



*Home of the Tualatin River National Wildlife Refuge*

# **Planning Commission Work Session Packet**

**FOR**

**September 9, 2014**

**At 7 PM**

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



**City of Sherwood  
PLANNING COMMISSION  
WORK SESSION  
Sherwood City Hall  
22560 SW Pine Street  
Sherwood, OR 97140  
September 9, 2014  
7:00- 8:30 PM**

## **WORK SESSION AGENDA**

- 1. Call to Order**
- 2. Code Clean Up Discussion**
- 3. Sherwood West Concept Plan Discussion**
- 4. Planning Commission Announcements**
- 5. Adjourn**



Home of the Tualatin River National Wildlife Refuge

## MEMORANDUM

City of Sherwood  
22560 SW Pine St.  
Sherwood, OR 97140  
Tel 503-625-5522  
Fax 503-625-5524  
www.sherwoodoregon.gov

To: Sherwood Planning Commission  
From: Brad Kilby, AICP – Planning Manager  
RE: Code Edit Work Session Materials  
Date: September 2, 2014

**Mayor**  
Bill Middleton

**Council President**  
Linda Henderson

**Councilors**  
Dave Grant  
Robyn Folsom  
Bill Butterfield  
Matt Langer  
Krisanna Clark

**City Manager**  
Joseph Gall, ICMA-CM

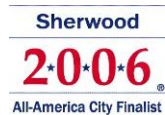
**Assistant City Manager**  
Tom Pessemier, P.E.



2009 Top Ten Selection



2007 18<sup>th</sup> Best Place to Live



The focus of the upcoming Planning Commission work session is to continue our earlier discussions related to code clean-up and maintenance. Other agenda items will include the introduction of Connie Randall, our new associate planner, and the introduction of the Sherwood West Concept Plan to the Commission. Sherwood West, as it is known right now, is our urban reserve areas west of SW Elwert, and generally north of SW Edy Road to Scholl's-Sherwood Road.

In preparation for this discussion you are being provided with the attached table that includes proposed changes to the Sherwood Zoning and Community Development Code. The table lists the code section that is to be amended, the page of the development code where you can find the provision, the existing code language, the issue, and the recommended amendment.

The table is color coded as follows:

The items that are green include errors in spelling, numeration, grammar, etc. These are considered clean-up items that should be immediately addressed to ensure consistency in the Code's application.

The items that are blue are amendments that should be made, are not complicated, and go towards making the code easier to understand and in some cases, clarify the standards and intent.

The items in red are more complicated, and are more policy related items that will warrant further discussion and consideration by both the Commission and the Council.

Ideally, we would like to receive your review, comments, and at a minimum begin moving forward on the green and blue amendments. Then, we would work with the Commission and the Council in putting together a work program that works toward resolving the issues identified by staff in the application of these provisions.

If you have any questions, please do not hesitate to contact me at (503)625-4206, or by e-mail at [kilbyb@sherwoodoregon.gov](mailto:kilbyb@sherwoodoregon.gov).

## 2014 Sherwood Zoning And Community Development Code Proposed Staff Amendments

#	Code Section	Page	Existing Code Language	Issue/Rational	Recommended Amendment
1	16.10.020	277	<b>Object:</b> A construction which is primarily artistic or commemorative in nature and not normally movable or part of a building or structure, e.g., statue, fountain, milepost, monument, sign, etc.	Scrivener's error, the word "Historic" is missing.	<b>Historic Object:</b> A construction which is ...
2	16.10.020	283	Solid Waste Facility: A. Conditionally... P. Yard...	Formatting of subordinate items is inconsistent with other entries, i.e. "Lot" and "Lot of Record" on pg. 279.	Reformat and indent subordinate entries to be consistent with the rest of the section.
3	16.12.010.D	289	The MDRH zoning district provides for a variety of medium density housing, including single-family, two-family housing, manufactured housing multi-family housing, and other related uses with a density of 5.5 to 11 dwelling units per acre.	Scrivener's error, a comma is missing.	The MDRH zoning district provides for a variety of medium density housing, including single-family, two-family housing, manufactured housing, multi-family housing, and other related uses with a density of 5.5 to 11 dwelling units per acre.
4	16.12.030	292-293	Residential Land Use Development Standards Table	Footnote font size, spacing and numbering is not consistent with other table footnotes in the code	Recommend establishing and applying consistent formatting standards.
5	16.31.020.C	319	Any use not otherwise listed that can be shown to be consistent or associated with the uses permitted outright or conditionally in the commercial zones or contribute to the achievement of the objectives of the commercial zones may be permitted outright or conditionally, utilizing the provisions of Chapter 16.88.	This language precedes the use tables in all zone types, and in this particular instance, a scribners error since the section is speaking to industrial zones as opposed to commercial zones.	Any use not otherwise listed that can be shown to be consistent or associated with the uses permitted outright or conditionally in the <del>commercial</del> industrial zones or contribute to the achievement of the objectives of the <del>commercial</del> industrial zones may be permitted outright or conditionally, utilizing the provisions of Chapter 16.88.
6	16.40.020.B.5	341	If the PUD involves the subdivision of land, the proposal shall also include a preliminary subdivision plat and meet all requirements of Chapter 16.122. The preliminary subdivision shall be processed concurrently with the PUD.	The reference to 16.122 should be amended to refer to 16.120 Subdivisions.	If the PUD involves the subdivision of land, the proposal shall also include a preliminary subdivision plat and meet all requirements of Chapter 16. <del>120</del> 122. The preliminary subdivision shall be processed concurrently with the PUD.
7	16.40.040.A.1	343-344	A. 1. Phasing	Numbering is inconsistent	A. <del>1</del> . Phasing <del>1</del> a. The City may require... <del>2</del> b. Any PUD which requires... B. <del>2</del> . Failure to Complete <del>1</del> a. When substantial... <del>2</del> b. If continuous... C. <del>B</del> . Changes in Approved Plans... D. <del>C</del> . Multiple Zone Density Calculations...
8	16.40.050.C.1	344	1. Density The number of dwelling units permitted in a residential PUD shall be the same as that allowed in the underlying zoning district, except as provided in Subsection (C)(2), below or 16.40.040.C above.	The reference formatting is inconsistent and the reference to "16.40.040.C" needs to be corrected if the proposed edits above are adopted.	1. Density The number of dwelling units permitted in a residential PUD shall be the same as that allowed in the underlying zoning district, except as provided in Subsections <u>16.40.040.D and 16.40.050.C.2(C)(2), below or 16.40.040.C above.</u>
9	16.40.060.C.6	346	Where the proposed PUD includes lands within the base floodplain, a density transfer may be allowed in accordance with Section 16.142.040.	Section 16.142.040 is not the correct citation.	Where the proposed PUD includes lands within the base floodplain, a density transfer may be allowed in accordance with Section 16. <del>40.050</del> 142.040.
10	16.58.020.F.1.e	371	In the event of a conflict between this section and the clear vision standards of Section 16.58.010, the standards in section 16.58.010 prevail.	Scrivener's error, the word "Section" should be capitalized.	In the event of a conflict between this <del>s</del> Section and the clear vision standards of Section 16.58.010, the standards in <del>s</del> Section 16.58.010 prevail.
11	16.60.040.B	373	Yard requirements of the underlying zone may be modified for infill development as provided in Chapter 16.68 (Infill).	Referring to "(Infill)" is inconsistent with other references in the code.	Yard requirements of the underlying zone may be modified for infill development as provided in Chapter 16.68 <del>(Infill)</del> .

#	Code Section	Page	Existing Code Language	Issue/Rational	Recommended Amendment
12	16.70.020.B	383	Applicants of Type III, IV and V applications are required to hold a meeting, at a public location for with adjacent property owners and recognized neighborhood organizations that are within 1,000 feet of the subject application, prior to submitting their application to the City. Affidavits of mailing, sign-in sheets and a summary of the meeting notes shall be included with the application when submitted. Applicants for Type II land use action are encouraged, but not required to hold a neighborhood meeting.	Scribners error, the "with" in the first sentence is not needed.	Applicants of Type III, IV and V applications are required to hold a meeting, at a public location for <del>with</del> adjacent property owners and recognized neighborhood organizations that are within 1,000 feet of the subject application, prior to submitting their application to the City. Affidavits of mailing, sign-in sheets and a summary of the meeting notes shall be included with the application when submitted. Applicants for Type II land use action are encouraged, but not required to hold a neighborhood meeting.
13	16.70.030.C.1.f	384	A narrative explaining the proposal in detail and a response to the Required Findings for Land use Review for the land use approval(s) being sought.	Scrivener's error, the word "Use" should be capitalized.	A narrative explaining the proposal in detail and a response to the Required Findings for Land <del>U</del> Use Review for the land use approval(s) being sought.
14	16.72.010.2.d	388	"Design Upgraded" Site Plan review, defined as those site plan applications which propose between 15,001 and 40,000 square feet of floor area, parking or seating capacity and which propose a minimum of eighty percent (80%) of the total possible points of design criteria in the "Commercial Design Review Matrix" found in Section 16.90.020.4.G.4.	The reference to 16.90.020.4.G.4 should be amended to refer to 16.90.020.D.7 the Commercial Design Review Matrix.	"Design Upgraded" Site Plan review, defined as those site plan applications which propose between 15,001 and 40,000 square feet of floor area, parking or seating capacity and which propose a minimum of eighty percent (80%) of the total possible points of design criteria in the "Commercial Design Review Matrix" found in Section 16.90.020. <del>D.7</del> <del>G.4</del> .
15	16.72.010.2.e	388	Industrial "Design Upgraded" projects, defined as those site plan applications which propose between 15,001 and 60,000 square feet of floor area, parking or seating capacity and which meet all of the criteria in 16.90.020.4.H.1.	The reference to 16.90.020.4.H.1 should be amended to refer to 16.90.020.D.8 the Industrial Design Review Matrix.	Industrial "Design Upgraded" projects, defined as those site plan applications which propose between 15,001 and 60,000 square feet of floor area, parking or seating capacity and which meet all of the criteria in 16.90.020. <del>D.8</del> <del>H.1</del> .
16	16.72.010.A.3.b	388	Site Plan Review - between 15,001 and 40,000 square feet of floor area, parking or seating capacity except those within the Old Town Overlay District, per Section 16.72.010.4, below.	There is no Section 16.72.010.4.	Site Plan Review - between 15,001 and 40,000 square feet of floor area, parking or seating capacity except those within the Old Town Overlay District, per Section <del>16.72.010.A.4</del> <del>16.72.010.4</del> , below.
17	16.72.010.A.4.d	388	Site Plans subject to Section 16.90.020.4.G.6.	There is no Section 16.90.020.4.G.6.	Site Plans subject to Section <del>16.90.020.4.G.6</del> <del>16.90.030.D.7.f</del> .
18	16.72.020.A.4.e	388	Industrial Site Plans subject to Section 16.90.020.4.H.2.	There is no Section 16.90.020.4.H.2.	Industrial Site Plans subject to Section <del>16.90.020.4.H.2</del> <del>16.90.030.D.8.b</del> .
19	16.90.030.D.8(a)(5)	411	Loading areas are located to the side or rear of the building when viewed from the arterial or collector. If the loading area are visible from an aterial or collector, they must be screened with vegetation or a screen made of materials matching the building materials.	Scrivener's error: "loading area" should be plural.	Loading areas are located to the side or rear of the building when viewed from the arterial or collector. If the loading <del>area</del> s are visible from an aterial or collector, they must be screened with vegetation or a screen made of materials matching the building materials.
20	16.90.030.D.8(b)(4)	411	Complement and enhance projects previously developed under the industrial design standards identified in Section 16.90.020.4.H.	There is no Section 16.90.020.4.H in this Code.	Complement and enhance projects previously developed under the industrial design standards identified in <del>this Section</del> <del>[alternative to "this",</del> <del>16.90.030.D.8(b)]</del> <del>16.90.020.4.H</del> .
21	16.92.020.A.3.b	413	Existing trees may be used to meet the standards of this chapter, as described in C.2. below.	The reference to section C.2 is inconsistent with other references in the Code.	Existing trees may be used to meet the standards of this chapter, as described in <del>Section 16.92.C.2</del> . below.
22	16.106.040.H	460	Where a development abuts Highway 99W, or an existing or proposed principal arterial, arterial or collector street, or neighborhood route, adequate protection for residential properties shall be provided and through and local traffic shall be separated and traffic conflicts minimized. In addition, visual corridors pursuant to Section 16.142.030, and all applicable access provisions of Chapter 16.96, shall be met. Buffering may be achieved by: parallel access streets, lots of extra depth abutting the major street with frontage along another street, or other treatment suitable to meet the objectives of this Code.	The reference to 16.142.030 should be amended to refer to 16.142.040 Visual Corridors	Where a development abuts Highway 99W, or an existing or proposed principal arterial, arterial or collector street, or neighborhood route, adequate protection for residential properties shall be provided and through and local traffic shall be separated and traffic conflicts minimized. In addition, visual corridors pursuant to Section 16.142. <del>040</del> <del>030</del> , and all applicable access provisions of Chapter 16.96, shall be met. Buffering may be achieved by: parallel access streets, lots of extra depth abutting the major street with frontage along another street, or other treatment suitable to meet the objectives of this Code.

#	Code Section	Page	Existing Code Language	Issue/Rational	Recommended Amendment
23	16.120.040.I	470.12	A minimum of five percent (5%) open space has been provided per § 16.44.B.8 (Townhome- Standards) or §16.142.020 (Parks, Open Spaces and Trees-Single-Family Residential Subdivisions), if applicable.	The reference to Section 16.142.020 should be 16.142.030	A minimum of five percent (5%) open space has been provided per § 16.44.B.8 (Townhome- Standards) or §16.142. <del>020</del> <u>030</u> ( <del>Parks, Open Spaces and Trees-Single-Family</del> <u>or Duplex</u> Residential Subdivisions), if applicable.
24	16.134.040.A	470.25	Provided land is not required to be dedicated as per this Section, Greenways, a conditional use permit (CUP) shall be approved before any use, construction, fill, or alteration of a floodplain, floodway, or watercourse, or any development begins within any FP zone, except as provided in this Section, Permitted Uses.	Referring to "this Section, Greenways" and "this Section, Permitted Uses" is inconsistent with other references in the code.	Provided land is not required to be dedication as per <del>this</del> Section <u>16.134.030</u> , <del>Greenways</del> , a conditional use permit (CUP) shall be approved before any use, construction, fill, or alteration of a floodplain, floodway, or watercourse, or any development begins within any FP zone, except as provided in <del>this</del> Section <u>16.134.050</u> , <del>Permitted Uses</del> .
25	16.134.050	470.26	In the FP zone the following uses...as per this Section, Greenways.	Referring to "this Section, Greenways" is inconsistent with other references in the code.	In the FP zone the following uses...as per <del>this</del> Section <u>16.134.030</u> , <del>Greenways</del> .
26	16.134.050.C	470.26	Public streets and appurtenant structures, and above and underground utilities, subject to the provisions of this Section, Floodplain Development and Floodplain Structures.	Referring to "this Section, Floodplain Development and Floodplain Structures" is inconsistent with other references in the code.	Public streets and appurtenant structures, and above and underground utilities, subject to the provisions of <del>this</del> Sections <u>16.134.080</u> and <u>16.134.090</u> , <del>Floodplain Development and Floodplain Structures</del> .
27	16.134.070.F	470.26	...except as otherwise allowed by this Section, Permitted Uses,...	Referring to "this Section, Permitted Uses" is inconsistent with other references in the code.	...except as otherwise allowed by <del>this</del> Section <u>16.134.050</u> , <del>Permitted Uses</del> ,...
28	16.134.080.A.5	470.28	...and shall dedicate said land as per this Section, Greenways...	Referring to "this Section, Greenways" is inconsistent with other references in the code.	...and shall dedicate said land as per <del>this</del> Section <u>16.134.030</u> , <del>Greenways</del> ...
29	16.134.090.A.2	470.28	...and the building height shall comply with the provisions of subsection A of Floodplain Development.	Referring to "subsection A of Floodplain Development" is inconsistent with other references in the code.	...and the building height shall comply with the provisions of Section 16.134.080.A <del>subsection A of Floodplain Development</del> .
30	16.134.090.D.1.d	470.29	Nonresidential structures that are elevated and not flood proofed, must meet the same standards for space below the lowest floor as per subsection C2 of Floodplain Structures.	Referring to "subsection C2 of Floodplain Structures" is inconsistent with other references in the code. Additionally, there is an unnecessary comma.	Nonresidential structures that are elevated and not flood proofed, must meet the same standards for space below the lowest floor as per Section 16.134.090.C.2 <del>subsection C2 of Floodplain Structures</del> .
31	16.134.100.A	470.29	Dimensional standards or developments in the FP zone shall be the same as in the underlying zoning district, except as provided in this Section, Additional Requirements.	Referring to "this section, Additional Requirements" is inconsistent with other references in the code.	Dimensional standards or developments in the FP zone shall be the same as in the underlying zoning district, except as provided in this Section, <del>Additional Requirements</del> .
32	<b>General Formatting:</b>		<ul style="list-style-type: none"> <li>-- References to Chapters, Sections, and Subsections (capitalization, numbers and title);</li> <li>-- Indentation of subordinate entries in definitions section;</li> <li>-- Font size, spacing and numbering of table footnotes;</li> <li>-- Lack of reference to illustrative figures;</li> <li>-- Titles for tables and figures;</li> <li>-- No consistent formatting (capitalization) when referencing conditional uses (Conditional use...Conditional Use...conditional use)</li> </ul>		
33	16.06.020.C	269	A majority of members of the Commission shall constitute a quorum. A majority vote of those members, not less than a quorum, present at an open meeting of the Commission shall be necessary to legally act on any matter before the Commission. The Commission may make and alter rules of procedure consistent with the laws of the State of Oregon, the City Charter, and City ordinances.	Whether the existing language states clearly that a majority vote of a quorum is necessary to legally act on a matter before the Commission.	A majority of members of the Commission shall constitute a quorum. A majority vote of <del>those members, not less than</del> a quorum, present at an open meeting of the Commission, shall be necessary to legally act on any matter before the Commission. The Commission may make and alter rules of procedure consistent with the laws of the State of Oregon, the City Charter, and City ordinances.

#	Code Section	Page	Existing Code Language	Issue/Rational	Recommended Amendment
34	16.10.010	272	<b>Accessory Building/Use:</b> A subordinate building or use which is customarily incidental to that of the principal use or building located on the same property.	Combines definitions for accessory building and accessory use. The definition is not consistent with the one provided in Section 16.50.010.A.	Recommend creating separate definitions for accessory building and accessory use and removing the definition from Section 16.50.010.A: <u>Accessory Building: A structure whose use is incidental and subordinate to the main use of property, is located on the same lot as the main use, and is freestanding or is joined to the primary structure solely by non-habitable space as defined by the State Building Code.</u> <u>Accessory Use: A use or activity which is subordinate and incidental to the primary use of the property. A property may have more than one accessory use.</u>
35	16.50.010.A	362	Definition Accessory Building or Structure: A structure whose use is incidental and subordinate to the main use of property, is located on the same lot as the main use, and is freestanding or is joined to the primary structure solely by non-habitable space as defined by the State Building Code.	The definition is not consistent with the one provided in Section 16.10.010	<u>Accessory Building: A structure whose use is incidental and subordinate to the main use of property, is located on the same lot as the main use, and is freestanding or is joined to the primary structure solely by non-habitable space as defined by the State Building Code.</u> <u>Accessory Use: A use or activity which is subordinate and incidental to the primary use of the property. A property may have more than one accessory use.</u>
36	16.10.020	274	None	No definition for Diameter at Breast Height (DBH), a term commonly used for administration of tree regulations.	<u>A standard method of expressing the diameter of the trunk of a standing tree. DBH for the purposes of this code means the diameter of the trunk of the tree at 4.5 feet from the surface of the native grade.</u>
37	16.10.020	282	<b>Right-of-Way:</b> The area between boundary lines of a street or other easement.	The definition is not consistent with the one provided in the Transportation System Plan and does not accurately define the term.	<u>Right-of-Way: A general term denoting publicly-owned land or property upon which public facilities and infrastructure is placed</u> <del>The area between boundary lines of a street or other easement.</del>
38	16.36.050	329-330	Front yard setback None, except that when the lot abuts a residential zone or public park property, the setback shall be a minimum of twenty (20) feet. (same standard for Side and Rear yard setbacks)	Why is "public park property" specifically called out? Wouldn't "public park property" be zoned IP or a residential category? Public recreation fields are a conditional use in the IP zone, so is the intent to impose a 20-foot setback between two public park/recreation uses?	Consider eliminating or clarifying the reference to "public park property".
39	16.46.010	354.1	One (1) manufactured home may be located on an individual lot zoned MDRL or MDRH, provided that the manufactured home meets the standards contained in Chapter 16.16 or 16.18, and subsection B of this section.	The language is inconsistent with the language in Chapter 16.12 Use table, which permits manufactured homes in all residential zones.	One (1) manufactured home may be located on an individual lot <del>zoned MDRL or MDRH</del> <u>in any residential zone</u> , provided that the manufactured home meets the standards contained in Chapter <del>16.16 or 16.18</del> , <u>16.12</u> and subsection B of this section.
40	16.58.020B.1	370	Fence: A freestanding structure that provides a barrier between properties or different uses on the same property and is generally used to provide privacy and security. A fence may be open, solid, wood, metal, wire, masonry or other materials and includes lattice or other decorative toppers.	This definitions is inconsisnt with that provided in Section 16.10.020: "Fence: Any open or closed structure used to enclose any lot or parcel of ground, and usually constructed of wire, wood, brick, cement block, or stone."	Recommend eliminating this section and deferring to the definitions provided in Section 16.10.020 and/or revise one or both sections to provide consistent definitions.
41	16.58.020B.2	370	Retaining wall: A solid barrier that provides a barrier to the movement of earth, stone or water and is used to alter the grade.	This definitions is inconsisnt with that provided in Section 16.10.020: "Retaining wall: A structure constructed of stone, concrete, steel or other material designed to retain or restrain earth or rock."	Recommend eliminating this section and deferring to the definitions provided in Section 16.10.020 and/or revise one or both sections to provide consistent definitions.
42	16.58.020.F	371	General Conditions--All Fences 1. In all cases, the following standards apply: a. Fences must be ... b. Chain link fencing...   g. The height of a fence...	Consider eliminating Section 16.58.020.F.1 as it is unnecessary and there is no Section 16.58.020.F.2; relabel the conditions 1, 2, 3...	General Conditions--All Fences <del>1. In all cases, the following standards apply:</del> <u>1a.</u> Fences must be... <u>2b.</u> Chain link fencing...   <u>7g.</u> The height of a fence...

#	Code Section	Page	Existing Code Language	Issue/Rational	Recommended Amendment
43	16.58.020.F	371-372	[two figures at the end of the Chapter]	The purpose of these figures is unclear. They are not labled or referenced in the text. It appears that they were intended to help illustrate Section 16.50.020.D, but as currently configured, do not achieve this intention.	Recommend revising the figures, labeling them, and referencing them in the text where appropriate.
44	16.60.030.B	373	Where a side or rear yard is not required, and a primary structure is not erected directly on the property line, it shall be set back at least three (3) feet.	Provide clarification for what "it" is - primary structure, accessory structure...	Where a side or rear yard is not required, and a primary structure is not erected directly on the property line, <u>a (primary/accessory/any?) structure</u> <del>it</del> shall be set back at least three (3) feet.
45	16.60.040.A	373	If a lot or the aggregate of contiguous lots or parcels recorded, or platted, prior to the effective date of this Code, has an area or dimension which does not meet the requirements of this Code, the lot of aggregate lots may be put to a use permitted outright, subject to the other requirements of the zone in which the property is located, except that a residential use shall be limited to a single-family dwelling, or to the number of dwelling units consistent with the density requirements of the zone. However, no dwelling shall be built on a lot with less area than thirty-two hundred (3,200) square feet, except as provided in Chapter 16.68 (Infill Development).	Scrivener's error "of" should be "or"; clean up use of commas to clarify intent; relocates the exception for residential use to the "Exceptions" subsection; makes reference to another Chapter consistent with other references in the Code.	If a lot or the aggregate of contiguous lots or parcels, recorded, or platted, prior to the effective date of this Code, has an area or dimension which does not meet the requirements of this Code, the lot <del>or</del> aggregate lots may be put to a use permitted outright, subject to the other requirements of the zone in which the property is located, <del>except that a residential use shall be limited to a single-family dwelling, or to the number of dwelling units consistent with the density requirements of the zone. However, no dwelling shall be built on a lot with less area than thirty-two hundred (3,200) square feet, except as provided in Chapter 16.68 (Infill Development):</del> B. Exceptions <u>1. Residential use shall be limited to a single-family dwelling or to the number of dwelling units consistent with the density requirements of the zone. However, no dwelling shall be built on a lot with less area than thirty-two hundred (3,200) square feet, except as provided in Chapter 16.68.</u> <u>2. Yard requirements...</u>
46	16.70.030.C.1.e	384	Vicinity Map showing the City Limits and the Urban Growth Boundary	Is the intent to show the City Limits and UGB in its entirety or should a minimum radius/scale be prescribed?	Consider imposing a defined radius for the vicinity map.
47	16.72.020.B.2	390	Signage shall be posted on the subject property fourteen (14) calendar days in advance of the staff decision on Type II applications and twenty (20) calendar days in advance of the hearing before the Hearing Authority for Type III, IV and V applications.	Staff recommends adding the term "initial" in front of hearing to formalize the fact that the 20 day notice is only required prior to the intial hearing.	Signage shall be posted on the subject property fourteen (14) calendar days in advance of the staff decision on Type II applications and twenty (20) calendar days in advance of the <u>initial</u> hearing before the Hearing Authority for Type III, IV and V applications.
48	16.72.020.C.1	390.1	For Type II, III, IV, and V actions specific to a property or group of properties, the City shall send written notice...	An amendment would make it clear that amendments to a zone classification does not require the City to provide notice to the properties within that zone (Measure 56) And those within 1,000 feet of the properties in the zoned being affected.	For Type II, III, IV, and V <del>actions to a specific property or group of properties</del> <u>quasi-judicial actions</u> , the city shall send written notice...
49	16.80	399-400	<b>Plan Amendments</b>	The text references amendments to the Comp Plan and to the Zoning Map. While the ZCDC is technically part of the Comp Plan, it is not obvious that amendments to the text of the ZCDC is regulated through this chapter, especially as the text refers to the Comp Plan, Code and Transportation System Plan as seperate documents.	Recommend explicitly refereneing text amendments to the Comprehensive Plan and Zoning and Community Development Code where applicable.



#	Code Section	Page	Existing Code Language	Issue/Rational	Recommended Amendment
50	16.82.020.C.7	402	For a proposed conditional use permit... shall satisfy the requirements of Section 16.108.070 Highway 99W Capacity Allocation Program, unless excluded herein.	The Highway 99W Capacity Allocation Program has been eliminated.	Delete Subsection 16.82.020.C.7 and renumber the remaining subsections.
51	16.82.020.C.9	403	The following criteria apply to transportation facilities and improvements subject to Conditional use approval (in addition to criteria 1-7) per 16.66. These...	Scrivener's errors: "use" should be capitalized and "Chapter" should be inserted before "16.66"; recommend revised language to clarify intent of the additional criteria for transportation facilities and improvements.	The following <u>additional</u> criteria apply to transportation facilities and improvements subject to Conditional <u>u</u> Use approval ( <del>in addition to criteria 1-7</del> ) per <u>Chapter</u> 16.66. These...
52	16.84.030.A.1.d	406	A 5% reduction in other Code standards or dimensions not otherwise specifically identified in this section and not applicable at the time of the subdivision or partition approval.	This standard would not necessarily limit a 5% increase in height, or some other dimension that could be affected by an action other than a reduction. The language could be modified by changing "reduction" to "variance" to cover that scenario.	A 5% <u>variance reduction</u> in other Code standards or dimensions not otherwise specifically identified in this section and not applicable at the time of the subdivision or partition approval.
53	16.84.030.B.1.e	406	A 20% or less reduction in other Code standards or dimensions not otherwise specifically identified in this section.	Again, the current language only applies to reductions, when in fact, it should be a "variance."	A 20% or less <u>variance reduction</u> in other Code standards or dimensions not otherwise specifically identified in this section.
54	16.90.010.A	408.12	This Division is intended to establish a process and define a set of development standards to guide physical development in the City consistent with the Community Development Plan and this Code.	This text is located under the "Purpose" section (16.90.010) of the Site Planning Chapter and appears to be the puporse of the Community Design Division rather than the Site Planning Chapter. Further, a reference to "design standards" rather than "development standards" should be made as the latter is found in the land use district chapters in Division II.	Consider eliminating this section and renumbering the remaining subsections as not all Divisions have a purpose statement and when one does, it is found in a "general provisions" (or similar) chapter.
55	16.90.020.B	408.13	B. Exemption to Site Plan Requirement 1. Single and two family uses 2. Manufactured homes located on individual residential lots per Section 16.46.010, but including manufactured home parks, 3. Major modifications 4. Minor modifications	As written, major and minor modifications are exempt from site plan requirements. 16.90.020.B.2 includes a Scrivner's error, an extra comma at the end should be deleted.	B. Exemption to Site Plan Requirement 1. Single and two family uses 2. Manufactured homes located on individual residential lots per Section 16.46.010, but including manufactured home parks; <del>3. Major modifications</del> <del>4. Minor modifications</del>
56	16.90.030.A.1.b.(2)	408.14	The application shall be subject to the same review procedure (Type II, III, or IV), decision making body, and approval criteria used for the initial project approval, except that adding a conditional use to an approved project shall be reviewed using a Type III procedure.	Revise the text to clarify that adding a conditional use to an approved Type II project shall be reviewed using a Type III procedure as the intent is not to change an original Type IV procedure to a Type III with the addition of a conditional use.	The application shall be subject to the same review procedure (Type II, III, or IV), decision making body, and approval criteria used for the initial project approval, except that adding a conditional use to an approved <u>Type II</u> project shall be reviewed using a Type III procedure.
57	16.90.030.D.5	408.15	For a proposed site plan ... shall satisfy the requirements of Section 16.108.070 Highway 99W Capacity Allocation Program, unless excluded herein.	The Highway 99W Capacity Allocation Program has been eliminated.	Delete Subsection 16.90.030.D.5 and renumber the remaining subsections.
58	16.90.030.D.7.d	408.15	COMMERCIAL DESIGN REVIEW MATRIX	The layout of this Section is very difficult to read. Creating an actual matrix or table for commercial design standards could help.	Consider reformatting subsection (1) - (5) as a matrix/table.

#	Code Section	Page	Existing Code Language	Issue/Rational	Recommended Amendment
59	16.90.020	408.13	N/A	The publisher inserted Section 16.90.030, Site Plan Modifications and Revocation within Section 16.90.020 between 16.90.020.B and 16.90.020.C	Recommend that the code be amended to remedy the issue so that the review criteria for Site Plan approvals is listed under the appropriate section.
60	16.102.040.B.2	445	Each portable sign shall be a maximum of six(6) square feet per sign face...	The most recent code amendments that split the portable and permanent sign codes indicated that portable signs within Old Town could be a maximum of (7) square feet as it pertains to an A-frame sign.	Each portable sign shall be a maximum of <del>six (6)</del> <u>seven (7)</u> square feet per sign face...
61	16.106.040.C	459	...A durable sign shall be installed at the applicant's expense. The sign shall notify the public of the intent to construct future streets. The sign shall read as follows: "This road will be extended with future development. For more information contact the City of Sherwood at 503-625-4202."	Referring to the future extension of stubbed streets, staff would recommend that concerned citizens contact the City of Sherwood Engineering Department as opposed to a general phone number.	...A durable sign shall be installed at the applicant's expense. The sign shall notify the public of the intent to construct future streets. The sign shall read as follows: "This road will be extended with future development. For more information contact the City of Sherwood <u>Engineering Department.</u> " <del>at 503-625-4202</del>
62	16.10.010	278	N/A	Section 16.12.020 requires a CUP for the "Raising of Animals other than Household Pets", however no definition exists for "household pets."	Consider adding a definition for "household pets"
63	16.10.020	286	<p><b>Transportation Facilities and Improvements:</b> The physical improvements used to move people and goods from one place to another; i.e., streets, sidewalks, pathways, bike lanes, airports, transit stations and bus stops, etc.). Transportation improvements include the following:</p> <ol style="list-style-type: none"> <li>1. Normal operation, maintenance repair, and preservation activities of existing transportation facilities.</li> <li>2. Design and installation of culverts, pathways, multi-use paths or trails, sidewalks, bike lanes, medians, fencing, guardrails, lighting, curbs, gutters, shoulders, parking areas, and similar types of improvements within the existing right-of-way.</li> <li>3. Projects identified in the adopted Transportation System Plan not requiring future land use review and approval.</li> <li>4. Landscaping as part of a transportation facility.</li> <li>5. Emergency measures necessary for the safety and protection of property.</li> <li>6. Street or road construction as part of an approved land use application.</li> <li>7. Transportation projects that are not designated improvements in the Transportation System Plan requires a site plan review and a conditional use permit.</li> <li>8. Transportation projects that are not planned, designed, and constructed as part of an approved land use application requires a site plan review and conditional use permit.</li> </ol>	<p>Definitions should define a term or phrase, not regulate land use activities. The regulatory portion of the definition should be stricken and relocated to Chapter 16.66. Is there an intention to differentiate between transportation facilities located in the right-of-way, on private property within a public easement, and on private property (not in a public easement)?</p>	<p><b>Transportation Facilities-and-Improvements:</b> The physical improvements used to move people and goods from one place to another; i.e., streets, sidewalks, pathways, bike lanes, airports, transit stations and bus stops, etc.).</p> <p><b>Transportation Improvements:</b> <del>Transportation improvements include the following:</del></p> <ol style="list-style-type: none"> <li><u>A</u>1. Normal operation, maintenance repair, and preservation activities of existing transportation facilities.</li> <li><u>B</u>2. Design and installation of culverts, pathways, multi-use paths or trails, sidewalks, bike lanes, medians, fencing, guardrails, lighting, curbs, gutters, shoulders, parking areas, and similar types of improvements within the existing right-of-way.</li> <li><u>C</u>3. Projects identified in the adopted Transportation System Plan not requiring future land use review and approval.</li> <li><u>D</u>4. Landscaping as part of a transportation facility.</li> <li><u>E</u>5. Emergency measures necessary for the safety and protection of property within an existing transportation facility.</li> <li><u>F</u>6. Street or road construction as part of an approved land use application.</li> <li><del>7. Transportation projects that are not designated improvements in the Transportation System Plan requires a site plan review and a conditional use permit.</del></li> <li><del>8. Transportation projects that are not planned, designed, and constructed as part of an approved land use application requires a site plan review and conditional use permit.</del></li> </ol>

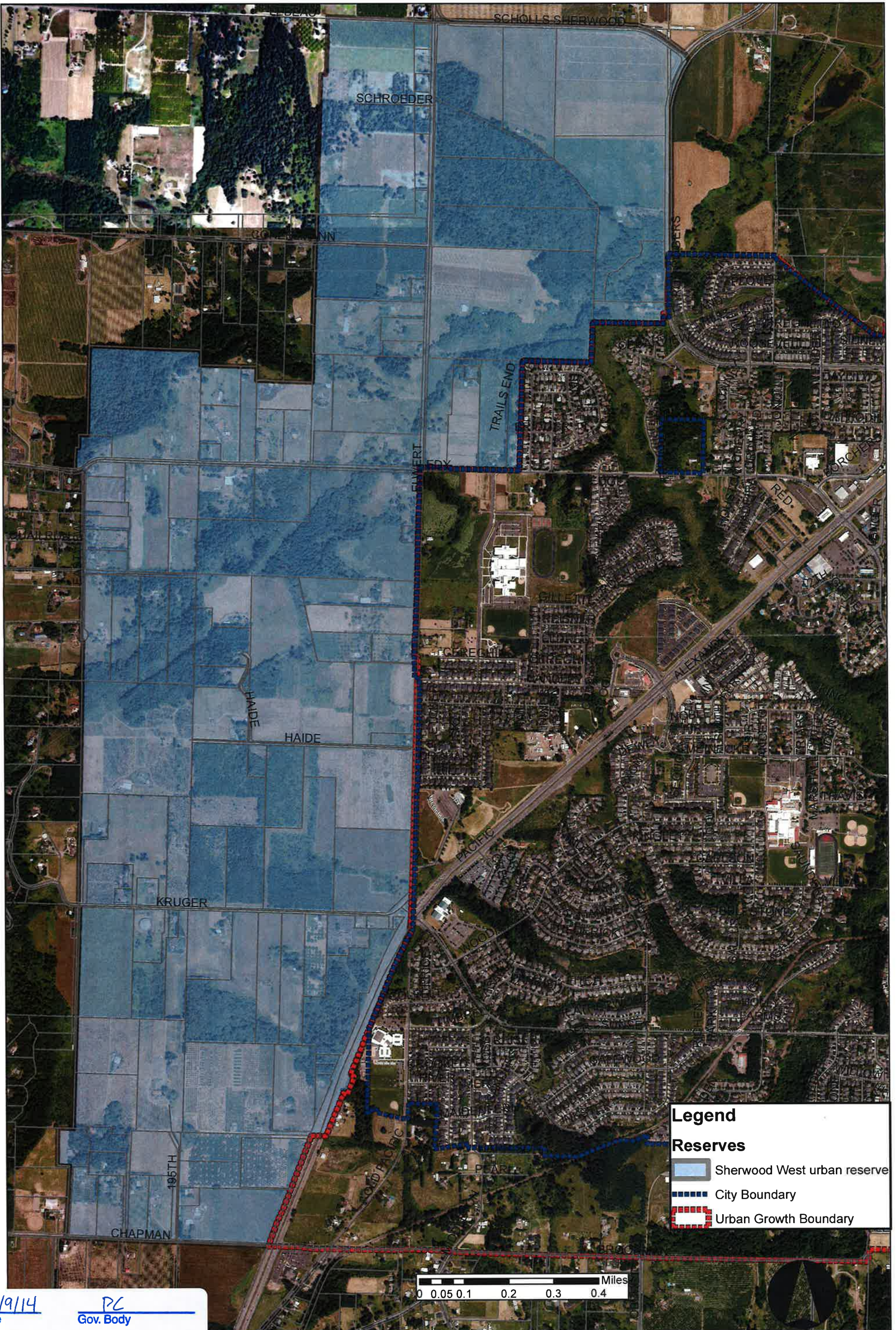
	Code Section	Page	Existing Code Language	Issue/Rational	Recommended Amendment
64	16.12.010.D	289	The MDRH zoning district provides for a variety of medium density housing, including single-family, two-family housing, manufactured housing multi-family housing, and other related uses with a density of 5.5 to 11 dwelling units per acre.	Should the density range be increased for the MDRH zone. Currently, the minimum required density for the MDHR zone is less than that of the MDRL zone. Additionally, there is no provision in the current code which allows development at a density of 11.1 to 16.7 dwelling units per acre.	Policy discussion with the Planning Commission
65	16.31.020 - Use Table	320	Incidental retail sales or display/showroom directly associated with a permitted use and limited to a maximum of 10% of the total floor area of the business	Currently, the code indicates that this is a conditional use in the Light Industrial and General Industrial zones, but permitted in the EI zone. This creates non-conforming uses because this was an outright permitted use in the past.	Change from conditional use to permitted use?
66	16.36	328	<b>Institutional and Public (IP) Land Use District</b> <b>Section 16.36.010 Purpose</b> The IP zoning district provides for major institutional and governmental activities such as schools, public parks, churches, government offices, utility structures, hospitals, correctional facilities and other similar public and quasi-public uses.	Despite the purpose of the district, no major institutional or government activities are permitted outright in the zone with the exception of wireless communication facilities. All other uses require a CUP. Why?	Consider permitting the uses described in the purpose section (Section 16.36.010) outright and remove the CUP burden on public and quasi-public applications.
67	16.66.010.B	377	Construction of Transportation Facilities and Improvements that are (1) not designated in the adopted City of Sherwood Transportation System Plan (TSP), and are (2) not designated and constructed as part of an approved subdivision or partition subject to site plan shall be subject to Conditional Use review.	Should the "construction" of a transportation facility or improvement be subject to a Conditional Use review? Shouldn't the actual use of the property be subject to the review? What are they being review for? Can we create standards that would allow them? Under what circumstance would a private party install a stand alone transportation facility or improvement? Is the intent to require a CUP everytime an individual maintains a sidewalk or pathway on private property?	Policy discussion with the Planning Commission
68	16.70.020.B	383	Projects requiring a neighborhood meeting in which the City or Urban Renewal District is the property owner or applicant shall also provide published and posted notice of the neighborhood meeting consistent with the notice requirements in 16.72.020	Whether or not to prescribe notice requirements for neighborhood meetings (i.e. 2 week notice)	Policy discussion with the Planning Commission
69	16.72.010.C.2	390	In addition to Section 1 above, all Type IV quasi-judicial applications shall also demonstrate compliance with the Conditional use criteria of Section 16.82.020.	Unnecessary and redundant language; why are site plans, subdivisions, and variances subject to Conditional use criteria?	Policy discussion with the Planning Commission
70	16.72.020.B	390	Posted Notice...	Consider requiring the applicant to post the notice on the property; Consider prescribing the size and font style for posted notice signs.	Policy discussion with the Planning Commission

	Code Section	Page	Existing Code Language	Issue/Rational	Recommended Amendment
71	16.84	405-408	Variances	It does not appear that the Code provides property owners of 4 or more lots a method to seek relief from the restrictions of the code. Class B variances "apply to individually platted and recorded lots only" while Class A variances are "used to modify a standard for three (3) or fewer lots, including lots yet to be created through a partition process".	Consider adding a method by which all property owners may seek relief from a code requirement.
72	16.90.020.A	408.12	Site Plan review shall be required prior to any substantial change to a site or use, issuance of building permits for a new building or structure, or for the substantial alteration of an existing structure or use, and prior to the issuance of a sign permit for the erection or construction of a sign	Should Site Plan review be required for a sign?	Site Plan review shall be required prior to any substantial change to a site or use, issuance of building permits for a new building or structure, or for the substantial alteration of an existing structure or use <del>, and prior to the issuance of a sign permit for the erection or construction of a sign</del>
73	16.94.020.A	421-423	Single, two-family and manufactured home on a lot <sup>3</sup> ; Minimum Parking Standard = 1 per dwelling unit <sup>3</sup> If the street on which the house has direct access is less than twenty-eight (28) feet wide, two (2) off-street parking spaces are required per single-family residential dwelling unit. (includes single-family detached or attached, two-family dwellings or a manufactured home on an individual lot)	Consider including a requirement for two (2) off-street parking spaces if the street on which the house has direct access does not permit on-street parking. Resident raised this issue during public review period of the Main Street Subdivision application (SUB 14-02).	Single, two-family and manufactured home on a lot <sup>3</sup> ; Minimum Parking Standard = 1 per dwelling unit <sup>3</sup> If the street on which the house has direct access <u>does not permit on-street parking</u> or is less than twenty-eight (28) feet wide, two (2) off-street parking spaces are required per single-family residential dwelling unit. (includes single-family detached or attached, two-family dwellings or a manufactured home on an individual lot)
74	16.120.060.B	470.14	The subdivider shall provide monetary assurance of full and faithful performance in the form of a bond, cash, or other security acceptable to the City in an amount equal to one hundred percent (100%) of the estimated cost of the improvements.	The cost of realizing and administering financial securities always exceeds the cost of the improvement. By increasing the amount of the security to 125% of the estimated cost, the City would be ensuring that the cost for inflation and administration costs are covered. It should be noted that the City does not typically have to pull a bond or other type of financial security on construction projects, but it does happen.	The subdivider shall provide monetary assurance of full and faithful performance in the form of a bond, cash, or other security acceptable to the City in an amount equal to one hundred percent ( <del>125</del> 100%) of the estimated cost of the improvements.
75	16.118.050	470.9	The construction of new private streets, serving single-family residential developments shall be prohibited unless it provides principal access to two or fewer residential lots or parcels i.e. flag lots.	Consider creating an Infill Development (Section 16.68) exemption or increasing the number of lots which can be served by the private street.	Policy discussion with the Planning Commission
76	Division II: Land Use and Development			Consider adding single-family residential design standards	Policy discussion with the Planning Commission
77	Division II: Land Use and Development			Consider addressing marijuana dispensaries	Policy discussion with the Planning Commission

	Code Section	Page	Existing Code Language	Issue/Rational	Recommended Amendment
78	Division VI: Public Infrastructure			Recent code amendment eliminated the requirement to connect to city sewer sytem concurrently with a connection to the city water system. Requiring concurrent connections would assist in complying with the OAR to eleiminate septic tanks inside city boundaries as well as reduce potential liability for the city.	Policy discussion with the Planning Commission
79	Division VII: Land Divisions, Subdivisions, Partitions, Lot Line Adjustments and			Consider allowing a fee in leiu of park/open space dedication for small subdivisions	Policy discussion with the Planning Commission



# Sherwood West Urban Reserve Area



**Legend**

**Reserves**

- Sherwood West urban reserve
- City Boundary
- Urban Growth Boundary

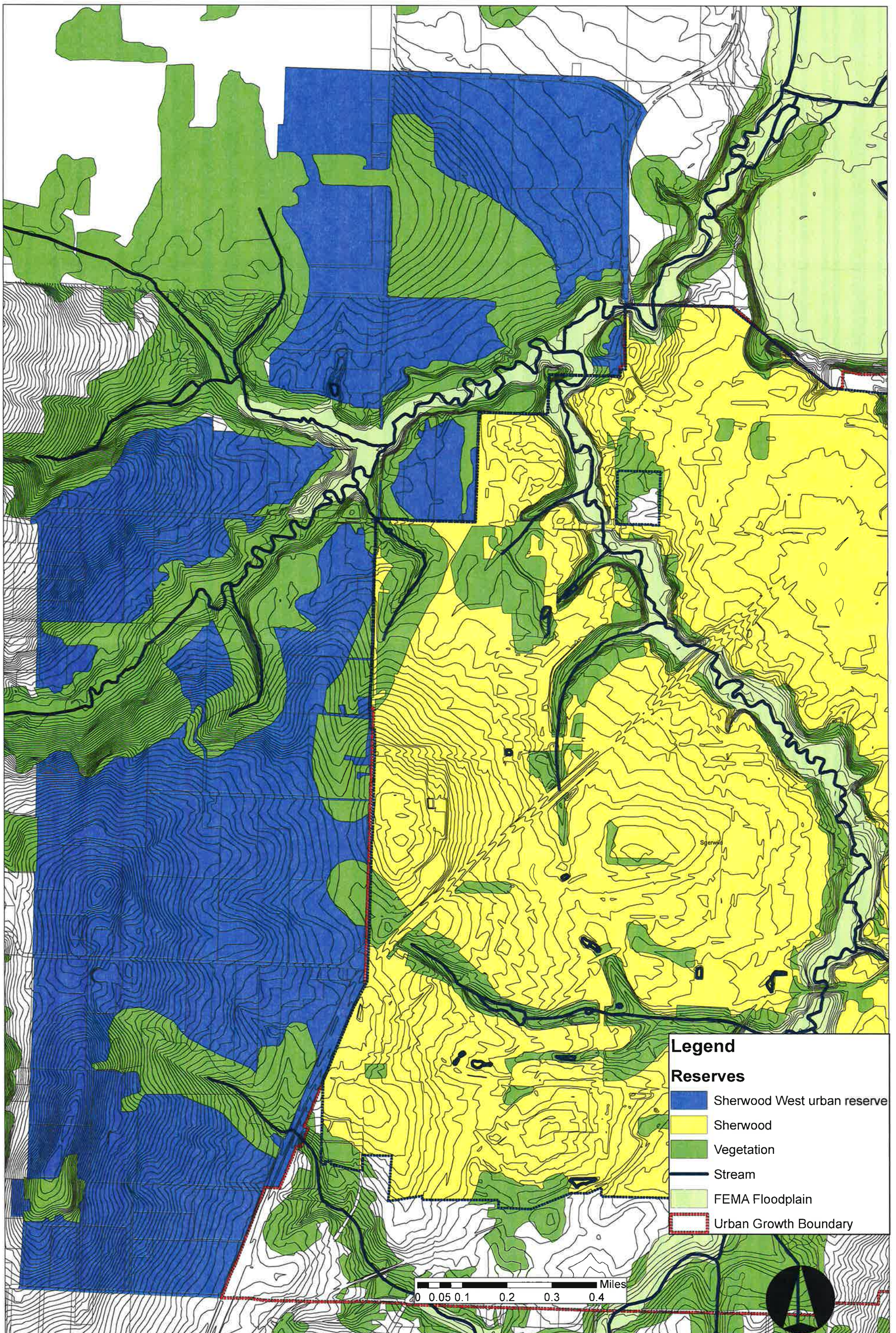
9/9/14  
Date

PC  
Gov. Body

3  
Agenda Item

1  
Exhibit #

# Sherwood West Urban Reserve Area





# **APPROVED MINUTES**

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**City of Sherwood, Oregon**  
**Planning Commission**  
**Work Session Meeting Minutes**  
**September 9, 2014**

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**Planning Commission Members Present:**

Chair Jean Simson  
Vice Chair James Copfer  
Commissioner John Clifford  
Commissioner Beth Cooke  
Commissioner Russell Griffin  
Commissioner Sally Robinson

**Staff Present:**

Brad Kilby, Planning Manager  
Connie Randall, Associate Planner  
Kirsten Allen, Planning Dept. Program Coordinator

**Planning Commission Members Absent:**

Commissioner Lisa Walker

**Council Members Present:**

Mayor Bill Middleton

**Legal Counsel:**

Chris Crean

**1. Call to Order**

Chair Simson called the meeting to order at 7:03 pm and turned the time over to staff.

Brad Kilby, Planning Manager introduced Connie Randall, new Associate Planner. He explained that her position was funded for a limited duration through a grant to help with the planning for the Sherwood West Concept Plan.

Brad informed the Commission that TriMet had issued the draft of the Southwest Service Enhancement Plan and was awaiting public comments. The plan recognized the importance of a connection between Tualatin and Sherwood and will be completed in the winter of 2015.

Brad commented that Metro had released their Urban Growth Report which is available at [www.orgonmetro.gov](http://www.orgonmetro.gov). He said Metro forecasted a range of population growth. In all cases, the modeled growth did not show a need to expand the Urban Growth Boundary in 2015. Brad said the next opportunity for expansion would be in 2021.

Brad indicated there had been an informational meeting on September 8, 2014 regarding annexation for the properties in the Tonquin Employment Area that was well attended. He said there was a Snyder Dog Park Open House on the same evening at the Parks Board meeting and a land use application for the dog park will come before the Commission soon. He detailed a meeting scheduled for September 11, 2014 about the rules and enforcement for temporary and portable signs during the upcoming political season. Commissioner Cooke asked about enforcement and signs that were stolen from her property. She mentioned that some person came to the door of her residence before they were taken, and asked if that was possibly the Code Enforcement Officer. Brad indicated that the City will only enforce signs on private property when a complaint is filed, and that he was not aware of a complaint filed in her development. Discussion followed.

Brad disclosed that the notice board at Albertsons has been removed and that trail counts were taking place this week at Stella Olsen Park. Trail counts will occur again after the first leg of Cedar Creek Trail is opened.

*Note: Notices will be posted at the US Post Office.*

There were no updates from Mayor Middleton.

### **3. Sherwood West**

Brad showed two maps of the Sherwood West area (see record, Exhibit 1) and said the area represented 1,291 acres in the Urban Reserve area as established by Metro. He said the Urban Reserves was land that would be looked at first by Metro when deciding to expand the Urban Growth Boundary over the next fifty years. Brad explained that consultants would be retained and funded through a grant. The process would take fourteen to sixteen months with the kickoff in November 2014. He commented on the need for robust citizen and property owner participation and said the City would not be placing zoning on this concept plan, but would be referencing what land uses would be needed and approximate locations for infrastructure. Chair Simson suggested calling it a *Preliminary* or *Generalized* Concept Plan. Discussion followed.

### **2. Code Clean UP Discussion**

Brad turned to the *2014 Sherwood Zoning and Community Development Code Proposed Staff Amendments* chart found in the Planning Commission packet. He explained that the amendments in green were easy fixes, such as scrivener or numbering errors that should be amended right away; amendments in blue were more subjective items that needed clarification; and amendments in red were policy oriented items that will take more time. The Commission went page by page through the chart and gave direction to staff regarding each item. Proposed changes to the code will be brought to the Commission as a public hearing at a future date.

(Mayor Middleton, Vice Chair James Copfer, and Commissioner Robinson left before this discussion concluded.)

### **4. Planning Commission Announcements**

### **5. Adjourn**

Chair Simson adjourned the meeting at 9:14 pm.

Submitted by:

Kirsten Allen

Kirsten Allen  
Planning Department Program Coordinator

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

January 13, 2015