acceptable improvements prior to issuance of occupancy permits. The following figure provides the depiction of the functional classification of the street network as found in the Transportation System Plan, Figure 8-1.

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.

STAFF ANALYSIS: Currently SW Pine Street is a 2-lane commercial street with varying width asphalt and no curb or sidewalk along the subject property frontage within a 20-foot wide half street right-of-way. There is a plan that has been engineered for the installation of capital improvements along SW Pine Street along the frontage of the subject property. These improvements consist of an 18-foot wide half street from centerline to face of curb with a 6-foot wide curb tight sidewalk within a 25-foot half street right-of-way.

FINDING: There is insufficient right-of-way along the parks frontage with SW Pine Street. Because the City owns this portion, and redeveloping a portion of the park, it makes sense to reassign a portion of the property to right-of-way to ensure that there is enough right-of-way to make the planned improvements.

RECOMMENDED CONDITION: Prior to final occupancy, five feet of right-of-way shall be dedicated along the subject property frontage of SW Pine Street.

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.

FINDING: Currently public sanitary sewer mains exist within SW Pine Street along the subject site frontage. No public sanitary sewer main extensions are required. The proposed project is not proposing any facilities that will require additional sanitary sewer service. This standard is met.

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.

FINDING: Currently there is a public water main existing within SW Pine Street. No public water main extensions are required. Water service currently exists for the subject property. Water service for this portion of the property is anticipated to come from existing service within the property. This standard is met.

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.

FINDING: Currently a public storm main exists within SW Pine Street across the street from the subject property central to the development and across the street at the northern end of the subject property north of the development.

A lateral connecting the development to the storm sewer at the north end of the subject property along SW Pine Street is required. This storm sewer flows to the Columbia Street regional treatment facility. Due to the development being a dog park, additional treatment requirements may be imposed by Clean Water Services.

If impervious area is added to the site, then water treatment will need to be installed or a payment in lieu of installing water treatment shall be made if approved by the City Engineer and Clean Water Services. Therefore, a condition is warranted to ensure that the applicant obtain approval from Clean Water Services.

RECOMMENDED CONDITION: Prior to the issuance permits, a Storm Water Connection Permit Authorization from Clean Water Services is required.

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.

FINDING: Tualatin Valley Fire and Rescue has reviewed the proposal and indicated that they do not have any comments or concern with the proposal. This standard is met.

16.118 PUBLIC AND PRIVATE UTILITIES

16.118.010 Purpose

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

16.118.020 Standard

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

FINDING: This site is currently served by franchise utilities, but the Engineering department has indicated that not all of the utilities are available to the site as required, and therefore the following conditions are warranted. This standard is not met.

RECOMMENDED CONDITIONS:

Prior to final occupancy, Sherwood Broadband utilities shall be installed as per requirements set forth in City Ordinance 2005-017 and City Resolution 2005-074 unless otherwise approved by the City of Sherwood IT Director.

Prior to final occupancy, an 8-foot wide public utility easement shall be dedicated along the subject property frontage to SW Pine Street.

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.

FINDING: No above ground utilities are proposed with this development. This standard is met.

16.142 PARKS, TREES AND OPEN SPACES

16.142.070 Trees on Property Subject to Certain Land Use Applications

D. Retention requirements

1. Trees may be considered for removal to accommodate the development including buildings, parking, walkways, grading etc., provided the development satisfies of D.2 or D.3, below.
2. **Required Tree Canopy - Residential Developments (Single Family Attached, Single Family Detached and Two - Family)**

Each net development site shall provide a variety of trees to achieve a minimum total tree canopy of 40 percent. The canopy percentage is based on the expected mature canopy of each tree by using the equation πr^2 to calculate the expected square footage of canopy for each tree. The expected mature canopy is counted for each tree regardless of an overlap of multiple tree canopies.

The canopy requirement can be achieved by retaining existing trees or planting new trees. Required street trees can be used toward the total on site canopy required to meet this standard. The expected mature canopy spread of the new trees will be counted toward the needed canopy cover. A certified arborist or other qualified professional shall provide the estimated tree canopy of the proposed trees to the planning department for review.
3. **Required Tree Canopy - Non-Residential and Multi-family Developments**

Each net development site shall provide a variety of trees to achieve a minimum total tree canopy of 30 percent. The canopy percentage is based on the expected mature canopy of each tree by using the equation 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.
4. The City may determine that, regardless of D.1 through D.3, that certain trees or woodlands may be required to be retained. The basis for such a decision shall include; specific findings that retention of said trees or woodlands furthers the purposes and goals of this Section, is feasible and practical both within the context of the proposed land use plan and relative to other policies and standards of the City Comprehensive Plan, and are:
 - a. Within a Significant Natural Area, 100-year floodplain, City greenway, jurisdictional wetland or other existing or future public park or natural area designated by the City Comprehensive Plan, or
 - b. A landscape or natural feature as per applicable policies of the City Comprehensive Plan, or are necessary to keep other identified trees or woodlands on or near the site from being damaged or destroyed due to windfall, erosion, disease or other natural processes, or
 - c. Necessary for soil stability and the control of erosion, for managing and preserving surface or groundwater quantities or quality, or for the maintenance of a natural drainageway, as per Clean Water Services stormwater management plans and standards of the City Comprehensive Plan, or
 - d. Necessary in required buffers between otherwise incompatible land uses, or from natural areas, wetlands and greenways, or
 - e. Otherwise merit retention because of unusual size, size of the tree stand, historic association or species type, habitat or wildlife preservation considerations, or some combination thereof, as determined by the City.

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

FINDING: The proposed development would affect approximately one acre, and there are no trees proposed for removal. There are plans to provide additional trees along the southside of the park to buffer the use from the adjacent residential uses. Because this is a major modification, and that review specifically limits the scope of the review to the changes that are being made, these criteria are not applicable to the proposed dog park.

G. Tree Protection During Development

The applicant shall prepare and submit a final Tree and Woodland Plan prior to issuance of any construction permits, illustrating how identified trees and woodlands will be retained, removed or protected as per the Notice of Decision. Such plan shall specify how trees and woodlands will be protected from damage or destruction by construction activities, including protective fencing, selective pruning and root treatments, excavation techniques, temporary drainage systems, and like methods. At a minimum, trees to be protected shall have the area within the drip line of the tree protected from grading, stockpiling, and all other construction related activity unless specifically reviewed and recommended by a certified arborist or other qualified professional. Any work within the dripline of the tree shall be supervised by the project arborist or other qualified professional onsite during construction.

FINDING: The Applicant has not indicated how trees will be protected during development. This standard is not met but could be met as conditioned below.

RECOMMENDED CONDITION: Prior to issuance of a building permit, submit a tree protection plan to be implemented during site development.

16.146. NOISE

16.146.020 - Noise Sensitive Uses

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

- A. The applicant shall submit to the City a noise level study prepared by a professional acoustical engineer. Said study shall define noise levels at the boundaries of the site in all directions.

B. The applicant shall show that the use will not exceed the noise standards contained in OAR 340-35-035, based on accepted noise modeling procedures and worst case assumptions when all noise sources on the site are operating simultaneously.

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

FINDING: Although there will be a concentration of dogs within the park, excessive noise is not anticipated with this use and will be addressed via code compliance if necessary.

16.152 ODORS

16.152.010 - Odors

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

FINDING: The proposed park will be maintained by Public Works on a scheduled basis, and will include the collection of dog waste that is disposed of within on-site trash receptacles. Although excessive odor is not anticipated with this use, the City will be vigilant in controlling odors associated with the dogs, and any complaints will be addressed via code compliance if necessary.

STAFF RECOMMENDATION

Based upon review of the applicant's submittal information, review of the code, agency comments and consideration of public comments, staff finds that the requested approvals do not fully comply with the standards but can be conditioned to comply. Therefore, staff recommends **approval of File Nos: SP 15-01 with the recommended conditions below.**

VI. CONDITIONS OF APPROVAL

A. GENERAL CONDITIONS

1. Compliance with the Conditions of Approval is the responsibility of the developer or its successor in interest.
2. This land use approval shall continue to substantially comply with the submitted preliminary site plans dated April 24, 2015 prepared by Mears Design Group, except as modified by this approval, and as indicated in the following conditions.
3. **This approval is valid for a period of two (2) years from the date of the decision notice.** Extensions may be granted by the City as afforded by the Sherwood Zoning and Community Development Code.
4. An on-going condition of the approval is that the site be maintained in accordance with the approved site plan. In the event that landscaping is not maintained, in spite of the assurances provided, this would become a code compliance issue.
5. The continual operation of the property shall comply with the applicable requirements of the Sherwood Zoning and Community Development Code and Municipal Code.

B. PRIOR TO ISSUANCE OF A BUILDING PERMIT:

1. Prior to the issuance permits, a Storm Water Connection Permit Authorization from Clean Water Services is required.
2. Submit a tree protection plan to be implemented during site development.

C. PRIOR TO FINAL INSPECTION OR CERTIFICATE OF OCCUPANCY:

1. Prior to final occupancy, five feet of right-of-way shall be dedicated along the subject property frontage of SW Pine Street.
2. Prior to final occupancy, Sherwood Broadband utilities shall be installed as per requirements set forth in City Ordinance 2005-017 and City Resolution 2005-074 unless otherwise approved by the City of Sherwood IT Director.
3. Prior to final occupancy, an 8-foot wide public utility easement shall be dedicated along the subject property frontage to SW Pine Street.

VII. EXHIBITS

- A. Applicant's submitted materials received on May 8, 2015
- B. Letter from Eileene Gillson dated June 10, 2015
- C. City of Sherwood Engineering comments dated June 12, 2015

Exhibit A.
Applicant's Narrative

Date: May 8, 2015

Snyder Park Off-Leash Dog Area

TO: PLANNING DEPARTMENT

Project Summary

The City proposes to add an off leash area approximately for dogs within Snyder Park. The fenced area, nearly an acre in size will contain separate areas for large and small dogs and near the western edge of the park, near SW Pine Street. The area will not be lit but operate under existing park rules. Other amenities include water, table, benches, dog play features and entry gates. There will be no additional structures and patrons will use the existing off street parking areas within Snyder Park on the southern edge of the park, near SW Sunset and northern edge, near SW Division.

I. BACKGROUND

Applicant/Owner: City of Sherwood
22560 SW Pine Street
Sherwood, OR 97140

**Applicant's
Representatives:** Kristen Switzer, Community Services Director
Craig Sheldon, Public Works Director
Michelle Miller, AICP, Senior Planner

Site Address: 15356 SW Sunset Blvd

Tax Lot: 800 on Washington County Tax Assessor Map 2S1-32DB

Property Description: Snyder Park is approximately 20.88 acres in size with parking areas on the north side of the park on SW Division and the south, off of SW Sunset. The site contains a variety of typical park amenities such as a baseball diamond, an interactive water feature, playground equipment, park fixtures, a covered picnic area, a soccer field and an existing reservoir and pump station. Various heritage trees are located on site with a lit pathway that circles the landscaped park area. Snyder Park serves as a focal point of the City and sits atop a hill overlooking the community. The City acquired the site in 1993 and built the park over the years. There is an existing reservoir tank immediately adjacent to the park on tax lot 2S132DB00700. A reservoir, pump station and tennis courts were added at the park in 2008. The reservoir is located on the western side of

the park partially buried underneath the hillside and nearby the proposed off-leash area.

Existing Development and Site Characteristics: Snyder Park is situated in the central part of Sherwood atop one of the highest elevations in the City. The park changes in elevation from the lowest point of 348 feet at the southern boundary to an elevation of 380 feet. It offers views of the surrounding valley at the crest point of approximately 380 feet, near the parking lot and existing reservoir by SW Division Street. The hillside within the park slopes westward toward SW Pine Street where the off leash area is proposed.

Zoning Classification and Comprehensive Plan Designation: Snyder Park is zoned Low Density Residential (LDR). The surrounding area is also LDR, with a small parcel on the northern boundary of the site zoned Institutional/Public (IP).

Adjacent Zoning and Land Use: The properties to the north, east and south are zoned LDR and developed with single family homes. Adjacent to the park on the northeastern corner is a parcel zoned IP and developed with a water reservoir. The properties to the west and adjacent to the park are also zoned LDR. The properties to the west, across SW Pine are zoned Medium Density Residential-Low (MDRL) and contain single family homes. According to the Sherwood Transportation System Plan, the surrounding streets to the park are classified as the following: SW Sunset Blvd. is an arterial; SW Pine is a collector, and SW Division is a neighborhood street. SW Smock Street, a local street, terminates at the eastern boundary of the park, near the soccer field and baseball diamond.

Land Use Review: This land use application proposal includes modifying the existing Snyder Park and requires a Major Modification Site Plan review by the Planning Commission, the decision maker for the original site plan approval for Snyder Park.

Neighborhood Meeting: The City held a meeting on March 2, 2015 to inform the neighborhood surrounding Snyder Park about the proposed off leash area.

Some of the neighbors present were concerned about the location of the off leash area near SW Pine. Some were concerned that people may park on SW Pine rather than the designated off street parking areas for Snyder Park. Additional questions were raised about the fence, natural landscaping materials within the off leash area and maintenance issues.

Applicant's Response: No on street parking is permitted on SW Pine. There are parking facilities in Snyder Park on SW Division and SW Sunset. If people park illegally on SW Pine Street, they could receive a citation. Some

of the details requested by neighbors are provided in the site plans submitted with this application and resolved.

Noise from people enjoying all of the park facilities is to be expected. There are sport courts and a water feature that attracts people to the park. The hours at the park and off leash area will remain the same. The City will mitigate any additional noise of the barking dogs with landscaping near the properties of the two homes located nearby. The property to the north is over 100 feet from the proposed off lease area.

APPLICATION SUMMARY AND BACKGROUND INFORMATION

The applicant, City of Sherwood, requests a major modification to a site plan for the addition of an off-leash area on the west side of Snyder Park. The location for the proposed off-leash area within the park is relatively unimproved and slopes downhill toward SW Pine Street. The off leash area will be about 85 feet from the western edge of the park, near Pine Street. The fenced area will contain separated large and small dog play and run areas. The larger dog park area will be approximately .58 acres and the small dog park area will be .12 acres. The off leash area is an irregularly shaped rectangle approximately 263 ft. by 122 ft. The site will contain a combination of bark chips that surrounds the interior of the fenced area and grass in the interior along with other landscaping and pathways. Several trees will remain within the fenced off area.

As the dogs enter the enclosed off leash area, there will be a separate gated entry to the small dog area. Site amenities include picnic tables, woodchip pathways, tables, benches, receptacles, dog waste dispensers with bags, and a domestic water fountain.

The entire area will be confined with a five-foot tall black vinyl coated fence with buffer plantings along the south side of the fenced area. The fence is approximately 13 feet from the property line to the south and will include a landscaped buffer. The visitors to the off leash area will follow the pathways from the parking areas on SW Sunset and SW Division to access the site.

SITE PLAN REVIEW (SECTION 16.90)

D. Required Findings

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

- 1. The proposed development meets applicable zoning district standards and all provisions of Divisions V, VI, VIII, and IX.**

Applicant's Response: The applicable zoning district standards are discussed above under the "Division II- Land Use and Development"

section, and the applicable provisions of Divisions V, VI, VIII, and IX as discussed in detail below.

- 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.**

Applicant's Response: Adequate services including but not limited to water, sanitary facilities, storm water, solid waste, public safety, electric power and communications will not be altered with the addition of the lights. Parks and open space services will be extended as a result of adding the off leash area to the park.

- 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.**

Applicant's Response: The City owns the site and maintains the park. Therefore, it can be assured that the area will be adequately maintained. Craig Sheldon, Public Works Director has evaluated the options for maintenance and has budgeted appropriated funds to maintain the off leash area. This criterion is not applicable.

- 4. The proposed development preserves significant natural features to the maximum feasible extent, including but not limited to natural drainageways, wetlands, trees, vegetation, scenic views and topographical features, and conforms to the applicable provisions of Chapters 5 of the Community Development Code.**

Applicant's Response: No natural features with the exception of some landscaped shrubs will be removed with the installation of the off leash area. Additionally steps have been taken to siting of the off leash area in order to minimize the visibility and any negative impacts to the adjoining property owners.

- 5. For a proposed site plan in the Neighborhood Commercial (NC), Office Commercial (OC), Office Retail (OR), Retail Commercial (RC), General Commercial (GC), Light Industrial (LI), and General Industrial (GI) zones, except in the Old Town Overlay Zone, the proposed use shall satisfy the requirements of Section 16.108.080 Highway 99W Capacity Allocation Program, unless excluded herein.**

Applicant’s Response: The site is not located in this zone, and therefore this criterion is not applicable. Regardless, the Highway 99W Capacity Allocation Program was terminated in 2014.

- 6. Pursuant to Section 16.106.080, or at the discretion of the City Engineer, the applicant shall 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 shall be 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 shall be coordinated with the provider of the affected transportation facility.**

Applicant’s Response: The City Engineer has reviewed this proposal and indicated that a Traffic Impact Analysis would not be required for the off-leash area. The citizens going to the larger Snyder Park specifically for the off-leash area will not significantly increase as compared to the visitors of the larger park area. The City Engineer considered that due to the park’s size, the impact of adding a typical amenity such as an off-leash area to the park would not increase enough to warrant the study.

Applicable Code Provisions

A. Division II- Land Use and Development

16.12.020. - Allowed Residential Land Uses

A. Residential Land Uses

The table below identifies the land uses that are allowed in the Residential Districts. The specific land use categories are described and defined in Chapter 16.12.010.

Civic	VLDR	LDR	MDRL	MDRH	HDR
Public Recreational Facilities(5)	P	P	P	P	P
(5) Includes, but is not limited to parks, playfields, sports and racquet courts, but excludes golf courses					

Applicant’s Response: The off-leash area will be entirely within the existing Snyder Park and is a type of use associated with parks and thus a permitted use within this zone.

16.12 Dimensional Standards

A. Lot Dimensions

Except as otherwise provided, required minimum lot areas and dimensions shall be:

Lot area	No minimum required
Lot width at front property line	25 feet
Lot width at building line	Varies from 50 -80 feet depending on type of housing
Front yard setback	None, except that when the lot abuts a residential zone or public park property, the setback shall be a minimum of 20 feet
Side yard setback	None, except that when the lot abuts a residential zone or public park property, the setback shall be a minimum of 20 feet.
Rear yard setback	None, except that when the lot abuts a residential zone or public park property, the setback shall be a minimum of 20 feet.
Height	Except as otherwise provided, the maximum height of buildings in the IP zone shall be 50 feet, except that structures within 100 feet of a residential zone shall be limited to the height requirements of that residential zone.

Applicant’s Response: Because park abuts a residential zone, the front, side and rear yard setbacks apply. There will be no buildings associated with this off leash area so all of the setbacks are met.

B. DIVISION V – COMMUNITY DESIGN

The applicable provisions of Division 5 include: 16.90 (Site Planning), 16.92 (Landscaping). Compliance with the standards in these sections is discussed below.

Chapter 16.92 Landscaping

16.92.010 Landscape Plan Required

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

Applicant's Response: The proposal includes a site plan with the landscaping location provided. The entire site is a park so it is a predominantly landscaped area.

16.92.020 Landscaping Materials

Type of Landscaping

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

1. Ground Cover Plants

a. All of the landscape that is not planted with trees and shrubs must be planted in ground cover plants, which may include grasses. Mulch is not a substitute for ground cover, but is allowed in addition to the ground cover plants.

b. Ground cover plants other than grasses must be at least the four-inch pot size and spaced at distances appropriate for the plant species. Ground cover plants must be planted at a density that will cover the entire area within three (3) years from the time of planting.

2. Shrubs

a. All shrubs must be of sufficient size and number to be at full growth within three (3) years of planting.

b. Shrubs must be at least the one-gallon container size at the time of planting.

3. Trees

a. Trees at the time of planting must be fully branched and must be a minimum of two (2) caliper inches and at least six (6) feet in height.

b. Existing trees may be used to meet the standards of this chapter, as described in C.2. below.

Applicant's Response: The landscape plan provides a combination of trees, large and small shrubs, ground cover and lawn; therefore, this standard is satisfied.

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.

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.

Applicant's Response: Since the site is an unimproved area within Snyder Park, the applicant proposes to add landscaping such as grass, trees and shrubs around the site to complement the existing park landscaping and aesthetic.

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.

Applicant's Response: The application includes picnic tables and benches and other amenities that would be consistent with an off-leash area.

Applicant's Response: The applicant proposes to preserve the existing trees and landscaped within the site and there are no trees that will be disturbed with this development.

16.92.030 Landscaping Standards

1. Perimeter Screening and Buffering

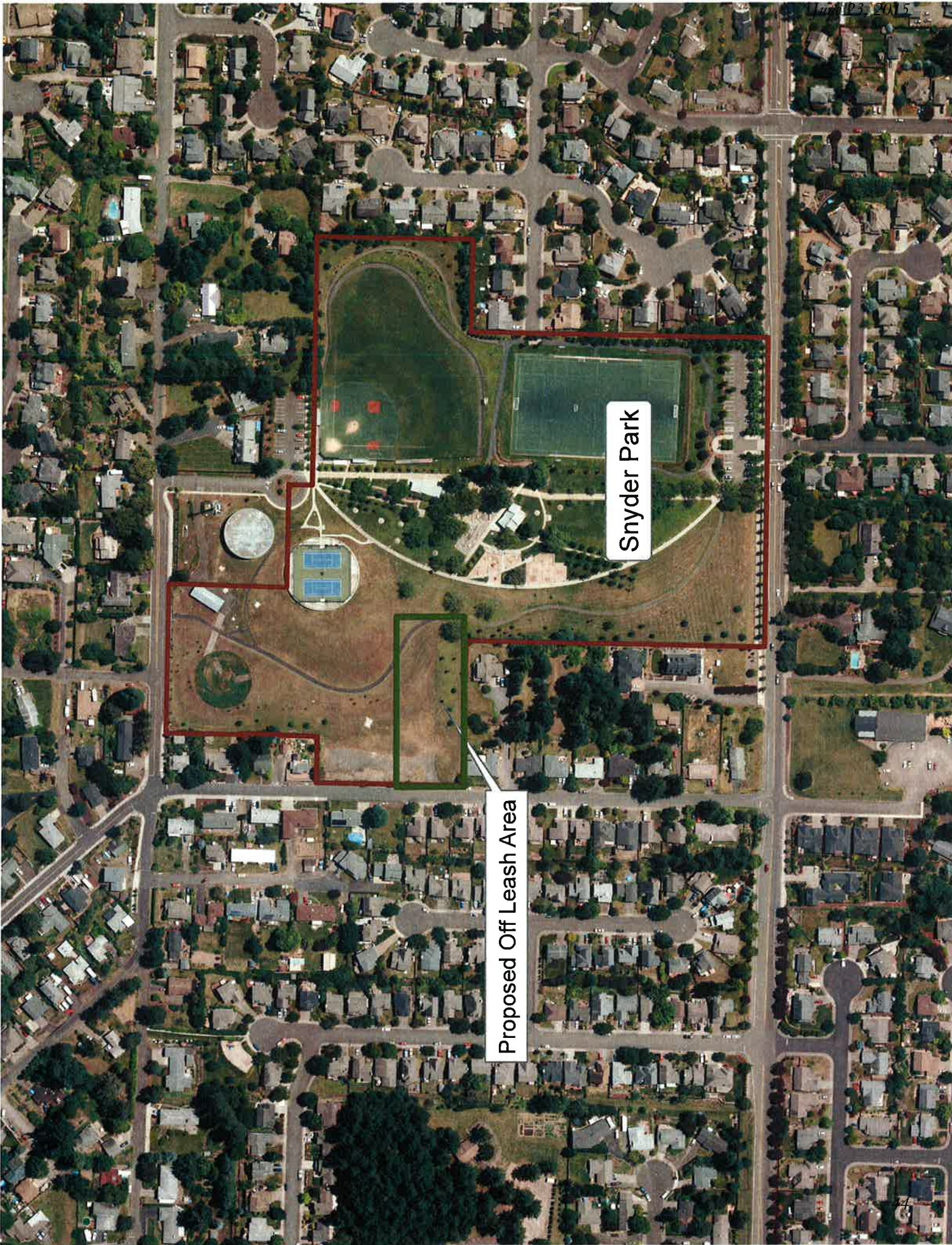
A minimum six (6) foot high sight-obscuring wooden fence, decorative masonry wall, or evergreen screen shall be required along property lines separating single and two-family uses from multi-family uses, and along property lines separating residential zones from commercial or industrial uses. For new uses adjacent to inventoried environmentally sensitive areas, screening requirements shall be limited to vegetation only so as to preserve wildlife mobility. In addition, plants and other landscaping features may be required by the Review Authority in locations and sizes necessary to protect the privacy of residences and buffer any adverse effects of adjoining uses.

Applicant's Response: As discussed previously in this report, the applicant proposes to include buffer planting along the southern edge of the site to buffer any noise impacts of the added park amenity.

C. DIVISION VI. - PUBLIC IMPROVEMENTS

Applicant's Response: The applicant is not proposing or required to complete any public improvements to the site; therefore the public improvement section is not addressed in further detail.

The applicant requests land use approval of the modification of the site plan for the off leash area within Snyder Park.



Snyder Park

Proposed Off Leash Area



Clean Water Services File Number

15-000407

Sensitive Area Pre-Screening Site Assessment

1. Jurisdiction: Sherwood

2. Property Information (example 1S234AB01400)

Tax lot ID(s): 2S132DB00800

Site Address: 15356 SW Sunset

City, State, Zip: Sherwood OR 97140

Nearest Cross Street: SW Pine Street

3. Owner Information

Name: City of Sherwood

Company: City of Sherwood

Address: 22560 SW Pine Street

City, State, Zip: Sherwood OR

Phone/Fax: 503-625-4242

E-Mail: millerm@sherwoodoregon.gov

4. Development Activity (check all that apply)

- Addition to Single Family Residence (rooms, deck, garage)
- Lot Line Adjustment Minor Land Partition
- Residential Condominium Commercial Condominium
- Residential Subdivision Commercial Subdivision
- Single Lot Commercial Multi Lot Commercial

Other _____

Adding an Off Leash Dog Area to Snyder Park

5. Applicant Information

Name: Michelle Miller

Company: City of Sherwood

Address: 22560 SW Pine Street

City, State, Zip: Sherwood OR 97140

Phone/Fax: 503-625-4242

E-Mail: millerm@sherwoodoregon.gov

6. Will the project involve any off-site work? Yes No Unknown

Location and description of off-site work _____

7. Additional comments or information that may be needed to understand your project _____

This application does NOT replace Grading and Erosion Control Permits, Connection Permits, Building Permits, Site Development Permits, DEQ 1200-C Permit or other permits as issued by the Department of Environmental Quality, Department of State Lands and/or Department of the Army COE. All required permits and approvals must be obtained and completed under applicable local, state, and federal law.

By signing this form, the Owner or Owner's authorized agent or representative, acknowledges and agrees that employees of Clean Water Services have authority to enter the project site at all reasonable times for the purpose of inspecting project site conditions and gathering information related to the project site. I certify that I am familiar with the information contained in this document, and to the best of my knowledge and belief, this information is true, complete, and accurate.

Print/Type Name Michelle Miller Print/Type Title Senior Planner

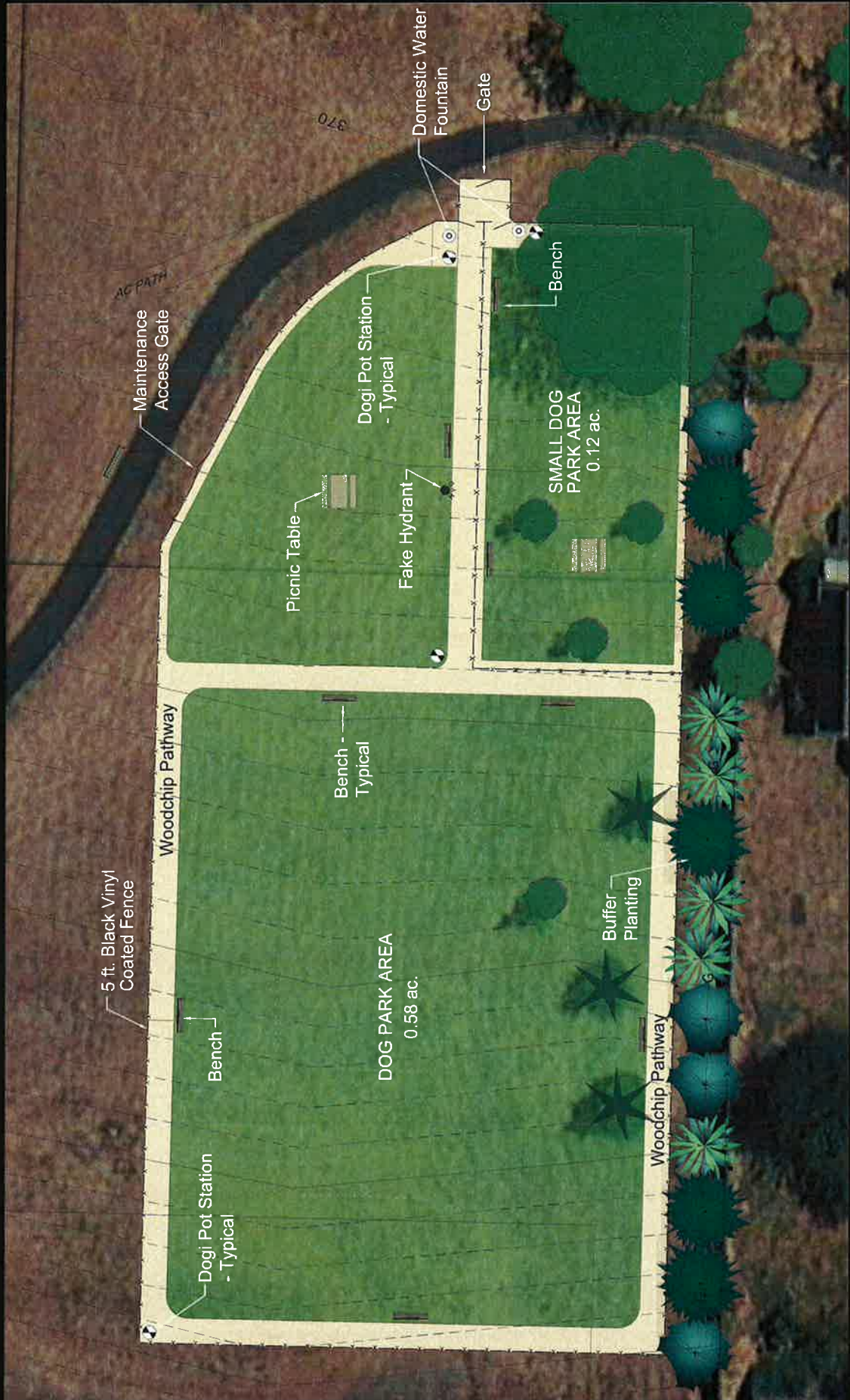
ONLINE SUBMITTAL

Date 2/13/2015

FOR DISTRICT USE ONLY

- Sensitive areas potentially exist on site or within 200' of the site. **THE APPLICANT MUST PERFORM A SITE ASSESSMENT PRIOR TO ISSUANCE OF A SERVICE PROVIDER LETTER.** If Sensitive Areas exist on the site or within 200 feet on adjacent properties, a Natural Resources Assessment Report may also be required.
- Based on review of the submitted materials and best available information Sensitive areas do not appear to exist on site or within 200' of the site. This Sensitive Area Pre-Screening Site Assessment does NOT eliminate the need to evaluate and protect water quality sensitive areas if they are subsequently discovered. This document will serve as your Service Provider letter as required by Resolution and Order 07-20, Section 3.02.1. All required permits and approvals must be obtained and completed under applicable local, State, and federal law.
- Based on review of the submitted materials and best available information the above referenced project will not significantly impact the existing or potentially sensitive area(s) found near the site. This Sensitive Area Pre-Screening Site Assessment does NOT eliminate the need to evaluate and protect additional water quality sensitive areas if they are subsequently discovered. This document will serve as your Service Provider letter as required by Resolution and Order 07-20, Section 3.02.1. All required permits and approvals must be obtained and completed under applicable local, state and federal law.
- This Service Provider Letter is not valid unless _____ CWS approved site plan(s) are attached.
- The proposed activity does not meet the definition of development or the lot was platted after 9/9/95 ORS 92.040(2). NO SITE ASSESSMENT OR SERVICE PROVIDER LETTER IS REQUIRED.

Reviewed by Clark Buckle Date 2/17/15



SHERWOOD DOG PARK

MEARS DESIGN GROUP LANDSCAPE ARCHITECT

CONCEPT 'B'



October 8, 2014
ALL RIGHTS RESERVED BY ALL FIRMS

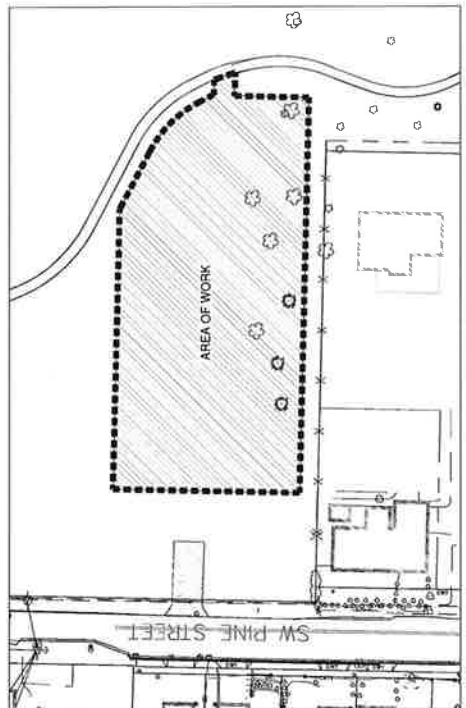
MEARS DESIGN+GROUP
LANDSCAPE ARCHITECTURE & PLANNING
PHONE 503.601.4516 | FAX 503.924.4888

REGISTERED ARCHITECT
TROY A. MEARS
OREGON 11/21/2003

SHERWOOD DOC PARK
SNYDER PARK
15365 SW SUNSET BLVD., SHERWOOD, OREGON 97140
CITY OF SHERWOOD PARKS AND RECREATION DEPARTMENT

COVER SHEET

DATE: _____
DRAWN BY: _____
CHECKED BY: _____
APPROVED BY: _____
DATE: _____



AREA OF WORK MAP

DRAWING INDEX

SHEET TITLE	SHEET NUMBER
COVER SHEET	L1.1
DIMENSION AND REFERENCE PLAN	L1.2
DETAILS AND NOTES	L1.3
GRADING & DRAINAGE PLAN	L1.4
DRAINAGE DETAILS & NOTES	L1.5
PLANTING PLAN	L1.6
IRRIGATION PLAN	L1.7
IRRIGATION DETAILS & NOTES	L1.8
IRRIGATION DETAILS & NOTES	L1.9



LOCATION MAP



- ### GENERAL NOTES
- ALL CONSTRUCTION SHALL ADHERE TO DRAWINGS AND SPECIFICATIONS.
 - ADVISE THE OWNERS REPRESENTATIVE OF ANY CONFLICTS OR DISCREPANCIES FIVE WORKING DAYS PRIOR TO STARTING WORK.
 - VERIFY ALL SITE CONDITIONS BY SITE VISIT PRIOR TO BID SUBMITTAL.
 - ALL EXISTING PLANTS IN AREA OF WORK ARE TO REMAIN UNLESS OTHERWISE NOTED OR ARE DETERMINED DEAD. IF DETERMINED DEAD, DEAD PLANTS/TREES ARE TO BE REPLACED WITH SAME SPECIES.
 - STAGING AREAS ARE TO BE DETERMINED BY OWNERS REPRESENTATIVE PRIOR TO COMMENCEMENT OF WORK.
 - ALL CONSTRUCTION IS REQUIRED TO BE COMPLETED BETWEEN THE HOURS OF 7:00 AM TO 5:00 PM. COORDINATE TIME OF CONSTRUCTION WITH OWNERS REPRESENTATIVE.
 - REFER TO PROJECT TECHNICAL SPECIFICATIONS FOR ADDITIONAL INFORMATION.
 - VERIFY LOCATION OF ALL UTILITIES PRIOR TO COMMENCEMENT OF WORK. CONTRACTOR TO PROVIDE PRIVATE LOCATES AS REQUIRED.

PROJECT TEAM

OWNERS REPRESENTATIVE
CRAG SHELTON - PUBLIC WORKS DIRECTOR
CITY OF SHERWOOD
15227 SW WILLAMETTE STREET
SHERWOOD, OR 97140
(503) 625-9279 FAX

LANDSCAPE ARCHITECT
TROY MEARS: RLA
MEARS DESIGN GROUP, LLC
PORTLAND, OR 97261
(503) 601-4516
(503) 924-4888 FAX

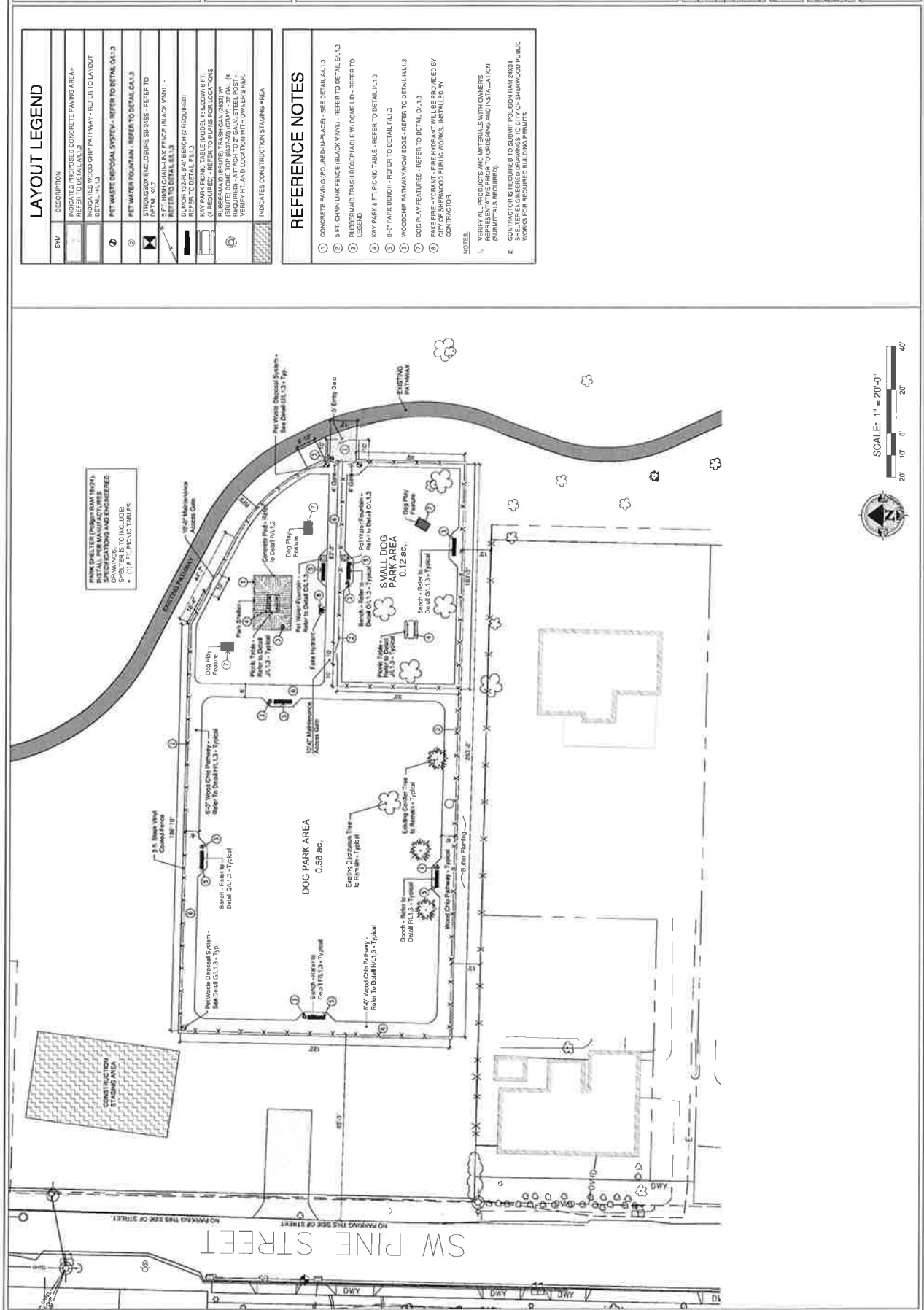
811
Know what's below.
Call before you dig.

MEARS DESIGN GROUP
LANDSCAPE ARCHITECTURE & PLANNING
PO Box 22288 | Portland, Oregon | 97201
Phone: 503.601.4518 | Fax: 503.924.4888

RECEIVED
5/20/2015
TRACY A. MEARS
ARCHITECT
OREGON
11/2/2008

SHERWOOD DOC PARK
SNYDER PARK
15365 SW SUNSET BLVD., SHERWOOD, OREGON 97140
CITY OF SHERWOOD PARKS AND RECREATION DEPARTMENT

PROJECT NO.:
DATE:
SCALE:
SHEET: **L1.2** OF 9



MEARS DESIGN+GROUP
LANDSCAPE ARCHITECTURE & PLANNING
1000 N. 222ND ST. SUITE 100
PH: 503.901.4516 FAX: 503.924.6888

SHERWOOD DOG PARK
SNYDER PARK
15365 SW SUNSET BLVD., SHERWOOD, OREGON 97140
CITY OF SHERWOOD PARKS AND RECREATION DEPARTMENT

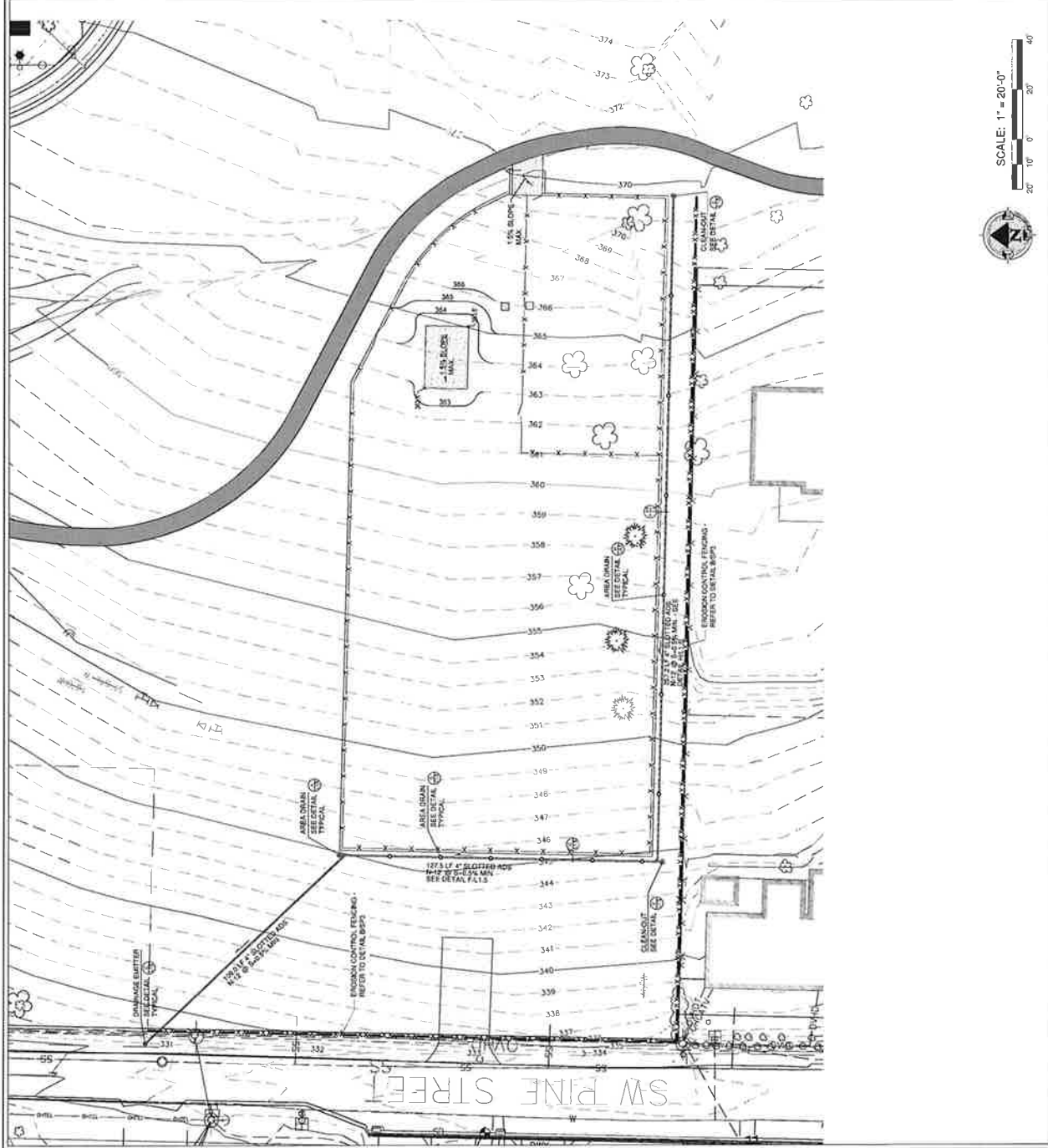
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DRAWN BY: []
CHECKED BY: []
DATE: []

L1.4
SHEET 9 OF 9 LAND USE SET

SYM	DESCRIPTION
---	PROPOSED ELEVATION AT FINISH GRADE
---	EXISTING CONTOURS
---	PROPOSED CONTOUR
FS	FINISH SURFACE ELEVATION
---	SLOPE DIRECTION
⊕	4" CLEAN-OUT - SEE DETAIL 6L1.3
⊕	4" POP-UP EMITTER - SEE DETAIL 6L1.5
⊕	4" ROUND GDS IN-LINE AREA DRAIN - REFER TO DETAIL 6L1.5
⊕	4" ROUND GDS END AREA DRAIN - REFER TO DETAIL 6L1.5
⊕	4" SQUARE MANHOLE - REFER TO DETAIL 6L1.5
⊕	4" SQUARE MANHOLE - REFER TO DETAIL 6L1.5
⊕	4" SQUARE MANHOLE - REFER TO DETAIL 6L1.5

GRADING/DRAINAGE NOTES

1. THIS PLAN PROVIDES GENERAL GRADING INFORMATION. THE CONTRACTOR SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR.
2. EXPORTATION OF SOIL WHICH MAY BE NECESSARY TO MEET THE GRADES SHOWN ON THIS PLAN SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR AND SHALL BE PART OF THE CONTRACT.
3. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND UTILITIES IN THE FIELD. LOCATIONS SHOWN ON THE PLAN ARE APPROXIMATE AND FOR GENERAL INFORMATION ONLY.
4. THE CONTRACTOR SHALL MATCH THE EXISTING GRADES WITHIN THE LIMITS OF WORK TO THE EXISTING GRADES.
5. CONTRACTOR SHALL PROVIDE SECURITY BARRIERS DURING CONSTRUCTION. UTILITIES ACCEPTED, REFER TO DETAIL 6L1.5.
6. EROSION CONTROL FENCING REQUIRED TO BE IN PLACE PRIOR TO ANY SITE WORK.



<p>A L1.5 ROUND GRATE WITH DRAIN ELBOW - TYP. END OF D.L. (OR EQUAL) N.T.S.</p>	<p>B L1.5 ROUND GRATE WITH DRAIN TEE TYP. IN-LINE GRATE (OR EQUAL) N.T.S.</p>	<p>C L1.5 POP-UP DRAINAGE EMITTER (OR EQUAL) N.T.S.</p>	<p>D L1.5 TEMPORARY SEDIMENT FENCE N.T.S.</p>	<p>E L1.5 CLEAN OUT DETAIL N.T.S.</p>	<p>F L1.5 FRENCH DRAIN DETAIL N.T.S.</p>	<p>NOT USED</p>	<p>NOT USED</p>	<p>H L1.5 FRENCH DRAIN DETAIL N.T.S.</p>	<p>MEARS DESIGN+GROUP LANDSCAPE ARCHITECTURE & PLANNING 1900 SW 22ND ST, PORTLAND, OREGON 97201 PHONE: 503.694.4318 FAX: 503.974.8888</p> <p>RECEIVED 540 TRACY A. MEARS ARCHITECT OREGON 11/11/2008</p> <p>SHERWOOD DOG PARK 15365 SW SUNSET BLVD., SHERWOOD, OREGON 97140 CITY OF SHERWOOD PARKS AND RECREATION DEPARTMENT</p> <table border="1"> <tr><td>NO. DRAWING</td><td>DATE</td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> </table> <p>SHEET NAME: DRAINAGE & DRAINAGE DETAILS & NOTES</p> <p>SCALE: 1\"/> </p>	NO. DRAWING	DATE																							<p>L1.5 OF 9 LAND USE SET SHEET</p>
NO. DRAWING	DATE																																	

MEARS DESIGN GROUP
LANDSCAPE ARCHITECTURE & PLANNING
7050 NE 232nd Ave, Portland, OR 97220
Phone: 503.901.4519 Fax: 503.974.4888

RECIPIENT:
TRACY A MEARS
OREGON
1121008

ARCHITECT:
SANDRA W. ARCHITECT
1121008

SHERWOOD DOG PARK
15365 SW SUNSET BLVD., SHERWOOD, OREGON 97140
CITY OF SHERWOOD PARKS AND RECREATION DEPARTMENT

SUNYDAR PARK

L1.6
LAND USE SET

PLANTING PLAN

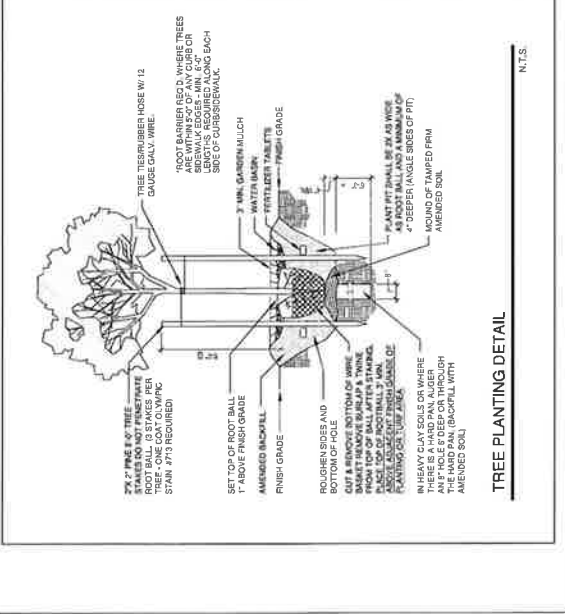
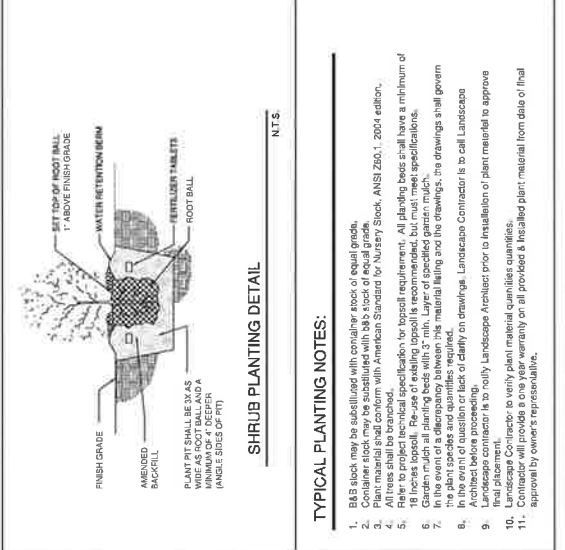
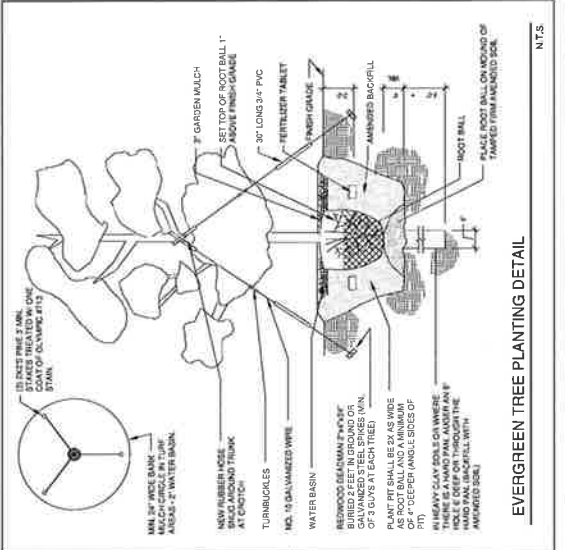
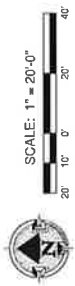
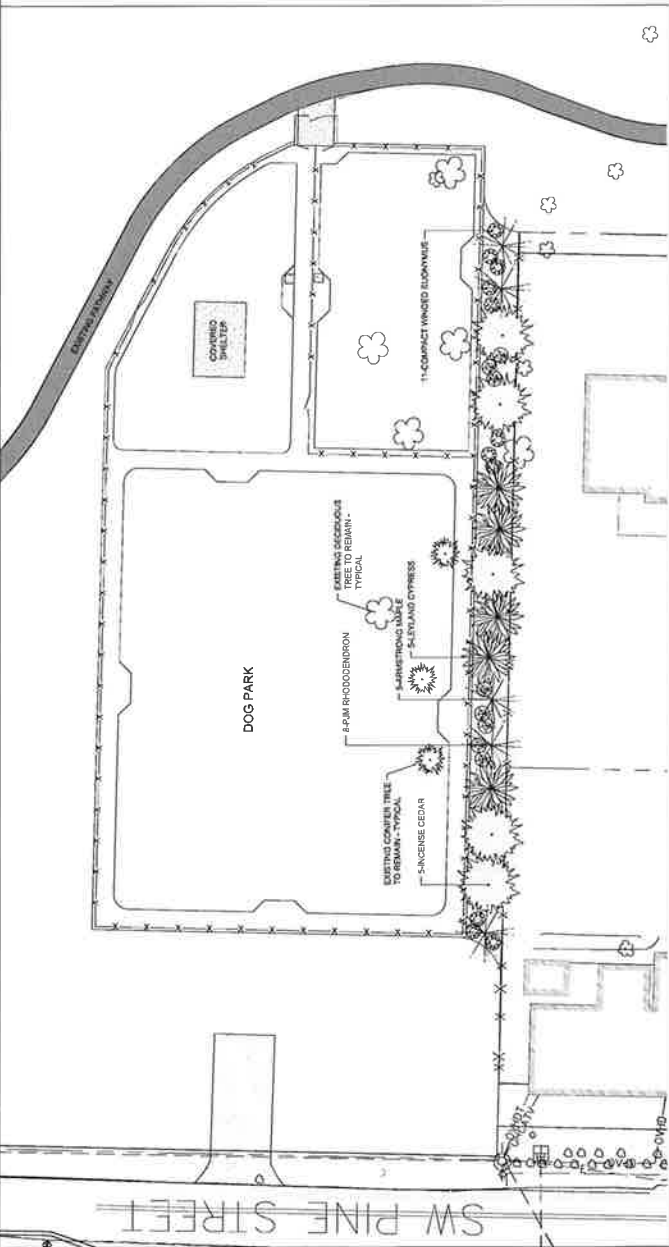
PROJECT NAME:
DRAWN BY:
CHECKED BY:
DATE:
SCALE:

PLANT MATERIALS LISTING:

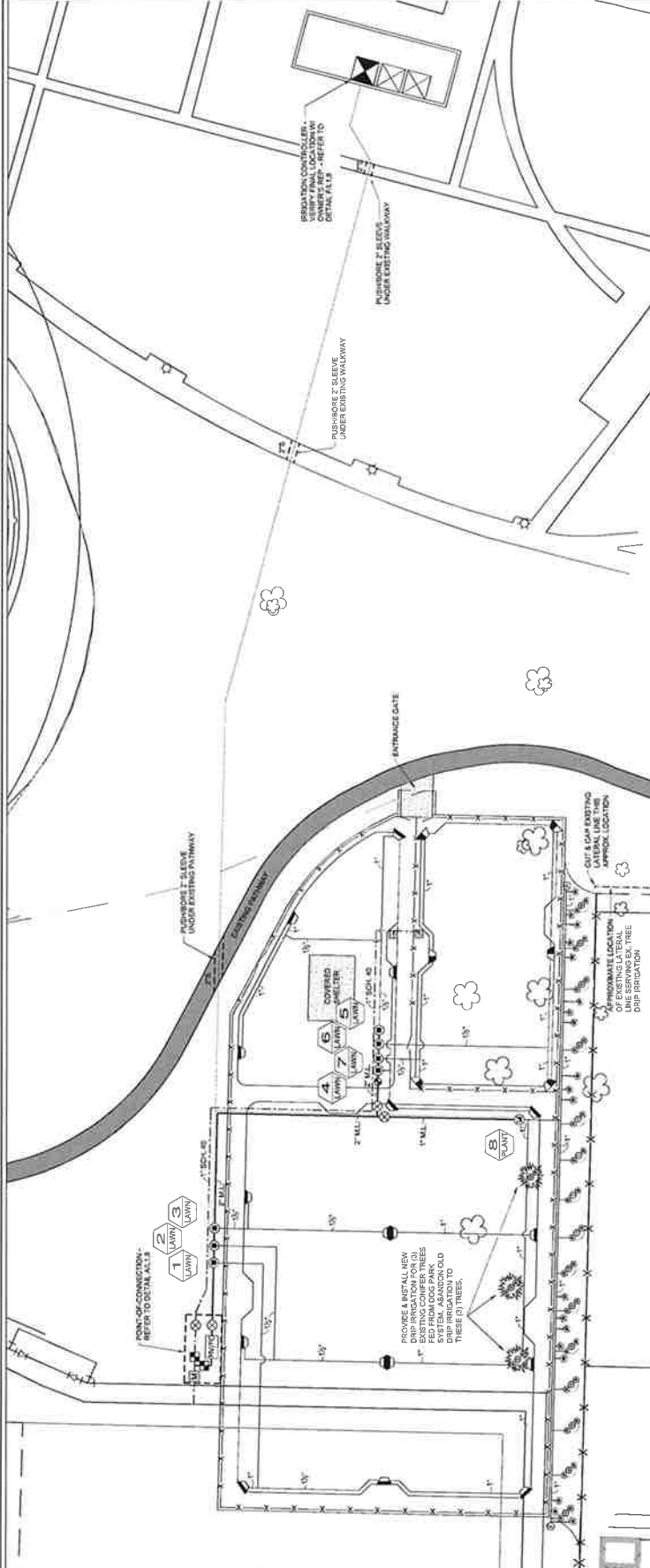
BOTANICAL NAME	SYM	TREES	QTY.	SIZE	CONDITION	REMARKS
Acer rubrum 'Armstrong' Armstrong Maple	(Symbol)	TREES	5	2' Gal.	B&B	
Calceolola rosea Fountain Gaura	(Symbol)	TREES	3	6-7 ft.	B&B	
2 Cupressopsis leylandii Leyland Cypress	(Symbol)	TREES	3	6-7 ft.	B&B	
SHRUBS	SYM	SHRUBS	QTY.	SIZE	CONDITION	REMARKS
8 PAM RHODODENDRON PAM RHODODENDRON	(Symbol)	SHRUBS	11	5 Gal.	Chk.	21-24"
11 COMPACT WINDY EUCALYPTUS COMPACT WINDY EUCALYPTUS	(Symbol)	SHRUBS	6	5 Gal.	Chk.	21-24"

LEGEND

EXISTING DECIDUOUS AND CONIFER TREE TO REMAIN



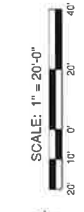
- TYPICAL PLANTING NOTES:**
- B&B stock may be substituted with container stock of equal grade.
 - Container stock may be substituted with b&b stock of equal grade.
 - Plant material shall conform with American Standard for Nursery Stock, ANSI Z60.1, 2004 edition.
 - All trees shall be banded.
 - 18 inch propagation bags are acceptable for b&b stock flowers. All planting beds shall have a minimum of 18 inch propagation bags.
 - Review of existing topsoil is recommended, but not required.
 - Garden mulch all planting beds with 3" min. Layer of specified garden mulch.
 - In the event of a discrepancy between this material listing and the drawings, the drawings shall govern.
 - Architect before proceeding.
 - Landscape contractor is to notify Landscape Architect prior to installation of plant material to approve.
 - Landscape Contractor to verify plant material quantities.
 - Contractor will provide a one year warranty on all provided & installed plant material from date of final approval by owner's representative.



HEAD	COMPANY & CAT. NO.	SIZE	Q.P.M.	F.S.L.
MASTER METER	100000 ROTATOR	14-20	40-147	40
MANIFOLD	RAN RPD 8005-SS-10N	57	10.1	60
VALVE	RAN RPD 8005-SS-10N	57	12.0	60
NETWORK	TECHLINE CY DRIPLINE - 1/2" GALVANIZED			

VALVE KEY

CONTROL VALVE NO.	1	2	3	4	5	6	7	8
CONTROL VALVE SIZE	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5



DESIGN CRITERIA

GENERAL NOTES

- The design of the irrigation system is based on the 2012 ASPE 1011.06.01.01.
- Watering system is designed to provide irrigation to existing trees with general parameters: 1/2\"/>

GENERAL KEY

SYM. DESCRIPTION

- CLASS RAINING BLEND - SAME AS NOTED
- MANIFOLD VALVE - SAME SIZE AS MANIFOLD
- CLASS 200-LATERALS - SIZE AS NOTED
- CLASS 1.5\"/>

SHERWOOD DOC PARK
SNYDER PARK

15365 SW SUNSET BLVD., SHERWOOD, OREGON 97140
CITY OF SHERWOOD PARKS AND RECREATION DEPARTMENT

REISBERG ARCHITECTURE & PLANNING
LANDSCAPE ARCHITECTURE & PLANNING
1404 NE 222ND AVE SUITE 100 SHERWOOD, OREGON 97133
PHONE: 503.631.4518 FAX: 503.974.0888

MEARS DESIGN GROUP

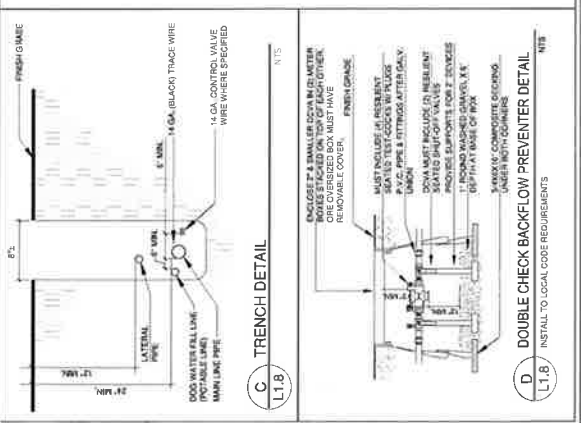
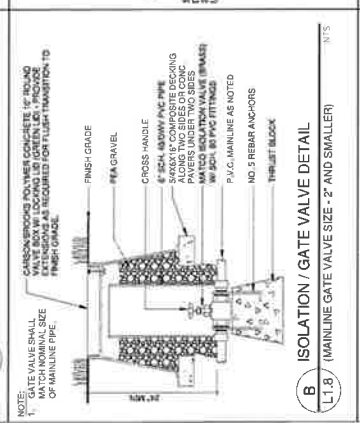
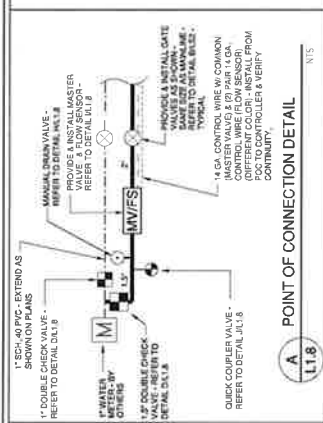
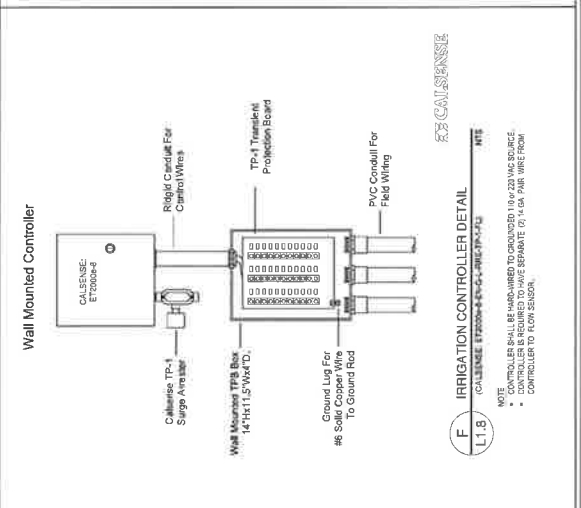
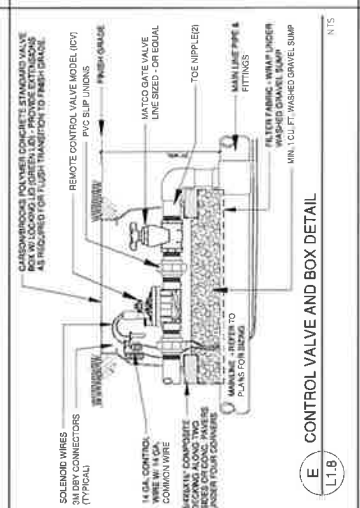
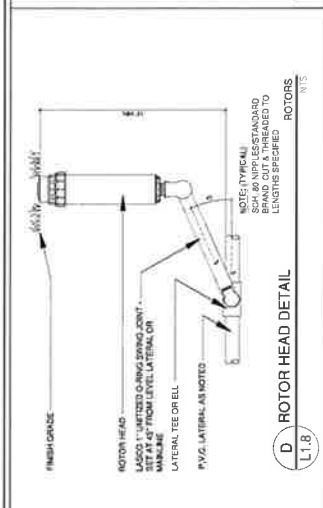
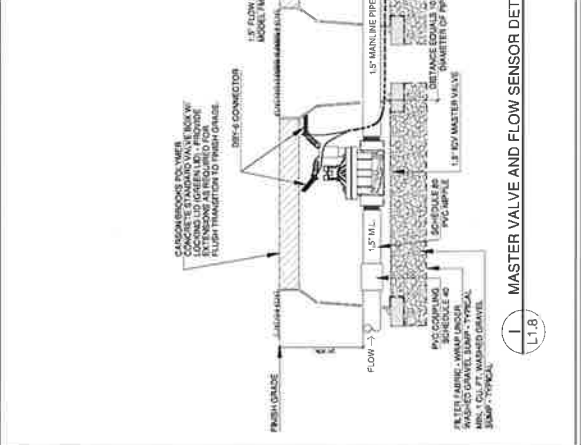
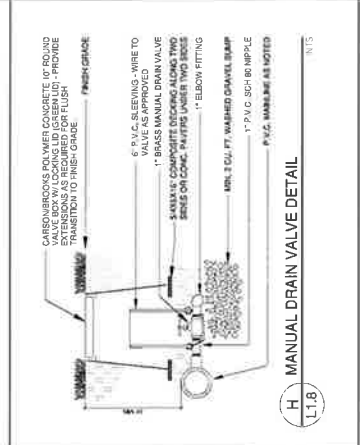
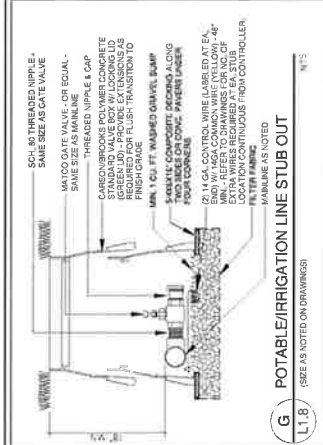
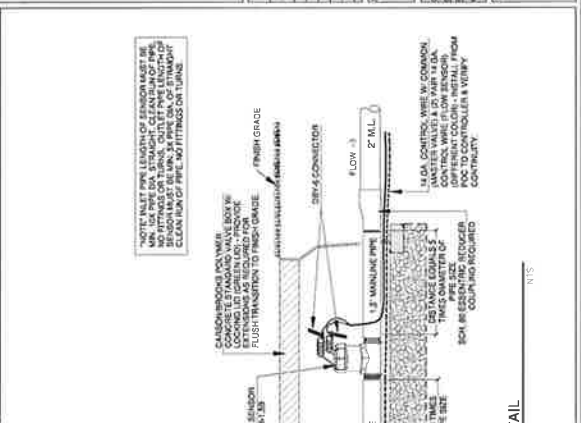
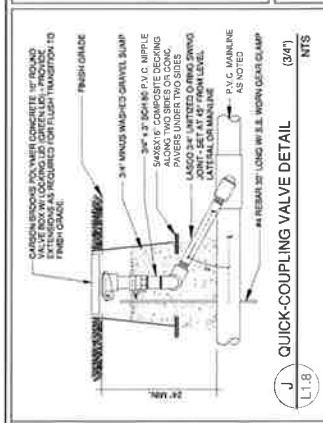
REISBERG ARCHITECTURE & PLANNING
TRACY A. REISBERG
ARCHITECT
11212003
OREGON 540

SHERWOOD DOC PARK
SNYDER PARK

SHEET NAME: IRRIGATION
DETAIL & NOTES

DRAWN BY: JAL
CHECKED BY: JAL
DATE: 02/23/15

SHEET: L1.8
OF 9 LAND USE SET



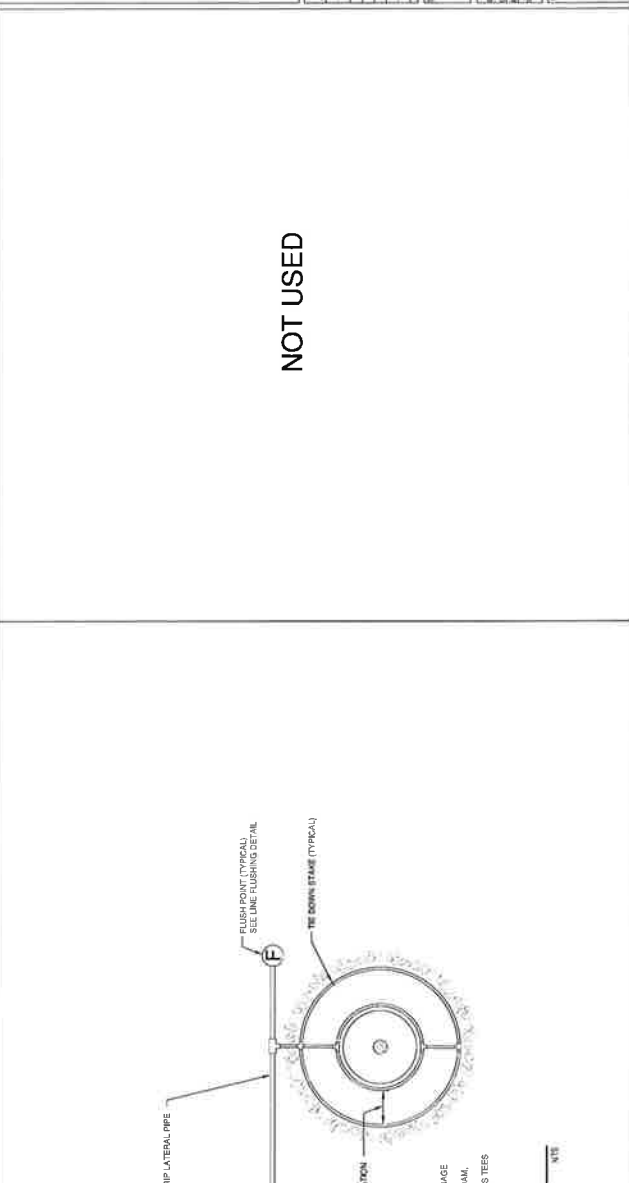
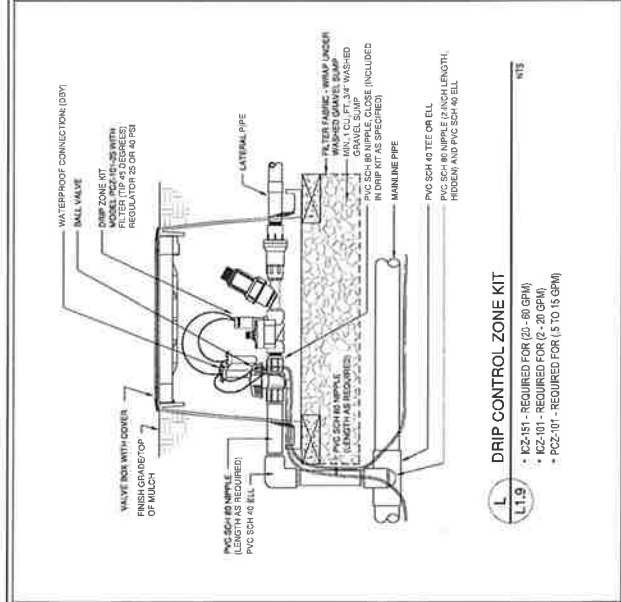
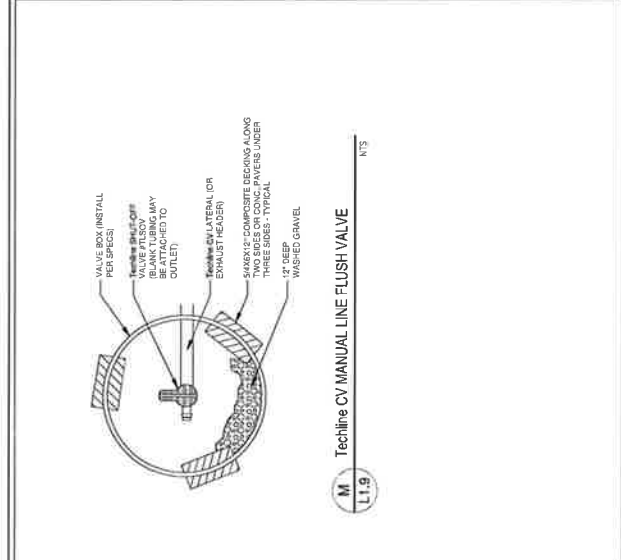
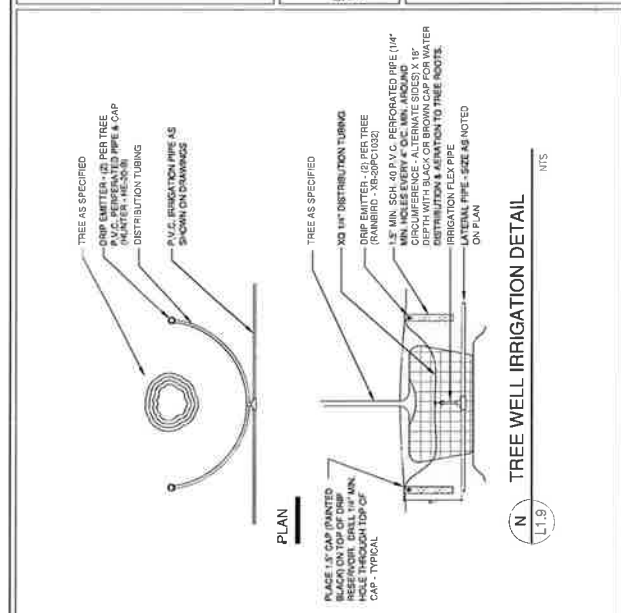
MEARS DESIGN+GROUP LANDSCAPE ARCHITECTURE & PLANNING
 100 NE 2323rd Street, Portland, Oregon 97228
 Phone: 503.601.4318 | Fax: 503.924.4888

RESEARCH ARCHITECTS
 TROY A. HEARS ARCHITECT
 OREGON 11/17/2015

SHERWOOD DOG PARK
 15365 SW SUNSET BLVD., SHERWOOD, OREGON 97140
 CITY OF SHERWOOD PARKS AND RECREATION DEPARTMENT

SHEET NUMBER	IRRIGATION DETAIL & NOTES
DRAWN BY	TJH
CHECKED BY	JAL
DATE	6/23/15
PROJECT	

L1.9
 OF 8 LAND USE SET



- NOTES:**
1. INST ALL MULTIPLE PRIMAS AS REQUIRED TO PROVIDE IRRIGATION COVERAGE FROM ROOT BALL TO PROJECTED TREE CANOPY.
 2. USE THE FOLLOWING SPACING EVERY THREE FEET IN SAND, FOUR FEET IN LOAM, AND FIVE FEET IN CLAY.
 3. FITTINGS REQUIRED WHERE THERE IS A CHANGE OF DIRECTION SUCH AS TEES AND ELBS. USE TE DOWN STAKES ON BISHOP LEGS OF THE CHANGE OF DIRECTION.
- L1.9** **SHRUB PLANTING - DRIP IRRIGATION DETAIL**
- NTS

NOT USED



Neighborhood Meeting Notice

Proposed Off-Leash Dog Area at Snyder Park

A **Neighborhood Meeting** will be held on **Monday, March 2, 2015** to inform the neighbors surrounding Snyder Park about the proposed off leash dog area at Snyder Park. The Community Services Department is planning to submit a land use application for the off leash area at Snyder Park shortly and we want to get feedback on the proposed plan. Interested community members are encouraged to attend. The proposed layout is on the back of this notice. The meeting will be held in the **Community Room at City Hall**, before the Parks and Recreation Board meeting on **March 2, 2015 from 6-7 pm**.

MARCH 2, 2015 AT 6 PM, COMMUNITY ROOM, CITY HALL
22560 SW PINE STREET, SHERWOOD

Project Proposal Information



For more information about the proposal please contact:
Kristen Switzer, Community Services Director 503-625-4210, or switzerk@sherwoodoregon.gov

Brad Kilby, Planning Manager

June 10, 2015

Planning Department,
Sherwood City Hall

Dear Sir;

A review of the recent print of the planned dog park indicates that none of the committee members have any knowledge of the various breeds of dogs and their exercise needs. The design clearly assumes that small dogs do not need very much space to run. Nothing could be further removed from the truth. Not all small dogs are low energy lap dogs. Information regarding this issue is readily available on the internet or by watching some dog segments of Animal Planet. It is abundantly clear that none of the committee members have bothered to do any of the research on this subject.

I know of three letters addressing the need for a larger small dog area that were previously delivered for enlightenment to City Hall prior to the last public meeting but have been told only that the letters were on file. Did anyone read those letters to the committee?

At the last public meeting I was told that high energy small dogs could just use the large dog area. This is a monumentally bad idea as it is not safe for small dogs to be in the large dog area. Many small dogs have fragile bone structures that could result in injury when encountering large dogs. Comparing an Italian Greyhound to a Doberman, both charging around at high speed, the possibility of serious consequences should be clear.

The statement has also been made that the small dog area could always be adjusted at a later date, if indicated. Since there is a flat rate fee each time the fencing crew is employed an additional cost would be incurred. This duplicate cost would be avoided by doing it right the first time. It is always more cost effective to do things right the first time. Also, the reality is that upgrades generally do not get done after the fact.

Thank you for your careful consideration of this issue.

Eileene Gillson



503-925-9138



Exhibit C. **Engineering Land Use Application Comments**

To: Brad Kilby, Planning Manager
From: Craig Christensen, P.E., Engineering Department
Project: Snyder Dog Park (SP 15-01)
Date: June 12, 2015

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

Sanitary Sewer

Currently public sanitary sewer mains exist within SW Pine Street along the subject site frontage. No public sanitary sewer main extensions are required. The proposed project is not proposing any facilities that will require sanitary sewer service.

Water

Currently there is a public water main existing within SW Pine Street. No public water main extensions are required. Water service currently exists for the subject property. Water service for this portion of the property is anticipated to come from existing service within the property. Domestic and irrigation water flows to be supplied to Public Works for verification of meter sizing.

Storm Sewer

Currently a public storm main exists within SW Pine Street across the street from the subject property central to the development and across the street at the northern end of the subject property north of the development.

A lateral connecting the development to the storm sewer at the north end of the subject property along SW Pine Street is required. This storm sewer flows to the Columbia Street regional treatment facility. Due to the development being a dog park, additional treatment requirements may be imposed by Clean Water Services.

Project: Snyder Dog Park (SP 15.01)
Date: June 12, 2015
Page: 2 of 3

If impervious area is added to the site, then water treatment shall be installed or a payment in lieu of installing water treatment shall be made if approved by the City Engineer and Clean Water Services.

Private storm water runoff within the subject property shall be collected and conveyed in accordance with the current Plumbing Code.

Transportation

Currently SW Pine Street is a 2-lane commercial street with varying width asphalt and no curb or sidewalk along the subject property frontage within a 20-foot wide half street right-of-way. There is a plan that has been engineered for the installation of capital improvements along SW Pine Street along the frontage of the subject property. These improvements consist of an 18-foot wide half street from centerline to face of curb with a 6-foot wide curb tight sidewalk within a 25-foot half street right-of-way. As part of this development, 5 feet of right-of-way shall be dedicated along the subject property frontage of SW Pine Street.

Grading and Erosion Control:

The Engineering Department requires a grading permit for all areas graded as part of the public improvements. The Engineering permit for grading of the public improvements is reviewed, approved and released as part of the public improvement plans.

An erosion control plan and permit is required from the City of Sherwood Engineering Department for all public and private improvements. The erosion control permit is reviewed, approved and released as part of the public improvement plans.

City policy requires that prior to grading, a grading and erosion control permit shall be obtained from the Building Department for all grading on the private portion of the site.

Area of disturbance shall be kept to less than 1 acre unless a NPDES 1200-CN permit has been obtained.

Other Engineering Issues:

A Service Provider Letter and Storm Water Connection Permit Authorization from Clean Water Services are required.

An 8-foot wide public utility easement shall be dedicated along the subject property frontage to SW Pine Street.

Sherwood Broadband utilities shall be installed as per requirements set forth in City Ordinance 2005-017 and City Resolution 2005-074 unless otherwise approved by the City of Sherwood IT Director.

Project: Snyder Dog Park (SP 15.01)
Date: June 12, 2015
Page: 3 of 3

Currently layout of dog park would likely prevent future lots along SW Pine Street in the vicinity of the dog park due to inadequate lot depth.

END OF COMMENTS

Sherwood Planning Commission Meeting

Date: June 23, 2015

Meeting Packet

Approved Minutes Date Approved: Oct 13, 2015

Request to Speak Forms

Documents submitted at meeting:

Exhibit 1 - Tannery Brownfield Site Assessment
Public Involvement Plan

Exhibit 2 - Snyder Park Dog Park SP15-01

Exhibit 3 - Snyder Park Dog Park
- Applicant's Presentation

I HAVE READ AND UNDERSTOOD THE RULES FOR MEETINGS IN THE CITY OF SHERWOOD.

1. PLEASE INDICATE THE ITEM YOU WOULD LIKE TO SPEAK ABOUT

Date: 6-23 Agenda Item: CLAM DEVICE (From Agenda)

NOTE: If you want to speak to the Commission about more than one subject, please submit a separate form for each item.

2. PLEASE MARK YOUR POSITION/INTEREST ON THE AGENDA ITEM

Applicant: _____ Proponent: _____ Opponent: _____ Other: _____

3. PLEASE PROVIDE YOUR NAME AND ADDRESS IN A LEGIBLE FORMAT TO RECEIVE A COPY OF THE NOTICE OF DECISION ON THIS MATTER.

Name: ANTHONY BEVEL

Address: 17036 SW LYNOLY WAY

City/State/Zip: SI

Email Address: RUGBYBEVEL@AOL.COM

I represent: **Myself** **Other** _____

4. PLEASE GIVE THIS FORM TO THE RECORDING SECRETARY PRIOR TO YOU ADDRESSING THE PLANNING COMMISSION. Thank you.

I HAVE READ AND UNDERSTOOD THE RULES FOR MEETINGS IN THE CITY OF SHERWOOD.

1. PLEASE INDICATE THE ITEM YOU WOULD LIKE TO SPEAK ABOUT

Date: 6/23 Agenda Item: Dog Park (From Agenda)

NOTE: If you want to speak to the Commission about more than one subject, please submit a separate form for each item.

2. PLEASE MARK YOUR POSITION/INTEREST ON THE AGENDA ITEM

Applicant: _____ Proponent: _____ Opponent: _____ Other: X

3. PLEASE PROVIDE YOUR NAME AND ADDRESS IN A LEGIBLE FORMAT TO RECEIVE A COPY OF THE NOTICE OF DECISION ON THIS MATTER.

Name: Pat Johnson
Address: 23035 SW PINE ST
City/State/Zip: SHERWOOD OR 97140

Email Address: Laidbackendeavors@gmail.com

I represent: **Myself** X **Other** _____

4. PLEASE GIVE THIS FORM TO THE RECORDING SECRETARY PRIOR TO YOU ADDRESSING THE PLANNING COMMISSION. Thank you.

I HAVE READ AND UNDERSTOOD THE RULES FOR MEETINGS IN THE CITY OF SHERWOOD.

1. PLEASE INDICATE THE ITEM YOU WOULD LIKE TO SPEAK ABOUT

Date: 6-23/15 Agenda Item: Dog Park (From Agenda)

NOTE: If you want to speak to the Commission about more than one subject, please submit a separate form for each item.

2. PLEASE MARK YOUR POSITION/INTEREST ON THE AGENDA ITEM

Applicant: _____ Proponent: _____ Opponent: _____ Other: X

3. PLEASE PROVIDE YOUR NAME AND ADDRESS IN A LEGIBLE FORMAT TO RECEIVE A COPY OF THE NOTICE OF DECISION ON THIS MATTER.

Name: Kathleen Williams
Address: 23195 SW Pine St
City/State/Zip: Sherwood OR

Email Address: KWilliams

I represent: **Myself** X **Other** _____

4. PLEASE GIVE THIS FORM TO THE RECORDING SECRETARY PRIOR TO YOU ADDRESSING THE PLANNING COMMISSION. Thank you.

Tannery Brownfield Site Assessment Public Involvement Plan

May 22, 2015

1 INTRODUCTION

The City of Sherwood received a \$200,000 site assessment grant from the United States Environmental Protection Agency (EPA) to conduct site assessment and develop a clean-up plan for two lots associated with the Tannery Brownfield site. This public involvement plan was prepared in accordance with EPA guidelines for public involvement on EPA-funded brownfield projects. It outlines the actions the City will take to involve the public in assessment and clean-up decision making and planning.

2 PROJECT DESCRIPTION AND DELIVERABLES

The City received an EPA Site-Specific Brownfields Assessment Grant for the former Frontier Leather tannery brownfield to characterize, assess and conduct cleanup planning and community involvement related activities. The site is located near the northeastern edge of the City (Site). Washington County (County) acquired the Site through property tax foreclosure and is beginning the process of assessing conditions at the tannery and moving it toward redevelopment. The grant will assess two of the six tax lots (tax lots 600 and 602) that comprise the former tannery and which represent 25 acres of vacant industrial land with known contamination and wetland areas. The other four former tannery tax lots, which are privately owned, have been cleaned up to the Oregon Department of Environmental Quality's (DEQ's) satisfaction. The grant funding will allow the City of Sherwood (City) to assess and plan cleanup of the former tannery property with intent to relocate the City's public works yard to the tannery site, which is a more appropriate location for the yard than its current location in downtown Sherwood and can accommodate a larger yard area. Public Works has estimated that it needs approximately 8 acres, therefore, the clean up plan will also need to consider other potential users on remaining developable portions of the site and potential use of undevelopable portions for trail access and open space observation.

The EPA Cooperative Agreement Work Plan identifies the following required public involvement deliverables:

- Prepare this Public Involvement Plan.
- Facilitate up to four public meetings.
- Develop a minimum of two fact sheets.
- Implement the Agency for Toxic Substances and Disease Registry Action Model Report.

6-23-15
Date

PC
Gov. Body

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Agenda Item

1
Exhibit #

3 PUBLIC PARTICIPATION OBJECTIVES

The main objectives of the public participation are to:

- Engage residents, businesses and other stakeholders to discuss brownfields revitalization.
- Inform them of project progress and results.
- Garner input on the clean-up action plan.
- Build excitement and momentum for the clean-up phase and public works relocation.

4 SPOKESPERSON AND ADMINISTRATIVE RECORD

Project spokesperson:

Julia Hajduk, Community Development Director
503-625-4204
City of Sherwood
22560 SW Pine Street
Sherwood, OR 97140

Site records will be made available to the public during normal working hours throughout the duration of the project. Records including site investigation reports, meeting notes, decision documents, public notices, summary of response to public comments, etc. will be made available at Sherwood City Hall and the project web site.

5 PROJECT PARTNERS

There are several project partners that the City will be working with on this project who have a role in assisting with the public outreach:

Washington County Public Health – The City has an agreement and contract with Washington County Public Health to help facilitate education and outreach by using the ATSDR Action Model and to produce a final summary report of the findings

Washington County property management – The sites being assessed are currently owned by Washington County through tax foreclosure, therefore they will be consulted throughout the process the property owner.

Oregon Department of Environmental Quality – The Oregon Department of Environmental Quality (DEQ) will be providing oversight of the assessment and cleanup-planning segments of the project to ensure that human health and the environment will be protected for future site uses.

6 PROJECT STAKEHOLDERS

In order to plan for meaningful, comprehensive engagement with the community, we have identified stakeholders from various community and government sectors across the local area. The following is a non-exclusive list of specific identified stakeholders in addition to the general community:

- Clean Water Services
- Friends of the Refuge
- Oregon Department of Environmental Quality
- Oregon Department of State Lands
- Sherwood Chamber of Commerce
- Sherwood City Council
- Sherwood Historical Society
- Sherwood Main Streets
- Sherwood Parks Board
- Sherwood Planning Commission
- Sherwood School District
- Tualatin River National Wildlife Refuge
- US Army Corps of Engineers
- Washington County
- Adjacent neighbors

The City will coordinate with these identified stakeholders throughout the process to identify opportunities to engage, educate and obtain input. As other stakeholders are identified they will be added to the City's list of stakeholders and folded into the outreach plan.

7 PUBLIC MEETINGS

As a cornerstone of project public involvement activities, the City will host three public meetings. These meetings will be timed to focus on the ATSDR Brownfield and Land Reuse Action Model. The first two meetings will be public work sessions with the Planning Commission. These Public Work Sessions will be well publicized. Community members – residents, businesses, service providers, elected and appointed officials as well as other identified stakeholders – will be invited to attend. The third public meeting will use an open house format. Based on the content availability and questions to be asked, City staff and the consultant team will design appropriate meeting formats, tools and online corollaries. Amec Foster Wheeler staff will be available to participate in the meetings as subject matter experts.

1. The first meeting will focus on providing a brief project background and official kick-off. Washington County Health Department staff will facilitate the first discussion consistent with the first element of the ATSDR Model which asks: What are the issues and opportunities in the community with respect to this brownfield redevelopment effort? Community responses will be taken into consideration when developing the work plan.
2. At the second meeting, the consultant team will report the initial site assessment findings and seek community comments. The Washington County Health Department staff will facilitate

discussion on the 2nd 3rd and 4th elements of the ATSDR model which ask: How can development address identified issues? What are the corresponding community health benefits? What data are needed to measure change?

3. At the third and final meeting, the consultant team will present the draft Cleanup Plan and ask for community comments.

A fourth meeting will be held if the public interest warrants an additional meeting.

In addition to these planned outreach meetings, staff from the City will make themselves available to provide brief project updates at meetings, community events and other opportunities upon request.

8 FACT SHEETS

To meet the public information objective of this plan, fact sheets throughout the course of the project. The timing of the fact sheets will be to help raise awareness and encourage participation in the public meetings. A series of three fact sheets are currently anticipated as described below:

- Fact sheet #1 will provide a project overview, contact information and highlight the project process to let the public know about opportunities to provide input.
- Fact sheet #2 will provide a summary of site assessment results, publicize public outreach meeting #2 and encourage community participation and input.
- Fact sheet #3 will provide a summary of the draft Cleanup Plan, publicize outreach meeting #3 and encourage community participation and input.

9 OTHER PUBLIC INVOLVEMENT ACTIVITIES

In addition to public outreach meetings and fact sheets, the following public involvement activities:

- Key messages will be developed which will provide critical information and highlight project benefits.
- A project website will be prepared which will provide project information and contact information throughout the project.
- Social media, articles for *The Sherwood Archer*, and media releases for the *Sherwood Gazette* will be provided on a quarterly basis.

10 PROJECT STAGES

The graphic below illustrates the main phases in the project and opportunities for public input:

	Spring 2015	Summer 2015	Fall 2015	Winter 2016	Spring 2016	Summer 2016	Fall 2016	Winter 2017	Spring 2017
Project kick-off									
Finalize work plan									
Field work									
Assessment report									
Draft clean-up plan									
Public outreach/engagement	★				★			★	
Website page and news updates on-going									

Snyder Park Dog Park SP15-01

June 23, 2015
Public Hearing
Sherwood Planning Commission

Site



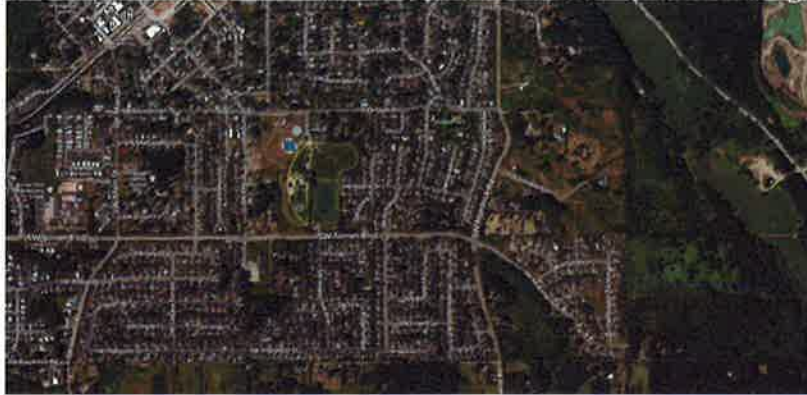
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Exhibit #

Vicinity Map



PROPOSAL

Proposal to add a fenced and gated off-leash area approximately one acre in size to the existing boundary of Snyder Park.

- Will operate under existing park rules
 - Hours: dawn to dusk (lighted fields are different)
- Gated entry
- Separate areas for large and small dogs
- Amenities to include:
 - Watering station
 - A table
 - Benches
 - Shelter
 - Play features
 - Bark dust trail/Grass fields

Construction

- Proposed to be constructed as funds are available. Some amenities such as the covered shelter are likely to be constructed later.
- Construction equipment will be staged off of the gravel access into the site, and will be chained off once the initial dog park is constructed.

ISSUES

- The scope of the review is limited to what is being modified.
 - Nearby residences
 - Noise
 - Odors
 - Aesthetics
 - Parking
- Mitigation Measures
 - Added landscaping between the park and the adjacent residences
 - No lighting
 - Waste collection
 - Watering station
 - Gated access
 - Rules of the park

STAFF RECOMMENDATION

Staff Recommends approval of the application with conditions:

1. Tree protection for the existing trees is provided during construction,
2. A stormwater connection permit is obtained, and
3. Dedications and easements are provided to ensure that there is adequate right-of-way for the extension of utilities and the future build out of SW Pine Street.



Home of the Tualatin River National Wildlife Refuge

Snyder Park Dog Park

SP 15-03



Planning Commission Public Hearing
June 23, 2015
Applicant's Presentation

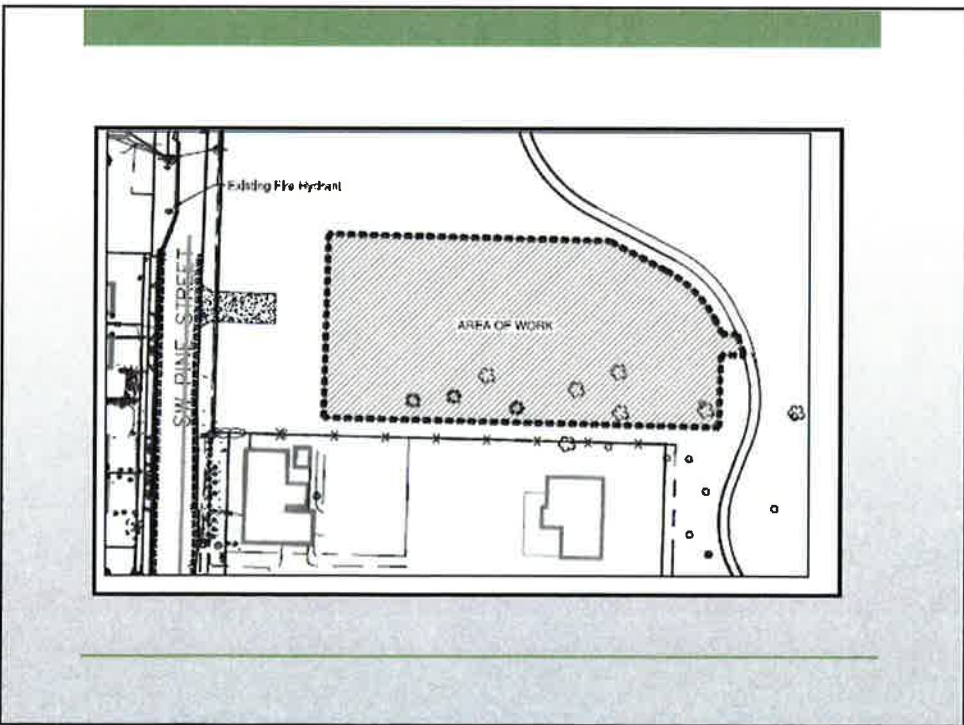


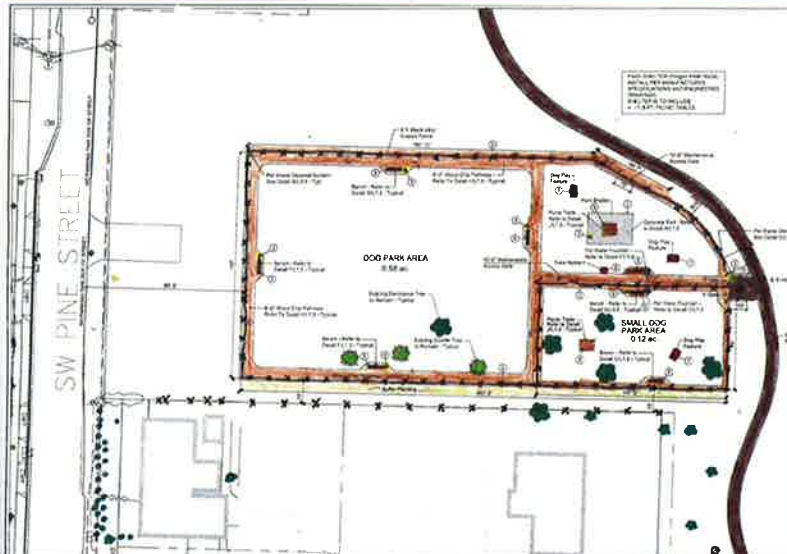
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Date

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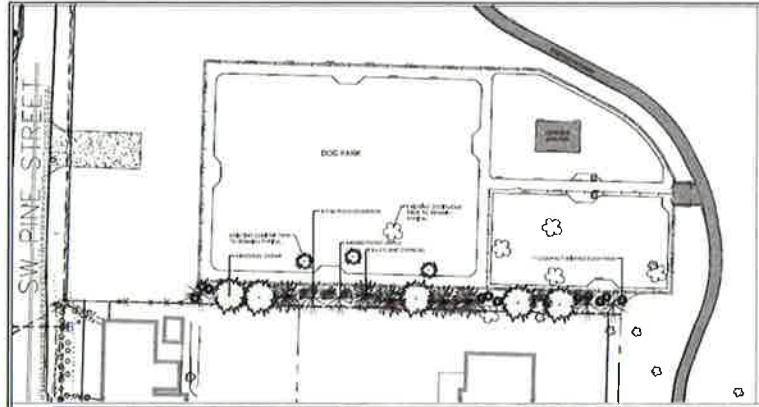
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Exhibit #





Detailed Site Plan



Landscaping around Off Leash area



Proposed Dog Park Location

Pine Street North View



No Parking on Pine Street

Construction Staging Area



Pine Street



Southern Parking Lot



Northern Parking Lot



Existing pathways to off-leash area



Dog Park Amenities



Questions?

APPROVED MINUTES

City of Sherwood, Oregon
Planning Commission
June 23, 2015

Planning Commission Members Present: Staff Present:

Chair Jean Simson

Vice Chair Russell Griffin

Commissioner Michael Meyer

Commissioner Alan Pearson

Julia Hajduk, Community Development Director

Bob Galati, City Engineer

Craig Sheldon, Public Works Director

Brad Kilby, Planning Manager

Michelle Miller, Senior Planner

Michelle Babcock, Administrative Assistant

Planning Commission Members Absent:

Commissioner James Copfer

Commissioner Chris Flores

Commissioner Lisa Walker

Council Members Present:

None

Legal Counsel:

None

1. Call to Order/Roll Call

Chair Jean Simson called the meeting to order at 7:00 pm.

2. Consent Agenda

Chair Simson asked that clarification that the background check required for medical marijuana dispensary was for the owner in the April 14, 2015 Planning Commission meeting minutes. She gave scrivener's errors for both the April 14 and May 12, 2015 to staff.

Motion: From Commissioner Alan Pearson to approve the Consent Agenda, Seconded by Vice Chair Russell Griffin. All present Planning Commissioners voted in favor (Commissioners James Copfer, Chris Flores, and Lisa Walker were absent).

3. Council Liaison Announcements

Council President Sally Robinson spoke of the Mayor's priority to have a dog park in Sherwood and said Council looked forward to a recommendation from the Planning Commission.

4. Staff Announcements

Brad Kilby, Planning Manager, asked for confirmation from commissioners who wanted to attend a tour of Villebois in Wilsonville on July 10th.

Mr. Kilby informed the Commission that a Sherwood West Preliminary Concept Plan Ice Cream Social was held on June 18th with thirty seven people attending. He said the project had an online survey with three alternatives; available until July 19, 2015. The next Community Advisory Committee meeting will be held on July 30, 2015 at the Police Facility where comments received from the public will be reviewed and a plan refined. Mr. Kilby told the Commission they would receive an update at the July 14, 2015 Planning Commission meeting, the same night there will be a public hearing on proposed Backyard Chicken legislation.

Mr. Kilby said the Planning Department will have public outreach at Music on the Green in July and August regarding the Sherwood West Preliminary Concept Plan, the Cedar Creek Trail and possibly the Tannery Site Assessment.

Mr. Kilby announced that the City received a notice to proceed for the Cedar Creek Trail after three years with the Oregon Department of Transportation (ODOT) and the Federal Highway Administration. He said there would be a site visit the following week to identify areas that needed to be surveyed for the alignment. The Local Trail Advisory Committee (LTAC) would begin meeting in September and construction may begin in 2016.

Mr. Kilby asked Community Development Director, Julia Hajduk, to talk about the Tannery Site Assessment project. Ms. Hajduk passed out a copy of the Public Involvement Plan (see record, Exhibit 1) and said on July 28, 2015 there would be a public work session focusing on the Tannery Brownfield Site Assessment. She said the Washington County's Public Health Department staff would facilitate the meeting. Ms. Hajduk reminded the Commission that the City received a grant from the Environmental Protection Agency (EPA) to do a site assessment of two of the orphaned tannery sites that had been foreclosed by Washington County. She said the City would do some site assessments to determine the liability and obligations for cleanup should the City acquire the property. Ms. Hajduk described an idea of possibly moving the Public Works yard to the larger tannery site, freeing up the existing Public Works site to redevelop into something more compatible with Old Town. She pointed to the schedule on the last page of the Public Involvement Plan and indicated the project would officially kickoff at the Public Work Session on July 28, 2015 and conclude in Spring 2017. She said at the end of the process the City would have a good idea of the issues, and what sort of cleanup would be needed to allow the Council to make a formal decision regarding acquisition of the property.

Chair Simson asked for clarification of where the parcels in question were. Ms. Hajduk said they were the eastern most pieces next to Rock Creek about where Orland Street met Oregon Street.

Mr. Kilby then reported regarding development and said Sherwood High School had purchased property on 1st Street and the red house would be demolished shortly followed by a land use review before the Planning Commission and building beginning in the fall.

Mr. Kilby stated there had been inquiries from developers interested in developing commercial zoned property residentially and announced that DR Horton was in the process of constructing public improvements off of Meinecke Parkway. He said Killer Burger has announced a location on Langer Farms Parkway and that the Old Spaghetti Factory had submitted for building permits, hoping to open in the spring.

Mr. Kilby announced that Woodhaven Park Phase II was in review and a request for annexation of eighty two acres in the Brookman area had been received and would go before City Council, on August 4, 2015 to be placed on the ballot in November 2015. The annexation request would not be heard by the Planning Commission.

Mr. Kilby asked for any questions from the Commission.

Commissioner Pearson asked about Baja Fresh coming to Sherwood. Mr. Kilby confirmed and responded that the proposed work would not require a modification to the approved land use unless the parking is changed.

Vice Chair Griffin asked for an update on any medical marijuana dispensary applications. Michelle Miller, Senior Planner replied that an application had been received and the decision would be made after June 26, 2015. She said the comment period was still open and reminded that social media comments would not be part of the public record.

5. Community Comments

Anthony Bevel, Sherwood resident commented on traffic calming devices. He said he lived on Lynnly Way, a street between Roy Rogers Road and Edy Road, which had become a cut through street. Mr. Bevel said he has commented several times about traffic calming devices and he would like to see measures to slow the traffic put in on his street. He commented regarding excuses received about the fire department not wanting the devices or that there was no budget for them. He said his and other streets should be looked at for traffic calming.

With no other comments, Chair Simson moved to the next item on the agenda.

6. New Business

a. Public Hearing – SP 15-01 Snyder Park Dog Park (Brad Kilby)

Chair Simson read the public hearing statement and asked the Commission for ex parte, bias or conflicts of interest.

Chair Simson stated that she had a conversation with a coworker about dog parks and the hours of operation saying Newberg and Lake Oswego had limited hours of operation. She said the conversation would not affect her ability to make an unbiased decision and disclosed that she had visited Snyder Park on more than one occasion. No other statements were received.

Chair Simson explained that the Planning Commission was the final decision maker unless the application was appealed and then it would be heard by City Council. She asked if any member of the audience wished to challenge any Planning Commission member's ability to participate. None were received. Chair Simson asked for a staff report.

Brad Kilby, Planning Manager stated the land use action, SP 15-01 Snyder Park Dog Park, was a major modification to the original approved site plan for Snyder Park and began a presentation (see record, Exhibit 2). He explained that the land was acquired in 1993 and constructed as Sunset Park in 2003. Subsequent to that action there were approved modifications for construction of the tennis courts, the reservoir, pump station, and field lighting as late as 2008. Snyder Park is approximately 20.88 acres and is bound on the east by SW Division Street, on the west by Sunset Blvd, on the south by SW Pine Street and by a residential neighborhood to the north. Mr. Kilby said the proposal was to add an approximately one acre fenced and gated off-leash area for dogs that would operate under the existing park rules from dawn to dusk (lighted fields have their own hours of operation as set by the hearings officer).

Mr. Kilby explained that the off leash dog park area would have a gated entry, separated areas for large and small dogs and amenities that included a watering station, table, benches, shelter, play features, bark dust and a grass turf field. He said the dog park was proposed to be constructed as funds became available and current available funds would install the fences, landscaping, bark dust and some of the amenities, but some amenities like the shelter were likely to be constructed later, even though they were included in the application.

Mr. Kilby related that construction equipment would be staged on the gravel access location off of Pine Street, once the dog park was completed, the access would be closed and not be a location for vehicular access to the park.

Mr. Kilby clarified that as a major modification to an approved site plan the scope of the review was limited to the changes being made to the existing park. He said staff looked at issues that may affect nearby residences and related mitigation measures. He noted that there are no set design standards for parks, but staff reviewed the noise, odors, aesthetics, parking, and impacts to nearby property owners. Mr. Kilby pointed out measures to reduce the impact to neighbors that included a thirteen foot landscaping buffer between the park and the adjacent neighborhood, no additional lighting, on site waste collection, gated access to the park, and posted park rules regarding animal control inside the park. He said the park would be maintained by Public Works as part of their regular maintenance schedule with daily garbage pickup and park rules would require pet owners to clean up after their pets with the provided bagging station within the park.

Mr. Kilby stated staff recommended approval of the application with the conditions as listed and indicated there were several trees on site (see sheet L1.4 in the application materials) which were all proposed to remain and Staff had required tree protection for the trees during construction, a storm water connection permit from Clean Water Services to handle runoff from the site, and dedications and easements for utilities and the right-of-way for the extension of utilities and the future build out of SW Pine Street. Mr. Kilby commented that the City would be dedicating land for future street (currently dedicated as park land) to ensure the right-of-way for future Pine Street improvements.

Mr. Kilby asked for questions from the Planning Commission.

Chair Simson asked if the dedication would include improvements to Pine Street and if the street would be full width with parking at a future date. Mr. Kilby replied it was just a dedication.

Bob Galati, City Engineer, responded that the dedication requirements were based on City street standards and a design done for the Pine Street Extension which would be the same as the existing Pine Street without parking on either side. Mr. Galati said it was possible to modify the design and have parking in the future, but the street would still fit within the standardized right-of-way width.

Mr. Kilby added that current signage included “No Parking” signs along the Pine Street frontage and that parking requirements were assumed to be the same as before the addition of the dog park where there was sufficient parking to accommodate the use.

Chair Simson opened the public hearing for testimony. She noted that staff was also the applicant.

Michelle Miller, Senior Planner, and Craig Sheldon, Public Works Director for the City of Sherwood came forward. Ms. Miller stated that Mr. Sheldon was in charge of City parks and park maintenance and had an integral role in the proposed application of the dog park.

Ms. Miller gave a presentation (see record, Exhibit 3) and said as noted by Council President Robinson there had been a lot of support within the community to get a dog park in the City. Ms. Miller reported that the Parks Board and staff took up the challenge to find a location for the first dog park in Sherwood about a year ago and looked at a variety of sites; landing on Snyder Park as the best location. She said a public open house was held on September 2, 2014 resulting in some minor changes to the design and a neighborhood meeting was held on March 2, 2015. She also confirmed that City Council recently approved the dog park as a line item in the City budget.

Ms. Miller showed the location of Snyder Park with the proposed off leash area. She explained that the dog park was approximately 370 feet above sea level offering a great view as it looked down on Pine Street at about a 1.5% grade. She said the trees would remain on the site and the photo shown was taken right on the path looking towards the proposed dog park. Ms. Miller presented a detailed site plan with the large dog park area at .58 acres and the smaller dog park at .12 acres. She said the dogs and their owners would enter a gated area (fence will be approximately five feet tall), then enter either the large park area or small park area and be able to take their dogs off the leash. She said the park was about eighty five feet from Pine Street and about thirteen feet from the residential properties to the south (the residential properties are surrounded by a six foot high wood fence). The thirteen foot wide area between will be a landscape buffer with another fence confining the dog park area.

Ms. Miller noted a nearby resident's concern from the neighborhood meeting that people might park on Pine Street, where there is no parking, and trek up the hill to the dog park. She said adjacent to the dog park on Pine Street was a substantial berm that will be difficult to traverse and the entrance to Snyder Park is located at the top of the hill.

Ms. Miller showed the gravel construction staging area for the dog park, the south parking lot off of Sunset Blvd., and the north parking lot off of Division Street near the ball park. She showed access pathways to the off leash area and said some of the various amenities designed to be on the project included park benches, picnic tables, a dog water fountain, trash enclosures, dog themed benches, and doggie waste bags.

Ms. Miller stated the applicant was in agreement with the conditions of approval and requested approval of the application.

Chair Simson asked for questions from the Commission.

Commissioner Alan Pearson commented that he lived in the area and did not currently own any dogs. He asked if there would be signage between the large and small dog areas and what differentiation there would be for medium dogs; would it be by height or weight.

Craig Sheldon, Public Works Director responded that staff had conducted a lot of research and found that most agencies post signage for large and small dogs and the dog owners made the decision as to which park to enter, because they know their dogs. He added that there would be signage placed in the park with dog rules and he was advised to set the rules up front without changing them.

Commissioner Pearson received confirmation from Mr. Sheldon that the turf would be grass and stated that dog urine burns the grass. Commissioner Pearson assumed the area would not be irrigated and asked about the anticipated cost of replacement for grass that is urine burned and would no longer grow.

Mr. Sheldon replied that the plan did include an irrigation system in the grass area and acknowledged that there could be issues, but said there were ways to deal with them. He indicated a bigger issue at Snyder Park was that there are times of the year where the park would have to be closed. A lot of other dog parks had an off leash area for during the winter months, but this one did not. Mr. Sheldon said the Parks Board agreed that the dog park would have to be shut down if the turf becomes torn up.

Commissioner Pearson disclosed that he was in favor of the park, but wanted assurance that all of the costs were considered. He asked what would be done about dogs that liked to dig.

Mr. Sheldon responded that about 500 hours a year of maintenance labor was expected for upkeep of the park including extra fertilization, but there were things outside of the budget that may not have been thought about.

Commissioner Pearson commented that Snyder Park users hoped the dog park would go a long way to alleviating the “extra little packages” left behind in other areas of the park. He asked if “pooper scoopers” would be available or if dog owners were expected to use the plastic bags. He was told there would be bags provided by the City unless a donation was received.

Commissioner Pearson spoke of using recycled shopping bags. He commented that the park was well thought out, he liked the fake fire hydrant, and he did not foresee many more dogs using the park, that were not already using Snyder Park, so he did not see a lot of increased noise or traffic. He mentioned that he thought it would be the first of many, because there are dogs in all parts of the city, and it was a nice place to start.

Mr. Sheldon added that there were about 18 parking spots on Division Street built during the reservoir project and more No Parking signs would be added on Pine Street.

Vice Chair Griffin asked for clarification about fencing for the park and the smaller dog area. He was informed that there is a perimeter fence around the park and a separate area for the small dogs; all fences would be five feet tall. Vice Chair Griffin said he was thinking about mixing different sized dogs and received confirmation that only the small dogs were allowed in the little area and the rest of the park was open to the big dogs. He suggested a height requirement sign. Mr. Griffin commented on Exhibit B, a letter from Ms. Gillson, who thought the small dog area was not big enough and asked for any research done.

Mr. Sheldon replied that the city was trying to fit the dog park in a certain area using the funds available and to be good neighbors to the residents nearby, but space was limited due to a water vault and water lines that could not be encroached upon.

Vice Chair Griffin asked if the thirteen foot deep landscape buffer to the residential properties would be sight blocking when fully grown. Mr. Sheldon confirmed it would.

Chair Simson asked if any buffering would be placed to improve the view from Pine Street up the hill or if people would just see a fence.

Mr. Sheldon indicated it would just be the fence and added that planting anything was a concern because of the infrastructure below.

Vice Chair Griffin asked how the City anticipated policing the dog park rules. Mr. Sheldon responded that public works does not write tickets and the police non-emergency line should be called. Vice Chair Griffin clarified by restating the question and asked if the rules would be clearly marked and what backing there would be for rules that are broken.

Mr. Sheldon answered that public works staff were often on site, a citizen could call, or at times the Police may be there. He confirmed with Chair Simson that code compliance would take care of noise, odor, and other issues neighbors may have and a phone number would be posted with the rules.

Chair Simson asked about closing the park during the winter months. Mr. Sheldon responded that if the park becomes too muddy it would need to be closed.

Chair Simson commented that the neighborhood meeting information was not included in the packet. Ms. Miller said it was likely an oversight.

Commissioner Pearson asked about liability issues should a person be bitten in the park. Mr. Kilby compared the liability to someone falling and breaking an arm at the park and confirmed that the City had insurance. Mr. Sheldon added that staff had been working with the insurance company regarding the information posted on the signage.

Commissioner Michael Meyer asked if there was a double gate to get into the park space. Mr. Sheldon responded that there would be two gates to go through to get into the dog park.

With no other questions for the applicant, Chair Simson asked for public testimony. She asked first for proponents then opponents followed by other.

Pat Johnson, Sherwood resident near the proposed dog park said he put other on the form. He said he thought a dog park was a great thing for the community, but had concerns about the parking, because people do park on [Pine] street and it backs up. He said since Langer Farms Parkway was extended to Home Depot the traffic had increased a lot. Mr. Johnson revealed that he wrote to and received a response from the Police Chief Groth about the speeding from through traffic. Mr. Johnson expressed concerns about safety for children, dog walkers and potential accidents. He asked if the entrance on the side facing Pine Street could be looked at again.

Chair Simson responded that she did not think the entrance to the park would be on the Pine Street side. She pointed out that the gravel area was a chained off, construction staging area that was used for the water reservoirs. She said the chain and the berm were expected to stay to discourage access to the park from Pine Street. Mr. Johnson expressed that he wanted to point out the problem of having more dogs and kids in an area that was experiencing increased traffic problems.

Kathleen Williams, Sherwood resident near the proposed dog park said she was at the last meeting at City Hall for the dog park. She stated she was part of a group that canvassed the area and gathered signatures when a housing subdivision was proposed along Pine Street. She said a newer member of the Parks Board told her that the dog park was set back far enough to still have lots for houses. Ms. Williams commented on the lack of historical knowledge for new board members to understand what has happened in Sherwood and she wished that the history and the cost to the community to provide city parks could move forward with projects so the integrity and trust of the community could continue to be understood. She said the Snyder Park property was condemned because Sherwood wanted and needed land for parks and commented about the City taking the land for real estate purposes. She wanted people to understand what was sacrificed, to know the history of the property, and that promises are kept.

Chair Simson said staff could address the residential lot comment and asked for a rebuttal from the applicant.

Ms. Miller stated she did not have anything to rebut.

Chair Simson commented about the speeding traffic on Pine Street, stated there will be signage for “No Parking” and asked about any other ideas the city may have to keep the crossings at Pine Street safe.

Mr. Galati answered that increased traffic volume for Pine Street was considered to be at local traffic levels and the City would not be addressing it. He said traffic speed could be addressed by modifying

people's behavior through a speed trailer to help drivers identify when they are speeding and if that does not work to enhance patrols in the area. Mr. Galati indicated that the result of trying to modify behavior through a physical attribute like a speed hump would be limited unless there were multiple speed humps. He said when we talk about speed humps and speed control we look at response times for police and fire safety. Mr. Galati commented that if the city was trying to promote safety it was a matter of public awareness which meant signage, working with the Police Department, or a solar powered speed sign. The main thing was to have a program of public awareness around the issue and to try to modify people's driving behavior.

Chair Simson indicated that her concern was how far the nearest crosswalk was and asked if there were ways to add a crossing.

Mr. Galati responded that any crossing on Pine Street would be mid-block on an undeveloped road situation and the city did not want people to cross there, go up the gravel drive, or climb the slope. Providing a crosswalk would encourage behavior that was not wanted. He acknowledged that the city wanted safe street crossings for those who lived in the area and said a condition could be added or that the area could be studied. He said he did not believe the city wanted pedestrian traffic crossing mid-block.

Chair Simson asked for input from the Commission.

Mr. Kilby noted that if a condition was added, then a finding with evidentiary backing would need to be added. He cautioned the Commission that an added condition would have to be enforceable. He compared mid-block street crossing behavior with a speeding driver and the need to change unwanted behavior instead.

Commissioner Pearson commented that he had the advantage of living in the area near the Sunset Blvd. entrance. He said he drove down Pine Street to get into town and the chained off construction access was a steep, weedy, rocky berm that is not a good location to access the park. Commissioner Pearson noted that the Sunset Blvd and Division Street entrances to Snyder Park were well paved and not as physically demanding. He reported that he had never seen anyone take the construction entrance as a shortcut to get into the park and commented that there was plenty of adequate parking off of Sunset Blvd with the parking lot or on street parking. Commissioner Pearson said a conscientious dog owner would not want to walk his dog up the area, because it was hard on the dog's paws, particularly when there are two other entrances that are more comfortable, easily accessed, and in close proximity to grass entrances from both directions.

Commissioner Meyer asked if there was plan for sidewalk completion on Sunset Blvd around Pine Street and adding crosswalk there. He noted that across the entrance where Pine Street hits Sunset Blvd. the sidewalk was not completed. He asked if that would be an acceptable solution.

Mr. Galati explained that Phase 2 of the Pine Street extension did include sidewalk development along Sunset Blvd to fill in the gap, but the plan had been shelved and was on a waiting list with all of the other capital improvement projects.

Vice Chair Griffin said he did not own a dog and believed Commissioner Pearson's comments to be valid. He said there was no parking on the east side of Pine Street and asked if there was parking on the west side. Ms. Miller confirmed that both sides of Pine Street in front of the park had "No Parking" signs.

Chair Simson asked staff to address the eighty five foot setback in anticipation of additional houses mentioned in community comments and if houses were in the Parks Master Plan.

Ms. Miller responded that she did not know if it was in the Parks Master Plan and acknowledged that there was a subdivision application and approval a few years ago that the City decided not to move forward with. She said the park was zoned low density residential and eighty five feet was potentially enough for a residential lot.

Mr. Sheldon clarified that there were water lines near the proposed dog park and the plan at Snyder Park was to eventually build another reservoir, in about twenty years, near the existing reservoirs. He said there was a 42-48" water main that goes into a vault and that was why the dog park could not go any closer to the road because there had to be access to the vault. He reiterated that the property could not be developed because there was water line infrastructure going through the area in an easement.

Chair Simson asked for confirmation that there was a dedicated easement between Pine Street and the dog park that would not enable houses to be built.

Mr. Sheldon responded that houses could not be built in that section off of Pine Street. Mr. Sheldon added that the staging area was put in for the reservoir construction and left to build Pine Street Phase 2 improvements which had been tabled because there was no money to finish Pine Street.

Chair Simson asked if the berm would be replaced once Pine Street Phase 2 was complete so the perceived entrance would go away. Mr. Sheldon confirmed and added that there was a four way intersection at Pine Street and Division Street for people to cross.

With no other comments, Chair Simson closed the public hearing and asked for final comments from staff.

Mr. Kilby commented that he owned two large dogs and he frequented some of the dog parks in the area including Luscher Farms in Lake Oswego and Gabriel Park in Portland, and as a dog owner he policed other dog owners that did not pick up their dog's messes or when they were doing something stupid that would compromise his ability to enjoy the park. He stated that a lot of other dog owners did the same and he thought there were rare occasions of conflict between dog owners, because they tend to be vocal people. Mr. Kilby said the City would not regulate the programming of the park and he has witnessed small dogs in the same enclosure as the large dogs. He held that some people were okay with it, while others were not. It depended on how much each dog gets along with other dogs.

Chair Simson stated her only other comment was a concern whether there was enough buffering to the neighbors. She spoke of the six foot tall fence, additional landscaping, and hours of operation that were not different from the rest of the park. Chair Simson stated she thought it was good for the City to have a place that gets dogs off the ball fields and the other places that they should not be leaving messes and put them in a place where dog owners have the resources to clean up after their dogs.

Chair Simson asked for a discussion from the Commission

Commissioner Meyer asked about using temporary signage that said *No Park Entrance* on Pine Street. Discussion followed and staff was directed to add the condition with findings.

With no other discussion, the following motion was received.

Motion: From Commissioner Alan Pearson to Approve the application, SP 15-01 Snyder Park Dog Park, with conditions adopting the Staff Report as presented with the amendment related to the signage referring to No Park Entrance on Pine Street. Seconded by Vice Chair Russell Griffin. All present Planning Commissioners voted in favor (Commissioner James Copfer, Chris Flores, and Lisa Walker were absent).

7. Planning Commissioner Announcements

Chair Simson encouraged everyone to go online or to the mezzanine at City Hall to view the information about the Sherwood West Preliminary Concept Plan, 1290 acres just west of Sherwood, which was being planned in a pre-concept plan. She added that the land was in the urban reserves and there had been a lot of work done, with a lot of work yet to do, and now was an opportunity to get involved at the ground level. She said people had an opportunity to see how the process works, to suggest changes and to provide input that would make a difference. Chair Simson pointed to an online survey and encouraged everyone to take the survey and forward it so more of the 18,000 residents could become interested in what was going on in Sherwood West. www.sherwoodoregon.gov/sherwoodwest

Vice Chair Griffin announce that the summer musical, *Into the Woods* would open at Stella Olsen Park July 8-11, 2015 with a live orchestra.

8. Adjourn

Chair Simson adjourned the meeting at 8:31 pm.

Submitted by:

Kirsten Allen

Kirsten Allen

Planning Department Program Coordinator

Approval Date: October 13, 2015