



*Home of the Tualatin River National Wildlife Refuge*

**City of Sherwood  
PLANNING COMMISSION  
Sherwood City Hall  
22560 SW Pine Street  
Sherwood, OR 97140  
September 13, 2011 – 7 PM**

**Planning Commission will hold a work session on September 13, 2011.  
Work sessions are informal. Public may attend.**

Work sessions are informal meetings where the Commission and staff can discuss topics but no formal action is taken from these meetings. Work sessions are open to the public in accordance with public meeting laws.

Planning Commission Work Session agenda items on Code Clean Up topics:

1. Temporary Uses
2. Parking Lot Landscaping

**Next Meeting:  
September 27, 2011**



Home of the Tualatin River National Wildlife Refuge

## MEMORANDUM

City of Sherwood  
22560 SW Pine St  
Sherwood, OR 97140  
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**DATE:** September 6, 2011  
**TO:** Planning Commission  
**FROM:** Zoe Monahan, Assistant Planner  
**SUBJECT:** Temporary Uses

Mayor  
Keith Mays

Council President  
Dave Grant

Councillors  
Linda Henderson  
Robyn Faison  
Bill Sutterfield  
Matt Langer  
Krisanna Clark

City Manager  
Jan Peterson

At the August 23, 2011 the Planning Commission briefly discussed the code changes that were prepared based on the feedback from the work session on June 28, 2011 regarding temporary uses.

At the June 28, 2011 work session we discussed incorporating the temporary use exemptions from Resolution 2002-021 as well as exemption activities that received a Special Event Permit from the City. We also discussed outdoor display or sidewalk sales. It appeared that the Planning Commission was interested in draft language with those items in addition to a more user friendly temporary uses code section.

At the August 23, 2011 work session the Planning Commission directed staff to reorganize the language and change the headings to make it more clear that one process requires a permit and the other does not. Additionally, garage sales were exempted from the standards. The revised Temporary Uses and Outdoor Sales and Merchandise Display draft language is attached as attachment 1 to this memo.

In order to continue to move forward it is important to check in with the Planning Commission to ensure that you are comfortable with the proposed language. If there are major issues we can discuss the language further at another Planning Commission work session or if there are no issues or only minor issues then we can move forward and prepare for a Public Hearing.

At the work session, we are looking for your input on the following;

- 1) Are there any concerns about the proposed exemptions, should anything be added or removed from the exemptions?
- 2) Are there concerns about the proposed time limits?
- 3) Are there concerns about the permanent or temporary outdoor sales descriptions?

## Chapter 16.86 TEMPORARY USES\*

Sections:

16.86.010 ~~Generally Purpose~~16.86.020 ~~Applicability~~ Temporary Uses – No Permits Required16.86.030 Temporary Uses- Require Permits~~16.86.020 Permit Approval~~

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

16.86.010 ~~Generally Purpose~~

~~Approval may be granted for structures or uses which are temporary or seasonal in nature, such as temporary real estate offices and construction offices, provided such uses are consistent with the intent of the underlying zoning district and comply with other provisions of this Code.~~

This section recognizes that temporary uses serve a useful purpose in the life of the community. Temporary uses are characterized by their short term or seasonal nature and by the fact that permanent **improvements** changes are not made to the site. Such activities have a potential to have adverse impacts on surrounding property created by the temporary activity therefore specific requirements are necessary as discussed herein.

16.86.020. Temporary Uses – No **Required** Permits RequiredA. Applicability1. Short- term events with an approved City of Sherwood Special Event Permit such as festivals, farmers markets and local events.2. Short- term events, two (2) weeks in duration or less, including but not limited to fireworks sales, tent sales, sidewalk sales, book sales, craft sales, tree sales or rummage sales, with the exception of garage sales.B. Criteria1. No permit or review is required for short -term events that receive approval through the City of Sherwood Special Event Permit.2. No permit or review is required for short -term temporary and seasonal events described in section A.2. above, that meet the following criteria;1a. The operations take place on private property for which the applicant has permission to use. No part of the site or use shall be located in the public right-of-way, unless a right-of-way permit has been previously granted by the City Engineer.2b. The event must take place on an improved site that has received site plan approval per Chapter 16.90.3c. The use shall not result in cars stacking onto a public street or interfering with on-site traffic circulation.4d. Pedestrian pathways such as sidewalks, bike path, walkways and breezeways shall not be blocked.5e. Wheelchair paths and handicapped parking spaces shall not be blocked.6f. The use shall not eliminate required off street parking.7g. Temporary uses shall obtain TVF&R approval.



8h. Temporary uses permitted by these criteria are not exempt from any other required permits such as temporary portable sign permits, City business license, sanitation facility permits, electrical permits, or any other required city, county or state permit.

9i. The use shall comply with applicable noise, odor, nuisance, fire code and comply with other provisions of this Code.

### C. Enforcement

If a temporary or seasonal event is found to be out of compliance with the above criteria, the City shall enforce compliance or require the removal of the event in accordance with the City's code compliance procedures and 16.02.040.

### 16.86.030 ~~Applicability~~ Temporary Uses - Requiring Permits

#### A. ~~Temporary Uses~~ Applicability

Approval may be granted for structures or uses which are temporary or seasonal in nature, such as temporary real estate offices and construction offices, provided such uses are consistent with the intent of the underlying zoning district and comply with other provisions of this Code. These activities are intended to be in use for a limited duration and shall not become a permanent part of a site.

#### BBC. Application and Fee

An application for a temporary use shall be filed with the City and accompanied by the fee specified ~~by Section 16.74.010~~ in the adopted fee schedule. The applicant is responsible for submitting a complete application which addresses all review criteria. Temporary use permits shall be subject to the requirements set forth in Chapter 16.72.

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

#### ~~16.86.020-030C.~~ Permit Approval

##### A1. Findings of Fact

A temporary use permit (TUP) may be authorized by the City Manager or his/her designee pursuant to Chapter 16.72 provided that the applicant ~~provides~~ submits a narrative and detailed site plan that demonstrates that the proposed use:

- 1a. Generally conforms to the standards and limitations of the zoning district in which it is located.
- b2. Meets all applicable City and County health and sanitation requirements.
- c3. Meets all applicable Uniform Building Code requirements.
- 4d. Construction trailers shall not be approved until ~~site plan~~ land use approval and building permits, if applicable, have been issued.

##### B2. Time Limits

The temporary use or structure shall be removed upon expiration of the temporary use permit, unless renewed by the City Manager or his/her designee. ~~In no case shall a temporary use permit be issued for a period exceeding one (1) year, unless the permit is renewed pursuant to this Chapter.~~

- a. Temporary construction trailers and real estate offices shall not be issued for a period exceeding one (1) year. The applicant may request a renewal for additional time to allow completion of the project provided that the applicant provides a narrative describing the need for additional time and an anticipated date of project completion.
- b. Other temporary uses, not otherwise exempt per 16.86.020.B, shall be issued a permit for up to one (1) year to accommodate the duration of the proposed temporary use.
  - a. Renewals may be provided as follows:
    - i. A renewal permit may be obtained for a period of one (1) year after providing a narrative discussing how the use will remain temporary and how the use is not and will not become permanent.
    - ii. A temporary use permit shall not be renewed for more than three consecutive years; however a renewal may be obtained annually for uses that do not exceed a four month period of time per year.

### ~~E3.~~ ~~Additional~~ Conditions

In issuing a temporary use permit, the City Manager or his/her designee may impose reasonable conditions as necessary to preserve the basic purpose and intent of the underlying zoning district. These conditions may include, but are not limited to the following:

- a. increased yard dimensions;
- b. fencing, screening or landscaping to protect adjacent or nearby property;
- c. limiting the number, size, location or lighting of signs;
- d. restricting certain activities to specific times of day; and
- e. reducing the duration of the temporary use permit to less than one (1) year.

### ~~D4.~~ Revocation

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

## Chapter 16.98 ON-SITE STORAGE\*

Sections:

16.98.010 Recreational Vehicles And Equipment

16.98.020 Solid Waste and Recycling Storage

16.98.030 Material Storage

16.98.040 Outdoor Sales and Merchandise Display

### ~~16.98.040 Outdoor Sales and Merchandise Display~~

#### A. Sales Permitted

Outdoor sales and merchandise display activities shall be permitted when such activities are deemed by the Commission to be a customary and integral part of a permitted commercial or industrial use.

- 1. Permanent outdoor sales and merchandise displayed are in use year round or in excess of four (4) months per year and require the location to be reviewed through a site plan

review. They will be reviewed as conditional uses in accordance with Chapter 16.82. Permanent outdoor and merchandise display are subject to the standards outlined in subsection B, below.

2. Temporary outdoor sales and merchandise display are seasonal and are not displayed year round and must meet the requirements of Chapter 16.86 (temporary uses).

B. Standards

1. Outdoor sales and merchandise display areas shall be kept free of debris. Merchandise shall be stacked or arranged, or within a display structure. Display structures shall be secured and stable.
2. Outdoor sales and merchandise display shall not be located within required yard, building, or landscape setbacks, except where there is intervening right-of-way of a width equal to or greater than the required setback; and shall not interfere with on-site or off-site pedestrian or vehicular circulation.
3. Outdoor retail sales and merchandise display areas for vehicles, boats, manufactured homes, farm equipment, and other similar uses shall be paved with asphalt surfacing, crushed rock, or other dust-free materials.
4. Additional standards may apply to outdoor sales and merchandise display dependent on specific restrictions in the zone. ~~in NC zones, as per Section 16.24.050A.~~





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

## Memorandum

**DATE:** September 6, 2011  
**TO:** Planning Commission  
**FROM:** Michelle Miller, AICP, Associate Planner  
**SUBJECT:** Division V: Parking Lot Layout and Landscaping

**NOTE:** The following memo and attachment are a copy of the same materials provided to the Planning Commission at the August 23, 2011 work session.

Chapters 16.92 Landscaping and 16.94 Parking of Sherwood Zoning and Community Development Code (SZCDC) describe the requirements for landscaping and parking requirements for a site. The Planning Commission held a work session on June 28, 2011 to discuss the issue paper about *Parking Lot Layout and Landscaping* and developed some recommendations for this section of the code.

At the June 28, 2011 Planning Commission work session, staff reviewed the parking lot layout issue paper and discussed and compared landscaping and parking requirements at several locations around Sherwood and around the metropolitan region. Staff prepared a power point to get feedback on examples of parking lot layouts that Commissioners wanted to incorporate into the new code provisions. The following modifications include the ideas generated at the last work session:

### Parking Lot Landscaping

- Total landscaping requirements-proportion of shrubs, ground cover or trees
- Interior landscaping requirements
- Type and specificity of landscaping materials
- Requiring trees to the landscape islands

### Parking Lot Layout

- Compliance with updates to the Metro functional plan parking requirements
- Minimum and maximum number of parking spaces required
- Wheel stop requirements
- Dimensional standards for parking stalls
- Shared parking requirements
- Bicycle parking requirements

Attached are the draft changes which are reflected in track changes with new text identified in blue underline and deleted text with ~~red~~ strikethrough. Several sections have been moved to other places in the Code and are identified with green double underline and where they moved from in ~~green~~ double strikethrough. Several items are highlighted to show changes in numbering or added language from earlier Code Clean Up efforts.

At the September 6, 2011, Planning Commission meeting, we will be asking the Commission to review the draft of the Code language and provide feedback. After receiving this feedback, staff will follow-up as needed and revise the language for a future work session or public hearing.

**ATTACHMENT 1:** Proposed Code Language: Parking Lot Layout-track changes

# **APPROVED MINUTES**



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City of Sherwood, Oregon  
Planning Commission Work Session Minutes  
September 13, 2011

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**Commission Members Present:**

Chair Allen  
Commissioner Walker  
Commissioner Cary  
Commissioner Griffin

**Staff:**

Julia Hajduk, Planning Manager  
Michelle Miller, Associate Planner  
Zoe Monahan, Assistant Planner

**Council Liaison –**

**Time Work Session Began:** 7:00 p.m. .Julia announced that the City was awarded the TGM grant for the Town Center.

**1. Agenda Items Include:**

- **Subdivisions, Partitions, and Lot Line Adjustments** – Information given by Michelle. Staff proposed reorganization of the chapters which would make the submittal requirements and process easier to understand. Discussed here as well as at the April 26, 2011 were: Phasing plan for subdivision development, Clearly defining the process for recording final plats at Washington County and providing notice back to 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 to follow a Type II (staff review) process, providing a process for re-platting.
- **Commercial and Industrial Uses** – Julia and Heather decided they would give this information to the Commission on July 12th.
- **Temporary Sign Update** – information given by Heather. Objective is to establish a work group to discuss issues. Chair Allen asked what the actual goal is in changing the Temporary sign code. Julia and Heather are trying to define the issues and process more clearly.
- **Parking Lot Landscape and Configuration** – Michelle explained that concerns with parking lots layout include: number of parking spaces, dimensions of parking stalls, directional areas as well as shared parking, bicycle parking and pedestrian circulation. Landscaping areas of concern include: perimeter landscaping, landscaping islands and site visual appearance.

Staff recommendations include evaluation of the Regional Transportation Function Plan. Removing or modifying the requirement for bike spaces to be covered. Address the amount of parking for visitors to multi-family

developments. Clarifying the circumstances in which parking lot ratios may be reduced. Also considering allowing more flexibility for wheel stop requirements to allow low landscape or larger walkways.

Regarding landscape issues evaluating existing landscaping code requirements to determine if it meets the goals and aesthetics of the City.

They want to clarify the percentage of required landscaping and what is considered internal landscaping.

Requirements to identify internal pathways for larger parking areas within and surrounding sites need to be reviewed.

Requiring distinctive proportions of trees in the internal parking area and clarifying native landscape intentions are also being reviewed.

- **Temporary Uses** – Zoe discussed the subject of Temporary use requirements which are part of the Sherwood Zoning and Community Development Code. Currently there no clear definition of a temporary use. There are also no clear directions about which uses require review and which are exempt.

Staff recommendations include encouraging the Planning Commission to consider clarifying the types of temporary uses that fall within the regulations of Chapter 16.86 in addition reviewing and clarifying the exemptions described in Resolution 2002-021.

It is further recommended that the short term event exemptions and requirement outlined in Resolution 2002-021 be added to the Sherwood Zoning and Community Development Code or clarify the temporary use standards to specifically include short term events. Additional examples of temporary uses are added to the purpose statement of section 16.86 and that seasonal or limited duration outdoor sales that set up on a daily basis are defined more clearly. Lastly they would like to recommend that it would be beneficial to codify that events reviewed through the special event permit do not also require a temporary use permit.

End of minutes.