



**City of Sherwood
PLANNING COMMISSION
Sherwood City Hall
22560 SW Pine Street
Sherwood, OR 97140
April 26, 2011 – 7 PM**

Business Meeting – 7:00

- 1. Call to Order/Roll Call**
- 2. Agenda Review**
- 3. Consent Agenda:** Minutes – February 22, 2011
- 4. Council Liaison Announcements**
- 5. Staff Announcements**
- 6. Community Comments**
- 7. Old Business-** none
- 8. New Business** – Appoint Planning Commission Vice Chair
- 9. Adjourn**

Work Session - Following Business meeting

1. Code Clean-Up Review Draft language and discuss key issues
 - a. Public improvements,
 - b. Subdivisions, partitions and lot line adjustments

Next Meeting:

May 10, 2011 – Work Session – Continued Code Clean-Up

CONSENT AGENDA

City of Sherwood, Oregon
Draft Planning Commission Minutes
February 22, 2011

Michael Jones and
approved

Commission Members Present:

Chair Allen
Jean Simson
Brad Albert
Russell Griffin
Michael Cary

Staff:

Julia Hajduk, Planning Manager
Michelle Miller, Associate Planner
Zoe Monahan, Assistant Planner
Karen Brown, Recording Secretary

Commission Members Absent:

Lisa Walker
Raina Volkmer

Council Liaison – Councilman Luman

1. **Call to Order/Roll Call – Vice Chair Simson** called the meeting to order.
2. **Agenda Review** – Due to late arrivals, the order of A & B under new business will be switched.
3. **Consent Agenda** – includes minutes from August 24th, 2010 and January 11, 2011. Julia Hajduk noted that in the January 11th minutes, Matt Nolan’s name was included and should not have been. Brad Albert’s name was not included and should have been. Motion to approve the consent agenda as corrected made by Commissioner Griffin. Motion seconded by Commissioner Carey. A vote was taken and all present were in favor. The motion passed.
4. **City Council Comments** – none given,
5. **Staff Announcements** – Julia advised that she had received a letter of resignation from Commissioner Volkmer. She also noted that Commissioner Simson’s term will end the last part of March and she has chosen not to ask to be reappointed. The two chairs will be filled as soon as possible.

The City Council has passed the Code update I.V, which includes the street tree amendment and fences and hedges and will be effective March 17, 2011.

Arbor Day is set to be celebrated April 22nd this year in a large open space near Inkster Drive. There have been trees planted in this area in the past that could be planted in someone’s name in dedication.

The Commissioners were asked to bring their code books to the next meeting so they may be updated with current updates.

Michelle gave closing thoughts including more detailed information regarding feedback received about chickens and the difference in waste produced by different types of chickens; egg laying vs. chickens raised for consumption.

There were scrivener's errors and editing comments that were noted, discussed and corrected. Chair Allen closed the public hearing and opened the project up for deliberation. He noted that discussion was needed on whether Townhomes are permitted or not and if the format of the numbering in the Home Occupations language should be changed to be consistent with other language.

Commission Simson pointed out further inconsistencies with the code language regarding chapter 16.4 6 regarding manufactured home placement.

Julia suggested changing the wording in 16.4 6 010 by deleting the specific zoning MDRL and MDRH. The Commission will consider that amendment.

Deliberation continued regarding, pergolas, arbors, and trellises with Commissioner Simson wanting to follow recommendations she heard from the City Council to keep the code "neighbor friendly". Height requirements, setbacks and separations were discussed and how the regulations of Building Codes fit with what is proposed. Commissioner Simson concluded that what she is suggesting is that, more permanent structures of a certain height would need to comply with the setback requirements.

Chair Allen suggested the wording be: pergolas, arbors, trellises and similar structures without closed sides, under 10' in height would not be required to meet setbacks.

Moving forward, Commissioner Simson recommended adding changes that would state "applicability for doing a variance would not apply to a modified PUD standard."

Addressing a redundancy in the variance language on page 18, item 3. d. Julia suggested deleting the portion of the code that states "and cannot be part of a subdivision application." The Commission agreed.

Also on page 18, Commissioner Simson, recommended changing the 25% reduction talked about in item E to be changed to 20% to maintain consistency in variances throughout the code. The Commission agreed.

Commissioner Griffin suggested formatting the tables to maintain headings that would allow ease of understanding for customers at the counter.

The Commission discussed chicken enclosures and recommended making minor formatting corrections and specify what the definition of a "nuisance" is and what can be abated.

As it had been discussed earlier, on page 3 under residential uses in the MDRL column, townhomes should be changed to an N (not permitted) and in a later code change be looked at more closely.

WORK SESSION
AGENDA ITEM 1.a



Home of the Tualatin River National Wildlife Refuge

**Community Development
Department**
22560 SW Pine St
Sherwood, OR 97140
503-625-4202

Memorandum

DATE: April 19, 2011
TO: Planning Commission
FROM: Michelle Miller, AICP, Associate Planner
SUBJECT: Public Improvements- Division VI. of the Sherwood Development Code

Division VI describes the public improvements required of development projects from the application for preliminary land use approval to the engineer's final inspection and maintenance bond submittal to the Engineering Department. The Engineering Department reviews all preliminary public improvement plans to make sure they are in compliance with the standards set out in the Transportation System Plan (TSP 2005) and the City's Engineering Design and Construction Manual (Engineering Manual 2009) at the time of preliminary land use approval stage. The Engineering Manual provides the technical details required for public improvements; however there are certain elements that are not currently consistent with the Development Code.

Based on the input from the Planning Commission work session on January 25, 2011, further research, and the brown bag lunch with developers (held in March and discussed at the April 12th Planning Commission work session), staff developed some preliminary code language which is attached to this Memo.

The following issues are addressed in the draft language for your review:

- Street Renaming will move to the Municipal Code with the same procedures in place
- Street Design Modifications-removal of letter of concurrency and insert clearer process
- Removal of Technical Street Design standards
- Removal of the Engineering Plan review process technical submittal requirements
- Insert reference to the Transportation System Plan and Engineering Design Manual where relevant
- Insert language regarding a rough proportionality finding by staff

Planning Commission Action Requested at tonight's meeting:

- Review the 1st draft of the Code language and provide feedback
- Request staff to follow up on any unresolved issues

Next Steps

- Revise the language based on feedback received at the April 26, 2011 meeting
- Review the second draft language at the May 24, 2011 meeting

ATTACHMENT 1: Proposed Code amendment language Division VI.-Public Improvements

Code Clean Up Project
Planning Commission Work Session
Date of Meeting: April 26, 2011
Proposed Language First Draft

Division VI. PUBLIC IMPROVEMENTS

Chapter 16.104 ~~GENERAL PROVISIONS~~ PURPOSE AND APPLICABILITY*

Sections:

16.104.010 ~~Standards~~ Purpose

16.104.020 Future Improvements

~~16.104.030 Improvement Procedures~~

* Editor's Note: Some sections may not contain a history.

16.104.010 Purpose ~~Standards~~

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

Green Street elements such as bioswales and porous pavement are encouraged where appropriate and feasible. Where a specific design standard supporting a green street concept is not included in the ~~Construction Standard Drawings~~ Engineering Design and Construction Manual, the design will be considered by the Engineering Department, provided additional documentation is provided to the Engineering Department that documents the design is appropriate, has a design life equal to a traditional paved street, and can be maintained easily in that location.

(Ord. 2006-021; 2005-006 § 5; Ord. 86-851)

16.104.020 Future Improvements

The location of future public improvements including water, sanitary sewer, storm water, streets, bicycle and pedestrian paths, and other public facilities and rights-of-way, as depicted in Chapters 4, 5, 6

Proposed Code Amendments Division VI.-Public Improvements

~~16.106.030 Construction~~

~~A. Initiation of Construction~~

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

~~B. Inspection~~

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

~~C. As-Built Plans~~

~~A complete set of reproducible plans showing the public improvements as built shall be filed with the City upon completion of the improvements.~~

~~D. Suspension of Improvements Activity~~

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

~~(Ord. No. 2010-015, § 2, 10-5-2010; Ord. 86-851, § 3)~~

~~16.106.040 Acceptance of Improvements~~

~~A. Final Inspection~~

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

~~B. Notification of Acceptance~~

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

~~C. Maintenance Bond~~

~~At the time of City acceptance of public improvements, the applicant shall file with the City a maintenance bond computed at ten percent (10%) of the full value of the improvements, to provide for correction of any defective work or maintenance becoming apparent or arising within one (1) year after final acceptance of the public improvements.~~

Proposed Code Amendments Division VI.-Public Improvements

a. On its own action; or

b. If a person files a petition as described in this section accompanied by a fee reasonably related to the costs of the process.

2. A petition for naming or renaming a street shall include the following:

a. A statement of the reasons for the proposed name change.

b. The names and addresses of all persons owning any real property abutting the road proposed to be renamed.

c. Signatures of either owners of sixty percent (60%) of the land abutting the subject road or sixty percent (60%) of the owners of land abutting the subject road.

3. Notice and Hearing

a. When a proceeding has been initiated under this section, the Council shall establish a time and place for a hearing to consider whether the proposed name change is in the public interest.

b. At least ten (10) days prior to the date of hearing, notice of the proposed name change shall be provided as follows:

(1) Notice by posting in no less than two (2) conspicuous places abutting the subject road; and

(2) Notice by publication in a newspaper of general circulation in the area of the subject road.

c. During or before a hearing under this section, any person may file information with the Council that alleges any new matter relevant to the proceedings or controverts any matter presented to the Council.

d. After considering the matters presented under this section, the Council shall determine whether the name change is in the public interest and shall adopt findings and an ordinance granting or denying the request.

e. When the ordinance becomes final, the Council shall cause the ordinance to be recorded with the County Clerk who shall cause copies of the ordinance to be filed with the Department of Public Works, the Department of Assessment and Taxation and with the County Surveyor.

f. For the purposes of this section, "owner" means the record holder of legal title to the land, except that if there is a purchaser of the land according to a recorded land sale contract, the purchaser is the owner.

D. Street Name Standards

1. All streets named or renamed shall comply with the following criteria:

a. Major streets and highways shall maintain a common name or number for the entire alignment.

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4. Explorers of or having to do with Sherwood.
5. Indian tribes of Washington County.
6. Early leaders and pioneers of eminence.
7. Names related to Sherwood's flora and fauna.
8. Names associated with the Robin Hood legend.

(Ord. No. 2010-015, § 2, 10-5-2010; Ord. 2005-006, § 5; Ord. 92-947, § 1; Ord. 91-922)

Note: Section 16.108.020, Street Systems Improvement Fees (SIF) was repealed by Ordinance 91-922 § 19) and permanently relocated in the Municipal Code).

16.108.030 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. Applicants may be required to dedicate land and build required public improvements only when the required exaction is directly related to and roughly proportional to the impact of the development.

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.

C. Proposed Streets

1. Except as otherwise provided, when a development includes or abuts a proposed street, in no event shall the required street improvement exceed a pavement width of forty (40) feet.
2. Half Streets: When a half street is created, a minimum of 22 feet of driving surface shall be provided by the developer.

D. Extent of Improvements

Streets required pursuant to this Chapter shall be dedicated and improved consistent with Chapter 6 of the Community Development Plan, the Transportation System Plan and applicable City standards and

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~~(11) Similar revisions to the standards.~~

b. Design Modifications. ~~Design modifications deal with the vertical and horizontal geometrics and safety-related issues and include the following when deviating from this Chapter, Section 16.58.010 or Chapter 8 cross-sections in the adopted Transportation System Plan:~~

~~(1) Reduced sight distances.~~

~~(2) Vertical alignment.~~

~~(3) Horizontal alignment.~~

~~(4) Geometric design (length, width, bulb radius, etc.).~~

~~(5) Design speed.~~

~~(6) Crossroads.~~

~~(7) Access policy.~~

~~(8) A proposed alternative design which provides a plan superior to these standards.~~

~~(9) All other standards.~~ The City Engineer may make project-specific revisions to City standard details and other City promulgated technical engineering standards for use in any project, whether privately or publicly funded.

3. Procedure. A design modification request will be made to the City Engineer prior to an application is submitted for land use approval. ~~request shall be classified as an administrative decision by the City Engineer.~~ When a modification is requested to provide a green street element that is not included in the Construction Standards, the below process shall be followed, however no fee shall be required.

a. Administrative Modification. Administrative modifications may be requested at any time and are processed ~~as Type II applications, unless defined under (C)(2) below~~ concurrently with the development application. The application shall include sufficient technical analysis to enable a reasoned decision and shall include ~~a letter of concurrency~~ a recommendation from the City Engineer.

b. Design Modification. Design modifications shall be proposed to the City Engineer prior to in ~~conjunction with~~ the application for the underlying development proposal ~~and include the following; and processed as a Type III application. Design modification requests shall be processed in conjunction with the underlying development proposal unless it is submitted subsequent to the decision for the underlying development proposal. The design modification application shall:~~

(1) ~~include a~~ A written request stating the reasons for the request and the factors which would make approval of the request reasonable.

~~(2) Include a letter of Concurrency from the City Engineer.~~

7. The Planning Authority will then make a determination as to the acceptability of the design modification.

16.108.040 Location and Design

A. Generally

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

B. Street Connectivity and Future Street Systems

1. Future Street Systems. The arrangement of public streets shall provide for the continuation and establishment of future street systems as shown on the Local Street Connectivity Map contained in the adopted Transportation System Plan (Figure 8-8).

2. Connectivity Map Required. New residential, commercial, and mixed use development involving the construction of new streets shall be submitted with a site plan that implements, responds to and expands on the Local Street Connectivity map contained in the TSP. A project is deemed to be consistent with the Local Street Connectivity map when it provides a street connection in the general vicinity of the connection(s) shown on the map, or where such connection is not practicable due to topography or other physical constraints, it shall provide an alternate connection approved by the Review Authority.

a. Where a developer does not control all of the land that is necessary to complete a planned street connection, the development shall provide for as much of the designated connection as practicable and not prevent the street from continuing in the future.

b. Where a development is disproportionately impacted by a required street connection, or it provides more than its proportionate share of street improvements along property line (i.e., by building more than 3/4 width street), the developer shall be entitled to System Development charge credits, as determined by the City Engineer.

3. Block Length. For new streets except arterials, block length shall not exceed 530 feet. The length of blocks adjacent to arterials shall not exceed 1,800 feet.

4. Where streets must cross water features identified in Title 3 of the Urban Growth Management Functional Plan (UGMFP), provide crossings at an average spacing of 800 to 1,200 feet, unless habitat quality or length of crossing prevents a full street connection.

5. Where full street connections over water features identified in Title 3 of the UGMFP cannot be constructed in centers, main streets and station communities (including direct connections from adjacent neighborhoods), or spacing of full street crossings exceeds 1,200 feet, provide bicycle and

B. Alignment

All proposed streets shall, as far as practicable, be in alignment with existing streets. In no case shall the staggering of streets create a "T" intersection or a dangerous condition. Street offsets of less than one hundred (100) feet will not be allowed.

C. Future Extension

Where necessary to access or permit future subdivision or development of adjoining land, streets shall extend to the boundary of the development. Dead-end streets less than 100' in length shall either comply with City cul-de-sac standards of Section 16.108.060, or shall provide an interim hammerhead turnaround at a location that is aligned with the future street system as shown on the local street connectivity map.

A durable sign shall be installed at the applicant's expense. These signs 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.

D. Intersection Angles

1. Streets shall intersect as near to ninety (90) degree angles as practical, except where topography requires a lesser angle. In no case shall the permitted angle be less than eighty (80) degrees without an approved special intersection design. Streets which contain an acute angle of less than eighty (80) degrees or which include an arterial street shall have a minimum corner radius sufficient to allow for a roadway edge radius of twenty (20) feet and maintain a uniform width between the roadway and the right-of-way line.

2. Arterial, collector streets, or neighborhood routes intersecting with another street shall have at least one hundred (100) feet on tangent adjacent to intersections unless topography requires a lesser distance. Local streets, except alleys, shall have at least fifty (50) feet on tangent adjacent to intersections.

E. Cul-de-sacs

1. All cul-de-sacs shall be no more than one hundred (100) feet in length, shall not provide access to more than 15 dwelling units and shall be used only when exceptional topographical constraints, existing development patterns, or compliance with other standards in this code preclude a street extension and circulation.

2. All cul-de-sacs shall ~~terminate with a circular turnaround no more than 40 feet in radius (i.e. from center to edge of pavement) or hammerhead turnaround~~ be in accordance with the specifications in Engineering Design and Construction Manual~~the Design and Construction Manual. The radius of circular turnarounds may be larger when they contain a landscaped island, parking bay in their center, Tualatin Valley Fire and Rescue submits a written request, or an industrial use requires a larger turnaround for truck access.~~

Developments along existing or proposed transit routes, as illustrated in Figure 7-2 in the TSP, shall be required to provide areas and facilities for bus turnouts, shelters, and other transit-related facilities to Tri-Met specifications. Transit facilities shall also meet the following requirements:

1. Locate buildings within 20 feet of or provide a pedestrian plaza at major transit stops.
2. Provide reasonably direct pedestrian connections between the transit stop and building entrances on the site.
3. Provide a transit passenger landing pad accessible to disabled persons (if not already existing to transit agency standards).
4. Provide an easement or dedication for a passenger shelter and underground utility connection from the new development to the transit amenity if requested by the public transit provider.
5. Provide lighting at a transit stop (if not already existing to transit agency standards).

L. Traffic Controls

For developments of five (5) acres or more, the City may require a traffic impact analysis to determine the number and types of traffic controls necessary to accommodate anticipated traffic flow. Such analysis will be completed according to specifications established by the City. Review and approval of the analysis by the City, and any improvements indicated, shall be required prior to issuance of a construction permit.

~~M. Traffic Calming~~

~~1. The following roadway design features, including internal circulation drives, may be required by the City in new construction in areas where traffic calming needs are anticipated:~~

~~a. Curb extensions (bulb-outs).~~

~~b. Traffic diverters/circles.~~

~~c. Alternative paving and painting patterns.~~

~~d. Raised crosswalks, speed humps, and pedestrian refuges.~~

~~e. Other methods demonstrated as effective through peer reviewed engineering studies.~~

~~2. With approval of the City Engineer, traffic calming measures such as speed humps and additional stop signs can be applied to mitigate traffic operations and/or safety problems on existing streets. They should not be applied with new street construction unless approved by the City Engineer and Tualatin Valley Fire & Rescue.~~

N. Vehicular Access Management

standing queues of the intersection in accordance with AASHTO standards. This requirement may result in access spacing greater than fifty (50) feet.

c. Collectors:

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

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

d. Arterials and Highway 99W - Points of ingress or egress to and from Highway 99W and arterials designated on the Transportation Plan Map, attached as Figure 1 of the Community Development Plan, Part II, shall be limited as follows:

(1) Single and two-family uses and manufactured homes on individual residential lots developed after the effective date of this Code shall not be granted permanent driveway ingress or egress from Highway 99W or arterials. If alternative public access is not available at the time of development, provisions shall be made for temporary access which shall be discontinued upon the availability of alternative access.

(2) Other private ingress or egress from Highway 99W and arterial roadways shall be minimized. Where alternatives to Highway 99W or arterials exist or are proposed, any new or altered uses developed after the effective date of this Code shall be required to use the alternative ingress and egress. Alternatives include shared or crossover access agreement between properties, consolidated access points, or frontage or backage roads. When alternatives do not exist, access shall comply with the following standards:

(a) Access to Highway 99W shall be consistent with ODOT standards and policies per OAR 734, Division 51, as follows: Direct access to an arterial or principal arterial will be permitted provided that Point 'A' of such access is more than six hundred (600) feet from any intersection Point 'A' or other access to that arterial (Point 'C').

(b) The access to Highway 99W will be considered temporary until an alternative access to public right-of-ways is created. When the alternative access is available the temporary access to Highway 99W shall be closed.

(3) All site plans for new development submitted to the City for approval after the effective date of this Code shall show ingress and egress from existing or planned local, neighborhood route or collector

a. Access points in the OT Overlay Zone shown in an adopted plan such as the Transportation System Plan, are not subject to the access spacing standards and do not need a variance. However, the applicant shall submit a partial access management plan for approval by the City Engineer. The approved plan shall be implemented as a condition of development approval.

b. Partial Access Management Plan.

(1) A partial access management plan shall include:

(a) Drawings identifying proposed or modified access points.

(b) A list of improvements and recommendations necessary to implement the proposed or modified access.

(c) A written statement identifying impacts to and mitigation strategies for facilities related to the proposed access points, especially considering safety impacts to all travel modes, operations, and the streetscape including on-street parking, tree spacing and pedestrian and bike facilities. The lowest functional classification street available to the lot, including alleys within a public easement, shall take precedence for new access points.

(2) Access permits shall be required even if no other land use approval is requested.

(Ord. No. 2010-015, § 2, 10-5-2010; Ord. 2006-021; Ord. 2005-009, § 5; 2005-006, § 5; Ord. 86-851)

16.108.060 Sidewalks

A. Required Improvements

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

2. For Highway 99W, major or minor arterials, or in special industrial districts, the Review Authority ~~Commission~~ may approve a development without sidewalks if alternative pedestrian routes are available.

3. In the case of approved cul-de-sacs serving less than fifteen (15) dwelling units, sidewalks on one side only may be approved by the Review Authority.

B. Sidewalk Design Standards

1. Arterial and Collector Streets

Arterial and collector streets shall have minimum eight (8) foot wide sidewalks/multi-use path, located as required by this Code.

Proposed Code Amendments Division VI.-Public Improvements

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.

(Ord. No. 2010-015, § 2, 10-5-2010; Ord. 86-851, § 3)

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 Engineering Design and Construction Manual standards, in order to adequately serve the proposed development and allow for future extensions.

B. Over-Sizing

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

(Ord. No. 2010-015, § 2, 10-5-2010; Ord. 91-922, § 3; Ord. 86-851)

16.110.030 Service Availability

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

(Ord. 86-851, § 3)

Proposed Code Amendments Division VI.-Public Improvements

reimbursement, from the City, after mainlines have been accepted. Reimbursement of this nature would be utilized when the cost of over-sizing is for system wide improvements.

(Ord. No. 2010-015, § 2, 10-5-2010; Ord. No. 2009-008, § 3, 7-21-2009; Ord. 91-922, § 3; Ord. 86-851)

16.112.030 Service Availability

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

(Ord. 86-851, § 3)

Chapter 16.114 STORM WATER*

Sections:

16.114.010 Required Improvements

16.114.020 Design Standards

16.114.030 Service Availability

* Editor's Note: Some sections may not contain a history.

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.

(Ord. 2006-021; 2000-1092 § 3; 93-972)

(Note: Section 16.114.015, Street Systems Improvement Fees (SIF) was repealed by Ordinance 91-922 § 19) to be removed from the SZCDC and permanently located in the Municipal Code).

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

Proposed Code Amendments Division VI.-Public Improvements

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.

(Ord. 86-851, § 3)

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.

(Ord. No. 2010-015, § 2, 10-5-2010; Ord. 91-922, § 3; Ord. 86-851, § 3)

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.

(Ord. No. 2009-005, § 2, 6-2-2009)

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.

(Ord. 2005-17 § 5; 91-922)

16.118.050 Private Streets

The construction of new private streets, serving single-family residential developments shall be prohibited unless it provides principal access to two or fewer residential lots or parcels i.e. flag lots. Provisions shall be made to assure private responsibility for future access and maintenance through

Proposed Code Amendments Division VI.-Public Improvements

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

(Ord. No. 2010-015, § 2, 10-5-2010; Ord. 91-922, § 3; Ord. 86-851, § 3)

16.106.020 Construction Permit

A. Approval

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

B. Permit and Fee

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

C. Easement Documents

Necessary construction and/or permanent easements shall be provided in a form acceptable to the City prior to issuance of a construction permit.

D. Improvement Guarantees

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

1. Liability Insurance

Evidence of public liability and property damage insurance adequate to protect the applicant and the City from all claims for damage or personal injury.

2. Performance Bond

B. Notification of Acceptance

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

C. Maintenance Bond

At the time of City acceptance of public improvements, the applicant shall file with the City a maintenance bond computed at ten percent (10%) of the full value of the improvements, to provide for correction of any defective work or maintenance becoming apparent or arising within one (1) year after final acceptance of the public improvements.

(Ord. No. 2010-015, § 2, 10-5-2010; Ord. 86-851, § 3)

WORK SESSION
AGENDA ITEM 1.b



Home of the Tualatin River National Wildlife Refuge

**Community Development
Department**
22560 SW Pine St
Sherwood, OR 97140
503-625-4202

Memorandum

DATE: April 19, 2011
TO: Planning Commission
FROM: Michelle Miller, AICP, Associate Planner
SUBJECT: Division VII.: Subdivisions, Partitions and Lot Line Adjustments

Land divisions are regulated under Division VII. Subdivisions and Partitions. This division describes the requirements from obtaining preliminary plat approval to recording the final plat. The organization of the chapters leads to uncertainty as to which sections are applicable to subdivisions, partitions or both. Clarification is needed regarding whether partitions are included in the design standard requirements of section 16.126. Property line adjustments do not have specific criteria and do not include a time limit for filing and recording an approved lot line adjustment. This causes confusion when subsequent applications are submitted or property is sold in determining whether an adjustment has indeed been recorded at Washington County.

Based on the input from the work session on January 25, 2011, further research and the brown bag lunch with developers (discussed at the April 12th Planning Commission meeting), staff developed some preliminary code language which is included as Attachment 1. Staff proposes reorganization of the chapters into "subdivision", "partition" and "lot line adjustment" rather than "preliminary plat", "final plat" and "partitions". Currently, there is no subdivision chapter and the requirements for subdivisions are intermixed among the three chapters, causing confusion and misinterpretation of the requirements. This will also make the requirements and criteria easier for the applicant to find based on the type of land use application requested. It also helps to clarify the appropriate process for recording the final plat at Washington County.

Other proposed substantive changes include:

- Phasing plan for subdivision development
- Creating a clear process for recording final plats at Washington County and providing notice back to the City
- Allowing the entire subdivision to have an overall "average lot size" rather than a minimum lot size for each individual lot
- Allowing smaller subdivisions (4-10 lots) to follow a Type II (staff review) process.

At the January Planning Commission work session, Commissioners wanted more information on the reason PUDs historically have been more prevalent than regular subdivisions within the City. Staff posed this question at the brown bag last month and some developers who had used the PUD process indicated that the process provided more flexibility for environmentally constrained land. With that in mind, staff proposes consideration of lot averaging within the standard subdivision provisions. This is similar to the Tigard provision for lot averaging.

Code Clean Up Project
Planning Commission Work Session
Date of Meeting: April 26, 2011
Proposed Language First Draft

Division VII. SUBDIVISIONS, ~~AND~~ PARTITIONS, and LOT LINE ADJUSTMENTS

Chapter 16.120 ~~GENERAL PROVISIONS~~ SUBDIVISIONS*

Sections:

16.120.010 Purpose

16.120.020 General Provisions

16.120.030 Platting Authority

16.120.040 Approval Criteria: Preliminary Plat

16.120.050 Submission Requirements: Preliminary Plat

16.120.060 Approval Criteria: Final Plat

16.120.070 Improvement Agreement

16.120.080 Bond

16.120.90 Filing and Recording

16.120.100 Vacations of Plats

* Editor's Note: Some sections may not contain a history.

16.120.010 Purpose

Subdivision ~~and land partitioning~~ regulations are intended to promote the public health, safety and general welfare; lessen traffic congestion; provide adequate light and air; prevent overcrowding of land; and facilitate adequate water supply, sewage and drainage.

(Ord. 86-851, § 3)

16.120.020 General Provisions

A. Approval occurs through a two-step process: the preliminary plat and the final plat.

1. The preliminary plat shall be approved by the Approval Authority before the final plat can be submitted for approval consideration and

2. The final plat shall reflect all conditions of approval of the preliminary plat.

Division VII Subdivisions, Partitions and Lot Line Adjustments

b. A subdivision application for 11- 50 lots will follow a Type III review process.

c. A subdivision application for over 51 lots will follow a Type IV review process.

2. Approval of subdivisions ~~and partitions~~ is required in accordance with this Code before a plat for any such subdivision ~~or partition~~ may be filed or recorded with Washington County. Appeals to a decision may be filed pursuant to Chapter 16.76.

~~B.—Future Partitioning~~

~~When subdividing tracts into large lots which may be resubdivided, the City shall require that the lots be of a size and shape, and apply additional building site restrictions, to allow for the subsequent division of any parcel into lots of smaller size and the creation and extension of future streets.~~

GB. Required Setbacks

All required building setback lines as established by this Code, shall be shown in the subdivision plat or included in the deed restrictions.

DC. Property Sales

No property shall be disposed of, transferred, or sold until required subdivision or partition approvals are obtained, pursuant to this Code.

(Ord. No. 2010-015, § 2, 10-5-2010; Ord. 98-1053 § 1; Ord. 86-851, § 3)

D. Phased Development.

1. The Approval Authority may approve a time schedule for developing a subdivision in phases, but in no case shall the actual construction time period for any phase be greater than two years without reapplying for a preliminary plat;

2. The criteria for approving a phased site development review proposal are:

a. The public facilities shall be scheduled to be constructed in conjunction with or prior to each phase to ensure provision of public facilities prior to building occupancy;

b. The development and occupancy of any phase shall not be dependent on the use of temporary public facilities:

(1) For purposes of this subsection, a temporary public facility is an interim facility not constructed to the applicable City or district standard; and

(2) The phased development shall not result in requiring the City or other property owners to construct public facilities that were required as a part of the approval of the preliminary plat.

3. The streets and roads held for private use and indicated on the preliminary plat of such subdivision have been approved by the City;
4. The plat contains a donation to the public of all common improvements, including but not limited to streets, roads, parks, sewage disposal and water supply systems;
5. An explanation is included which explains all of the common improvements required as conditions of approval and are in recordable form and have been recorded and referenced on the plat;
6. The plat complies with the applicable zoning ordinance and other applicable ordinances and regulations;
7. A certification by the appropriate water district that water will be available to the lot line of each and every lot depicted on the plat or bond, contract or other assurance has been provided by the subdivider to the City that a domestic water system will be installed by or on behalf of the subdivider to the lot line of each and every lot depicted on the plat. The amount of the bond, contract or other assurance by the subdivider shall be determined by a registered professional engineer, subject to any change in amount as determined necessary by the City;
8. A certificate has been provided by the City's Engineering Department that a sewage disposal system will be available to the lot line of each and every lot depicted in the proposed plat;
9. Copies of signed deeds have been submitted granting the City a reserve strip as provided by Section 16.120.040.B; and
10. The plat contains a surveyor's affidavit by the surveyor who surveyed the land represented on the plat to the effect the land was correctly surveyed and marked with proper monuments as provided by ORS Chapter 92[.060] and indicating the initial point of the survey, and giving the dimensions and kind of such monument, and its reference to some corner established by the U.S. survey or giving two or more objects for identifying its location.

16.120.070 Improvement Agreement

A. Improvement agreement required. Before City approval is certified on the final plat, and before approved construction plans are issued by the City, the subdivider shall enter into the "Engineering Compliance Agreement" which includes the following:

1. Execute and file an agreement with the City Engineer specifying the period within which all required improvements and repairs shall be completed; and
2. Include in the agreement provisions that if such work is not completed within the period specified, the City may complete the work and recover the full cost and expenses from the subdivider.

B. Stipulation of improvement fees and deposits. The agreement shall stipulate improvement fees and deposits as may be required to be paid and may also provide for the construction of the improvements in stages and for the extension of time under specific conditions therein stated in the contract.

16.120.080 Bond

A. Performance guarantee required. As required by Section 16.120.070, the subdivider shall file with the agreement an assurance of performance supported by one of the following:

2. The vacation shall also divest all public rights in the streets, alleys and public grounds, and all dedications laid out or described on the plat.

E. After sale of lots. When lots have been sold, the plat may be vacated in the manner herein provided by all of the owners of lots within the platted area.

F. Vacation of streets. All street vacations shall comply with the procedures and standards set forth in ORS Chapter 271 and the Municipal Code.

Chapter 16.128–2 Preliminary Plats LAND PARTITIONS*

Sections:

~~16.128.16.122.010~~ **16.122.010 Generally**

~~16.128.16.122.020~~ **16.122.020 Approval Criteria: Preliminary Plat**

~~16.128.16.122.030~~ **16.122.030 Submission Requirements: Preliminary Plat**

16.122.040 Final Plat Submission Requirements

16.122.050 City Acceptance of Dedicated Land

16.122.060 Recording Partition Plats

16.122.070 Subdivision Compliance

16.122.080 Filing Requirements

~~16.128.16.122.10~~ **16.122.10 Generally**

A. Approval Required

A tract of land or contiguous tracts under a single ownership shall not be partitioned into two (2) or more parcels until a partition application has been approved by the City Manager or his/her designee following the procedures of a Type II land use action, § 16.72.010 2.

16.122.020 Approval Criteria: Preliminary Plat

A. Approval criteria. The Approval Authority may approve, approve with conditions or deny a preliminary plat based on the following approval criteria:

1. The proposed preliminary plat complies with the applicable zoning ordinance and other applicable ordinances and regulations;

2. The proposed plat name is not duplicative or otherwise satisfies the provisions of ORS Chapter 92;

3. The streets and roads are laid out so as to conform to the plats of subdivisions and maps of major partitions already approved for adjoining property as to width, general direction and in all other respects unless the City determines it is in the public interest to modify the street or road pattern; and

4. An explanation has been provided for all common improvements.

B. Conditions of approval. The Approval Authority may attach such conditions as are necessary to carry out the comprehensive plan and other applicable ordinances and

Division VII Subdivisions, Partitions and Lot Line Adjustments

~~4. Adjoining land can be developed, or is provided access that will allow future development, in accordance with this Code.~~

16.122.040 Final Plat Submission Requirements

A. Submittal. All final plats for partitions shall be accompanied by three copies of the partition plat prepared by a land surveyor or engineer licensed to practice in Oregon, and necessary data or narrative. The final plat shall incorporate any conditions of approval imposed by the City Manager or his/her designee as part of the preliminary plat approval.

B. Standards. The partition plat and data or narrative shall be drawn to the minimum standards set forth by the Oregon Revised Statutes (ORS 92.05) and by Washington County, as described in detail by information provided by the City Manager or his/her designee at the time of application.

16.122.050 City Acceptance of Dedicated Land

A. Acceptance of dedications by City Engineer. The City Engineer shall accept the proposed right-of-way dedication prior to recording a land partition.

B. Acceptance of public easements by City Engineer. The City Engineer shall accept all public easements shown for dedication on partition plats.

16.122.060 Recording Partition Plats

A. Recording requirements. Upon the City Manager or his/her designee's approval of the proposed minor partition, the applicant shall record the final partition plat with Washington County and submit a copy of the recorded survey map to the City, to be incorporated into the record.

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

DC. Future Development Ability

In addition to the findings required by Section ~~16.128.~~16.122.010, the City Manager or his/her designee must find, for any partition creating lots averaging one (1) acre or more, that the lots may be re-partitioned or resubdivided in the future in full compliance with the standards of this Code. The City Manager or his/her designee may require the applicant to submit partition drawings or other data confirming that the property can be resubdivided. If re-partitioning or resubdividing in full compliance with this Code is determined not to be feasible, the City Manager or his/her designee shall either deny the proposed partition, require its redesign, or make a finding and condition of approval that no further partitioning or subdivision may occur, said condition to be recorded against the property.

(Ord. No. 2010-015, § 2, 10-5-2010; Ord. 2006-021; Ord. 98-1053, § 1; 91-922, § 3; Ord. 86-851)

After expiration of the twelve (12) months period following partition approval, the partition must be resubmitted for new approval. The City Manager or his/her designee may, upon written request by the applicant, grant an extension up to twelve (12) months upon a written finding that the facts have not changed to an extent sufficient to warrant refiling of the partition and that no other development approval would be affected. For partitions granted on or after January 1, 2007 through December 31, 2009, the approval shall be extended until December 31, 2013.

(Ord. No. 2010-015, § 2, 10-5-2010; Ord. No. 2010-06, § 2, 4-6-2010; Ord. 86-851, § 3)

~~Chapter 16.124 FINAL PLATS*~~

~~Sections:~~

~~16.124.010 Generally~~

~~16.124.020 Final Plat Review~~

~~16.124.030 Creation of Streets~~

~~* Editor's Note: Some sections may not contain a history.~~

~~16.124.010 Generally~~

~~A. Time Limits~~

~~Within two (2) years after approval of the preliminary plat, a final plat shall be submitted. The subdivider shall submit to the City six (6) copies of the final plat, and all supplementary information required by or pursuant to this Code. Upon approval of the final plat drawing, the applicant may submit the mylar for final signature.~~

~~C. Staging~~

~~The City may authorize platting and development to proceed in stages that exceed two (2) years, but in no case shall the total time period for all stages be greater than five (5) years. Each stage shall conform to the applicable requirements of this Code. Portions platted or developed after the passage of two (2) years may be required to be modified in accordance with any change to the Comprehensive Plan or this Code.~~

~~D. Shown on Plat~~

~~The following information shall be shown on the final plat:~~

Division VII Subdivisions, Partitions and Lot Line Adjustments

~~8.—Land parcels to be dedicated for any purpose are to be distinguished from lots intended for sale, and titled to identify their intended use.~~

~~9.—The following certificates, which may be combined where appropriate:~~

~~a.—A certificate signed and acknowledged by all parties having any record title interest in and to the land subdivided, consenting to the preparation and recording of the map and dedicating all parcels of land shown on the final map and intended for public use.~~

~~b.—An affidavit signed by the engineer or the surveyor responsible for the survey and final map, the signature of such engineer or surveyor to be accompanied by a professional seal.~~

~~c.—Provisions for all other certifications required.~~

~~E.—Submitted With Plat~~

~~The following information shall be submitted with the final plat:~~

~~1.—A preliminary title report issued by a title insurance company in the name of the owner of the land, showing the interest of all parties.~~

~~2.—Sheets and drawings showing the following:~~

~~a.—Traverse data showing the error of closure, including the coordinates of the boundary of the subdivision and ties to section corners and donation land claim corners.~~

~~b.—Ties to existing monuments, proposed monuments, adjacent subdivisions, street corners, and state highway stationing.~~

~~3.—Copies of any deed restrictions and dedications, including building setbacks.~~

~~4.—Proof that all taxes and assessments on the tract are paid for the current year.~~

~~(Ord. No. 2010-015, § 2, 10-5-2010; Ord. No. 2010-06, § 2, 4-6-2010; Ord. 2003-1148, § 3; Ord. 98-1053 § 1; Ord. 86-851, § 3)~~

~~16.124.020 Final Plat Review~~

~~A.—Subdivision Agreement~~

~~The subdivider shall either install required improvements and repair existing streets and other public facilities damaged in the development of the subdivision pursuant to the Division VI, or execute and file with the City an agreement specifying the period within~~

Division VII Subdivisions, Partitions and Lot Line Adjustments

~~No final subdivision plat shall be approved unless:~~

- ~~1. All required public streets and floodplain areas are dedicated without any reservation or restriction other than easements for public utilities and facilities.~~
- ~~2. Streets and roads held for private use have been approved by the City.~~
- ~~3. The plat complies with the standards of the underlying zoning district and other applicable standards of this Code and is in conformity with the approved preliminary plat.~~
- ~~4. The plat dedicates to the public all required common improvements and areas, including but not limited to streets, floodplains, parks, sanitary sewer, storm water, and water supply systems.~~
- ~~5. Adequate water, sanitary sewer and other public facilities exist to support the proposed use of the subdivided land, as determined by the City and are in compliance with City standards. For the purposes of this section:
 - ~~a. Adequate water service shall be deemed to be connection to the City water supply system.~~
 - ~~b. Adequate sanitary sewer service shall be deemed to be connection to the City sewer system.~~
 - ~~c. The adequacy of other public facilities such as storm water and streets shall be determined by the City based on applicable City policies, plans, and standards for said facilities.~~~~
- ~~6. Adjoining land can be developed, or is provided access that will allow future development, in accordance with this Code.~~

~~(Ord. No. 2010-015, § 2, 10-5-2010; Ord. 98-1053 § 1; 94-991; Ord. 86-851, § 3)~~

~~16.124.030 Creation of Streets~~

~~A. Approval~~

~~The final plat shall provide for the dedication of all streets for which approval has been given by the City. Approval of the final plat shall constitute acceptance of street dedications.~~

~~B. Exceptions~~

LOT LINE ADJUSTMENTS

Sections:

16.128.010 Purpose

16.128.020 Approval Process

16.128.030 Application Submission Requirements

16.128.040 Approval Criteria

16.128.050 Recording Lot Line Adjustments

16.128.010 Purpose

A. Purpose. The purpose of this chapter is to provide rules, regulations and criteria governing approval of lot line adjustments.

16.128.020 Approval Process

A. Decision-making process. Lot line adjustments shall be reviewed by means of a Type I procedure, as governed by Chapter 16.72, using approval criteria contained in Section 16.128.040.

B. Time limit on approval. The lot line adjustment approval by the City Manager or his/her designee shall be effective for a period of one (1) year from the date of approval.

C. Lapsing of approval. The lot line adjustment approval by the City Manager or his/her designee shall lapse if:

1. The lot line adjustment has been improperly recorded with Washington County without the satisfactory completion of all conditions attached to the approval; or

2. The final recording is a departure from the approved plan.

D. Extension. The City Manager or his/her designee shall, upon written request by the applicant and payment of the required fee,

grant an extension of the approval period not to exceed one year provided that:

1. No changes are made on the original plan as approved by the City Manager or his/her designee;

2. The applicant can show intent of recording the approved partition or lot line adjustment within the one year extension period; and

3. There have been no changes in the applicable Comprehensive Plan policies and ordinance provisions on which the approval was based.

16.128.030 Application Submission Requirements

A. General submission requirements. All applications shall be made on forms provided by the City Manager or his/her designee and shall include information required for a Type I application.

B. Specific submission requirements. All applications shall include the preliminary lot line map and necessary data or narrative, detailed information for which shall be obtained from the City.

16.128.040 Approval Criteria

~~Chapter 16.130 PROPERTY LINE ADJUSTMENTS*~~

~~Sections:~~

~~16.130.010 GENERALLY~~

~~16.130.020 FILING REQUIREMENTS~~

~~* Editor's Note: Some sections may not contain a history.~~

~~16.130.010 Generally~~

~~The City Manager or his or her designee may approve a property line adjustment without public notice or a public hearing provided that:~~

~~no new lots are created~~

~~the adjusted lots comply with the applicable zone requirements~~

~~The adjusted lots continue to comply with other regulatory agency or department requirements.~~

~~. If the property line adjustment is processed with another development application, all applicable standards of the Code shall apply.~~

~~(Ord. 86-851 § 3)~~

~~16.130.020 Filing Requirements~~

~~If a property line adjustment is approved by the City, it does not become final until reviewed and approved by Washington County in accordance with its property line adjustment recording requirements.~~

~~(Ord. 86-851 § 3)~~

APPROVED MINUTES

City of Sherwood, Oregon
Planning Commission Minutes
April 26, 2011

Commission Members Present:

Chair Allen
Commissioner Clifford
Commissioner Albert
Commissioner Cary
Commissioner Copfer

Staff:

Julia Hajduk, Planning Manager
Michelle Miller, Associate Planner
Zoe Monahan, Assistant Planner
Karen Brown, Recording Secretary

Commission Members Absent:

Commissioner Griffin
Commissioner Walker

Council Liaison Councilman Luman

1. **Call to Order/Roll Call** Chair Allen called the meeting to order.
2. **Agenda Review** The agenda consisted of the consent agenda and announcements
3. **Consent Agenda** Minutes for the February 22, 2011 were reviewed. Chair Allen reminded everyone that is not necessary for Commission members to have been at a meeting to be included in a vote as long as they have reviewed the minutes. He then asked for any changes or comments to the minutes. Seeing none, he asked for a motion to approve the consent agenda. Commissioner Cary made a motion, Commissioner Copfer seconded the motion. A vote was taken and all members present were in favor and the motion passed.
4. **City Council Comments** Councilor Luman was not present
5. **Staff Announcements** Julia made several announcements including:
 - Reporting that the Arbor Day celebration had been held recently and was very successful. The City received its 6th Growth Award.
 - As part of the Code Clean-Up project the Planning Department is holding a Dessert and Discussion meeting May 6th from 6:00 to 7:30. We are inviting local HOA members and other interested parties to come and mingle and discuss issues as well as talk to the Planning Department Staff about trees while they are here. She invited Commissioners to come as well.
 - On April 25th, the Hearings Officer approved the Costal Farm and Ranch Store site plan and conditional use. She is expecting a formal decision to be issued later

in the week which may mean the city will see something new for that site in the near future.

- Heather had asked Julia to report that the group that has been working on the Business Plan for the Community Center has wrapped up and will be presenting their plan to the City Council on May 3rd. Chair Allen asked if there was a summary document that they could review. Julia will check and let him know.

6. **Community Comments** @one given

7. **Old Business** O@None

8. **New Business** O Included selecting a Vice Chair. A discussion was held regarding interest in being the Vice Chair among the Commissioners. Commissioner Albert expressed an interest. Although not present Commissioner Walker had indicated she would nominate Commissioner Griffin if he was interested or that she would be a potential option if he was not interested. (Commissioner Griffin was not in attendance either.) Commissioner Copfer nominated Commissioner Albert. Chair Allen closed the nominations and asked for a vote. All members present were in favor of appointing Commissioner Albert as Vice Chair.

Chair Allen adjourned the meeting and moved onto the Work Session.

End of minutes.