



**City of Sherwood
PLANNING COMMISSION
Sherwood City Hall
22560 SW Pine Street
Sherwood, OR 97140
February 10, 2009 – 7 PM**

Business Meeting – 7:00 PM

- 1. Call to Order/Roll Call**
- 2. Agenda Review**
- 3. Consent Agenda – Draft minutes from 1/13/09**
- 4. Staff Announcements**
- 5. Council Announcements (Dave Heironimus, Planning Commission Liaison)**
- 6. Community Comments** (*The public may provide comments on any non-agenda item*)
- 7. New Business:**
 - a. PA 08-04 Commercial Design Standards Update.** This city-initiated plan amendment includes proposed code changes that provide alternate design review criteria to be used in lieu of existing standards. The purpose of the code changes is to make the design review standards more flexible, allowing a developer several ways to propose a quality design. There are also several “housekeeping” code changes proposed that directly affect commercial development and are appropriate changes to be made at the same time as commercial design standards. These proposed changes include: revising off-street loading standards to allow uses to share loading areas; exempting the standard 8-foot public utility easement (PUE) in Old Town; revising the private street standard to expressly apply to residential developments (for which it was intended); and revising the visual corridor standard to exempt developments in Old Town.
 - b. Staff Reporting to Planning Commission**
 - i. Annual Report**
 - ii. Work Plan**
 - iii. Status Update on “Purpose Statement”**
- 8. Comments from Commission**
- 9. Next Meeting:** February 24, 2009
- 10. Adjourn**

City of Sherwood, Oregon
Draft Planning Commission Minutes
January 13, 2009

Commission Members Present:

Chair Allen
Jean Lafayette
Matt Nolan
Raina Volkmer
Adrian Emery
Lisa Walker

Staff:

Julia Hajduk, Planning Manager
Karen Brown, Recording Secretary

Commission Members Absent:

Todd Skelton

City Attorney:

Chris Crean

Council Liaison – Keith Mays

1. **Call to Order/Roll Call** – **Chair Allen** called the meeting to order. **Karen Brown** called roll.
2. **Agenda Review** – **includes** the Brookman Road Concept Plan and the Sign Code update. Chair Allen noted that there was a **revision on the** agenda saying that the next meeting would be held January 27th, 2009 **rather** than January 23rd.
3. **Consent Agenda** – **Chair Allen** asked for any comments or changes needed in the December 9th, 2008 minutes.
Commissioner Lafayette noted that on page 7 in Mr. Claus's testimony, line 6, some of the wording was not clear. It was determined however, that since that is how the sentence was spoken it would be appropriate not to make changes.

Julia asked the Commission if they were in agreement with the changes suggested by Neil Shannon (a citizen observer) including changing a reference to Arbor Terrace that should have been Arbor Lane as well as the addition of a word in Mr. Shannon's testimony given at the December 9th meeting.

The Commission agreed that the changes were appropriate and Commissioner Lafayette moved to approve the consent agenda, incorporating the recommended changes from Mr. Neil Shannon. Commissioner Walker seconded the motion and all Commission members voted to approve the agenda.

4. **Staff Announcements** – Julia announced that due to inclement weather in December the Area 48 kickoff meeting was rescheduled for Wednesday January 14th from 6:00 pm to 8:00 pm in the Community Room at City Hall.

There will be a work session with the Planning Commission as the Steering Committee on the Adams Avenue Concept Plan January 27th. There will also be an Open House on February 25th, 2009.

The annual Planning Department report will be presented to the Commission at the January 27th meeting as well.

5. **City Council Comments – Mayor Mays** was not present at this point of the meeting however did arrive later in the evening.
6. **Community Comments –** None given
7. **Old Business –**
 - a. **Chair Allen** called to order the continuation meeting of PA 08-01. He read the disclosure statement and asked for any exparte' contact. He and Commissioner Volkmer both disclosed that they in the Arbor Lane neighborhood, but both do intend to participate in the decision.

Julia presented a brief PowerPoint presentation to recap the steps that have been taken so far in this decision making process:

The Steering Committee reviewed and developed a concept plan from May 2007 to June 2008. In that process they established goals, evaluated alternatives, considered public involvement, then made a recommendation to the Planning Commission.

The Planning Commission held their first hearing in June of 2008. There were then subsequent work sessions held to answer questions about issues that had been posed to the Commission concluding with the second public hearing held in December, 2008. Issues that were addressed in those work sessions included: parks, schools, historic resources, the Redfern connection and employment land as it relates to the potential I-5/99W Connector. Staff prepared a memo October 7, 2008 that addressed those issues and provided recommendations for each. She shared with the Commission a Comprehensive Plan Zoning Map that had been drawn to show a “big black whole” on the western side and applying only the comprehensive plan zoning which would be Medium Density Residential Low to the eastern portion of the area. She noted that the dividing line is drawn through the middle of the flood plain since its exact location has not been determined. In her memo Julia refers to the time constraints placed on the plan by Metro. As long as the Commission is continuing to work toward a decision there would be no issues. If progress stops completely then there could be enforcement action taken. A letter from Dick Benner, the Metro Attorney presented to the Commission that evening explains the process if the deadlines are not met.

Chair Allen asked to whom the responsibility would fall to request an extension from Metro - the Planning Commission or the City Council?

Julia's response was that since it would be a policy decision, it would have to come from the City Council.

Julia went on to address the request to schedule a joint work session to get some policy direction. She explained that the answer is twofold. A work session has been scheduled; however it is with the expectation that the Commission forward their recommendations at that time. The Commission is made up of group of wise individuals that should be able

to come to a conclusion. If after that the Council has concerns or issues, they can then remand those back to the Commission if necessary

For the benefit of new Commission members and members of the community Julia reviewed the general process plan for review a new Comprehensive Plan.

The next steps that need to take place are that the Commission needs to make a recommendation on the Comprehensive Plan, the Comp. Plan Map and Comp. Plan Text. That could include approving the Steering Committees recommendations, approving them with modifications or recommending denial with justifications for such a recommendation. A Council work session to present the Commission's recommendation has been scheduled for January 20th, 2009 with a tentative public hearing scheduled for February 3rd. That concluded her presentation.

Chair Allen asked for questions and to begin the deliberation process.

Commissioner Emery handed out a map from the Stakeholder Working Group Packet for the I-5/99 W Collector that shows what will be proposed for the RTP at the Stakeholder's meeting later in the week including a connection near Brookman Road.

Tom Pessemier, the Community Development Director, added that the map distributed by Commissioner Emery is alternative 7 and that the Executive Management Team met and decided to forward a recommendation to the Project Steering Committee to consider adoption of this alternative.

A lengthy discussion ensued considering the effect the connectivity could have on the Brookman Road area in which Commissioner Emery handed out another map he created with his suggestions for changing the zoning in the Brookman Road area to include a much larger area of Light Industrial. Several options for adding employment, buffers, green space and parks were offered by members of the Commission.

Julia cautioned the Commission that it appears that they are going through an alternatives process here on the fly. She suggests the possibility of recommending to Council more employment than what is shown and what may be warranted and that perhaps it should come back to the Commission. If they are trying to create a revised plan during this meeting she has concerns.

Chair Allen believes that there is sufficient information in the record and that there has been sufficient discussion on the record of alternatives to support the suggestion of a new Hybrid that substantially increases the light industrial and buffering issues that would arise from that zoning.

The Commission continued to suggest alternatives and options that they would feel comfortable recommending, including changing zoning, adding more industrial area and reducing the number of new homes,

Commissioner Walker added that they recognize a lot of time has gone into the development of all the drafts as well as a great deal of time devoted by the committees to meetings and discussions about the project, but that the time spent is not the best reason

to take a plan forward that they disagree with or don't find satisfactory. She realized much time has been spent, but that maybe more time is needed. Commission is feeling a great deal of pressure to make a decision that they don't want to make.

After more debating on the alternatives, Chair Allen suggested a 5 minute recess.

The meeting resumed after a short break. Chair Allen wanted to summarize and articulate the changes he sees have been suggested, and come to an agreement about how to enact the new principles. The first item he wants added to the record is that the Commission believes the assumptions underlying the original concept plan have changed substantially since the time the plan was done, specifically but not exclusively the I-5/99 Connector and the assumptions about job productivity based on the existence of that connectivity, and the current economy. Based on those changed assumptions, the Commission has some principles that they would like to see applied to whatever concept is adopted:

1. Reduce the residential acreage in the concept plan by a minimum of 75%, replacing substantially all of the residential zoned land between the North/South section of Brookman Road and the railroad tracks with a Light Industrial zone.
2. A buffer added to the North between the Light Industrial area and the existing residential land.
3. Recommendation that the Redfern connection be opened to pedestrian, bike and emergency access only.
4. Changing the alignment of Brookman Road as reflected in the July 1st, 2008 Hybrid draft.
5. Modifying the east and west portions as needed to meet the other planning objectives of the Concept Plan.

In light of the new development of the information regarding the I-5/99W connector, the Commissions hesitation to make a recommendation, and Chair Allen's suggestion of 5 principles, Attorney Chris Crean suggested structuring a four part recommendation including:

1. The fact that the assumptions have changed.
2. The Council not adopt the Concept Plan as presented.
3. The Council amend the Concept Plan to reflect the 5 principles outlined by Chair Allen.
4. Request that Council return the recommendation to the Commission to construct a new alternative based on those principles.

Commissioner Lafayette moved that with the advice of the City Attorney they forward a four step recommendation incorporating their 5 policy changes and move that they approve the 4 step process on PA08-01 Brookman Addition Concept Plan.

Commissioner Nolan seconded motion.

Chair Allen called for a vote. All members were in favor and the motion carried.

- b. Chair Allen reconvened for deliberation on the public hearing for PA08-03 Sign Code Update. He read a condensed version of the public hearing statement and asked for any exparte' conflicts. None were given.

Julia then gave a quick recap of the Sign Code Update process to this point. On December 9th, 2008 a public hearing was held and public testimony was received on the proposed sign code amendments. Deliberation was continued and a response was requested from the City Attorney's office to testimony given by, and a letter received from, Jim Claus. The response is included in the packets handed out for the meeting this evening labeled as attachment 1.

She also noted that based on input at the last meeting, clarifications were made and the proposed amendments reflect those clarifications regarding what is subject to amortization, testimony given by Matt Grady of Gramor Development as well as proposed amendments by staff. Primarily there had been discussion about where signs above 6 feet tall should be allowed. Attachment 2 in the packets includes proposed changes including:

1. Clarification made to say including signs 25' or less, rather than under 25' and 150 sq. ft. in size or less.
2. The maximum sign height may not exceed 6' in all commercial zones. The height for no more than one sign per single business, commercial center or plaza may be increased to no more than 20' to allow for the construction of one column sign only, with the exceptions of property located on or within 150' of Pacific Hwy., Commercial centers or plazas greater than 10 acres, Tualatin/Sherwood Road between Borchers Road and Adams Avenue and Sherwood Boulevard between Borchers Road and Century Boulevard.
3. On page 7, starting with the third line, of the proposed new text, change from 16.102.030.2.a.2 (a) – (d) to 16.102.030.2.a.2 (a) – (c).
4. Per public comments received regarding Industrial Zones on page 8 of 9 free standing signs were added as well as wall signs being added back in as they were taken out inadvertently.

Julia reminded Chair Allen that at the last meeting he had asked that she bring up the Pride Disposal comments.

The Commission discussed the Pride Disposal site and their desire to have two signs. Conversation included: whether or not the site has two frontages and the number of signs allowed, and whether or not they have access from both frontages.

Chair Allen asked if this would be an issue that would allow them to apply for a variance.

Julia's response was that it is not easy to get a variance, and that they would need to prove that there are no other alternatives. She was reminded that their issue is actually that they have two lots and that they cannot have a sign on a vacant lot. She read from a letter submitted by Pride that states "there is currently a cement monument at our entrance with our logo and address. We thought that with this vast space a second sign would be appropriate as a read to show coming community events etc. We then looked at the tax lot boundaries closer and found the Oregon Street side of the property was a different tax lot." They have applied for and were denied a sign permit, because the sign

code says you cannot have a sign on an empty lot. At this point it was determined that this issue is not going to be resolved with the current sign code being reviewed.

Chair Allen asked for any further concerns or comments on the proposed sign code. None were given.

Commissioner Lafayette moved that the Planning Commission recommend approval to the City Council PA08-03 Sign Code Amendment based on the adoption of the Staff Report, finds of fact, public testimony, staff recommendations, agency comments and exhibit A as amended.

Recommendation seconded by Commissioner Nolan.

Chair Allen asked called for a vote, all Commissioner were in favor.

Motion carried.

8. **New business** – Chair Allen asked for any comments from the Commission.

Commissioner Lafayette asked staff for an update at the next meeting of the status of the policy of the inter-code interpretation of the goals within the code.

9. **Next Meeting: February 10, 2009**

Chair Allen closed the meeting at 8:55

End of minutes.

TO: SHERWOOD PLANNING COMMISSION

Pre-App. Meeting: N/A-Staff Initiated
App. Submitted: N/A- Staff Initiated
App. Complete: N/A- Staff Initiated
120-Day Deadline: N/A- Staff Initiated
Hearing Date: February 10, 2009

FROM: PLANNING DEPARTMENT

Heather M Austin

Heather Austin, AICP, Senior Planner

Proposal: The purpose of this staff report is to summarize proposed changes to the existing commercial design standards in "Division V. Community Design" of the Sherwood Zoning and Community Development Code. The proposed code changes provide alternate design review criteria to be used in lieu of existing standards. The purpose of the code changes is to make the design review standards more flexible, allowing a developer several ways to propose a quality design. There are also several "housekeeping" code changes proposed that directly affect commercial development and are appropriate changes to be made at the same time as commercial design standards. These proposed changes include: revising off-street loading standards to allow uses to share loading areas; exempting the standard 8-foot public utility easement (PUE) in Old Town; revising the private street standard to expressly apply to residential developments (for which it was intended); and revising the visual corridor standard to exempt developments in Old Town.

I. BACKGROUND

Background

In 2005, the City of Sherwood updated the Development Code, adding Section 16.90.020.4.F,

"The proposed commercial, multi-family and mixed-use development is oriented to the pedestrian and bicycle, and to existing and planned transit facilities. Urban design standards shall include the following:

1. Primary, front entrances shall be located and oriented to the street, and have significant articulation and treatment, via facades, porticos, arcades, porches, portal, forecourt, or stoop to identify the entrance for pedestrians. Additional entrance/exit points for buildings, such as a postern, are allowed from secondary streets or parking areas.
2. Buildings shall be located adjacent to and flush to the street, subject to landscape corridor and setback standards of the underlying zone.
3. The architecture of buildings shall be oriented to the pedestrian and designed for the long term and be adaptable to other uses. Aluminum, vinyl, and T-111 siding, metal roofs and artificial stucco material shall be prohibited. Street facing elevations shall have windows, transparent fenestration, and divisions to break up the mass of any window. Roll up and sliding doors are acceptable. Awnings that provide a

minimum 3 feet of shelter from rain shall be installed unless other architectural elements are provided for similar protection, such as an arcade.”

Since adoption of this Code language, feedback from developers and staff has been that these standards do not allow consideration of location on busier streets, are too prescriptive and are not flexible enough to allow a variety of designs appropriate for Sherwood. The Planning Commission directed staff to review the standards and propose revisions to address these concerns. Staff did this with a mixture of reviewing design standards of other jurisdictions and obtaining feedback from the development community via online surveys and work sessions with the Planning Commission.

The evaluation tool designed to review a commercial project is a matrix of design options a developer can use to decide which areas of development to enhance (see Exhibit B-proposed Site Plan Review Matrix). The matrix was used to test existing developments in Sherwood to ensure the results from applying this alternative review process would be higher quality development. Staff also tested the matrix of design options to ensure ease of evaluation.

At the same time the Planning Commission directed staff to research and propose industrial design standards but it was decided to separate these two types of standards and a review of industrial design standards will the commercial design review.

- B. Review Type: The legislative change to the development code requires a Type V review with a public hearing before the Planning Commission who will make a recommendation to the City Council. The City Council will then hold a public hearing and make a decision after consideration of public comment. An appeal would be heard by the Land Use Board of Appeals (LUBA).
- C. Public Notice and Hearing: Notice of the application was posted in five locations throughout the City on January 21, 2009. The notice was published in the Tigard/Tualatin Times on January 29 and February 5, 2009 in accordance with Section 16.72.020 of the SZCDC.
- D. Review Criteria: The required findings for a “Plan Amendment” are identified in Section 16.80 of the Sherwood Zoning and Community Development Code. In addition, applicable Comprehensive Plan policies are found in Chapter 4 – Land Use. Statewide Land Use Planning Goal 9- Economic Development is applicable to this application. Compliance with the applicable criteria is discussed further in this report.

II. PUBLIC COMMENTS

Public notice was posted in five locations throughout the City on January 21, 2009. Notice was published in The Times on January 29 and February 5, 2009. Staff has received no written comments as of the date of this report.

III. AGENCY COMMENTS

Staff sent e-notice to affected agencies on January 21, 2009. The following is a summary of the comments received. Copies of full comments are included in the record unless otherwise noted.

No agency comments have been received as of the date of this report.

IV. PLAN AMENDMENT REVIEW

A. APPLICABLE DEVELOPMENT CODE CRITERIA

16.80.030.1

Text Amendment- This section states that an amendment to the text of the Comprehensive Plan may be granted, provided that the proposal satisfies all applicable requirements of the adopted Sherwood Comprehensive Plan, the Transportation System Plan and the Zoning and Community Development Code.

The plan amendment for PA 08-04 is reviewed for compliance with applicable Comprehensive Plan policies and the statewide planning goals within this report. There are no applicable Metro Functional Plan policies.

The proposed code changes include two new processes for site plan review- a matrix of design options a developer may choose from and a more discretionary review route that requires a hearing before the Planning Commission if an application does not meet the existing site plan criteria and/or the matrix. Both new processes provide a clear and objective review standard and are alternatives to the existing design standards, which will be maintained. The new processes are intended to provide options to developers while potentially expediting the development review process.

FINDING: As discussed in detail throughout this report, the proposed amendment complies with this standard.

16.80.030.3 - Transportation Planning Rule Consistency

- A. Review of plan and text amendment applications for effect on transportation facilities. Proposals shall be reviewed to determine whether it significantly affects a transportation facility, in accordance with OAR 660-12-0060 (the TPR). Review is required when a development application includes a proposed amendment to the Comprehensive Plan or changes to land use regulations.
- B. "Significant" means that the transportation facility would change the functional classification of an existing or planned transportation facility, change the standards implementing a functional classification, allow types of land use, allow types or levels of land use that would result in levels of travel or access that are inconsistent with the functional classification of a transportation facility, or would reduce the level of service of the facility below the minimum level identified on the Transportation System Plan
- C. Per OAR 660-12-0060, Amendments to the Comprehensive Plan or changes to land use regulations which significantly affect a transportation facility shall assure that allowed land uses are consistent with the function, capacity, and level of service of the facility identified in the Transportation System Plan.

DISCUSSION: The modifications in the Sherwood Zoning and Community Development Code to provide flexibility in building and site design will not negatively affect any transportation facilities in the City or surrounding areas. Rather, the proposed changes provide flexibility that can help to ensure development is respectful of site-specific limitations while ensuring a safe transportation system. The proposed code changes do

not affect current standards limiting access to major roadways or otherwise change any standards that would affect a transportation facility.

FINDING: The proposed changes to implement the Commercial Design Standards Update are consistent with the Transportation Planning Rule and this standard has been met.

B. APPLICABLE COMPREHENSIVE PLAN POLICIES

The applicable Comprehensive Plan Policies for Economic Development and Commercial Land Use are found in Chapter 4 – Land Use. The following policies from Chapter 4 of the Comprehensive Plan are applicable:

- **Commercial Land Use Policy 2:** “Commercial uses will be developed so as to complement rather than detract from adjoining uses.”
- **Community Design Policy 4:** “Promote creativity, innovation and flexibility in structural and site design.”

The proposed changes are consistent with both of the above policies. The proposed code changes allow flexibility in site design which will allow sites to complement adjoining uses. Also, because the proposed standards provide a point system that allows a developer to choose varying levels of design in several categories, creativity, innovation and flexibility in structural and site design is promoted.

FINDING: As discussed above, the proposed Commercial Design Standards Update amendments to the Development Code are consistent with and supportive of existing Comprehensive Plan policies.

C. APPLICABLE STATEWIDE PLANNING GOALS

Goal 1 (Citizen Involvement)

FINDING: Staff utilized the public notice requirements of the Code to notify the public of this proposed plan amendment. The City's public notice requirements have been found to comply with Goal 1 and, therefore, this proposal meets Goal 1.

Goal 2 (Land Use Planning)

Goal 3 (Agricultural Lands)

Goal 4 (Forest Lands)

Goal 5 (Natural Resources, Scenic and Historic Areas and Open Spaces)

Goal 6 (Air, Water and Land Resources Quality)

Goal 7 (Areas Subject to Natural Hazards)

Goal 8 (Recreational Needs)

FINDING: The Statewide Planning Goals 2-8 do not specifically apply to this proposed plan amendment; however, the proposal does not conflict with the stated goals.

Goal 9 (ECONOMIC DEVELOPMENT)- To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.

The proposed amendments are consistent with Statewide Planning Goal 9 in that they provide flexibility in site and building design for commercial developers. The current commercial design standards are prescriptive and do not provide much-needed flexibility in design. The proposed standards maintain a high level of design requirement while allowing the developer to choose areas on which to focus resources, thus increasing opportunities for economic growth.

FINDING: As discussed above, the proposed amendments are consistent with Statewide Planning Goal 9.

- Goal 10 (Housing)**
- Goal 11 (Public Facilities and Services)**
- Goal 12 (Transportation)**
- Goal 13 (Energy Conservation)**
- Goal 14 (Urbanization)**
- Goal 15 (Willamette River Greenway)**
- Goal 16 (Estuarine Resources)**
- Goal 17 (Coastal Shorelands)**
- Goal 18 (Beaches and Dunes)**
- Goal 19 (Ocean Resources)**

FINDING: The Statewide Planning Goals 10-19 do not specifically apply to this proposed plan amendment; however, the proposal does not conflict with the stated goals.

Staff assessment and recommendation on Plan Amendment:

Based on the discussion, findings of fact and conclusions of law detailed above, staff finds that the proposed plan amendment meets applicable local and state criteria and that there are no applicable regional criteria.

Staff recommends the Planning Commission **RECOMMEND APPROVAL** of PA 08-04 Commercial Design Standards Update to the Sherwood City Council.

Exhibits

A – Proposed Development Code amendments

1. Chapter 16.72.010
2. Chapter 16.90-16.92
3. Chapter 16.94.030
4. Chapter 16.118
5. Chapter 16.142.030

B – Proposed Site Plan Review Matrix

16.72.010 GENERALLY

1. Classifications

Except for Administrative Variances, which are reviewed per Section 16.84.020, and Final Development Plans for Planned Unit Developments, which are reviewed per Section 16.40.030, all quasi-judicial development permit applications and legislative land use actions shall be classified as one of the following:

A. Type I

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

1. Signs
2. Property Line Adjustments
3. Interpretation of Similar Uses
4. Temporary Uses
5. Final Subdivision Plats
6. Final Site Plan Review
7. Time extensions of approval, per Sections 16.90.020; 16.124.010

B. Type II

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

1. Minor Land Partitions
2. Expedited Land Divisions - The Planning Director shall make a decision based on the information presented, and shall issue a development permit if the applicant has complied with all of the relevant requirements of the Zoning and Community Development Code. Conditions may be imposed by the Planning Director if necessary to fulfill the requirements of the adopted Comprehensive Plan, Transportation System Plan or the Zoning and Community Development Code.
3. "Fast-track" Site Plan review, defined as those site plan applications which propose less than 15,000 square feet of floor area, parking or seating capacity of public, institutional, commercial or industrial use permitted by the underlying zone, or up to a total of 20% increase in floor area, parking or seating capacity for a land use or structure subject to conditional use permit, except as follows: auditoriums, theaters, stadiums, and those applications subject to Section 16.72.010D, below.
4. "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.

C. Type III

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

1. Conditional Uses
2. Variances, including Administrative Variances if a hearing is requested per Section 16.84.020.
3. 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 16.72.010D, below.
4. Subdivisions -- Less than 50 lots.

D. Type IV

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

1. Site Plan review and/or "Fast Track" Site Plan review of new or existing structures in the Old Town Overlay District.
2. All quasi-judicial actions not otherwise assigned to a Hearing Authority under this section.
3. Site Plans -- Greater than 40,000 square feet of floor area, parking or seating capacity.
4. Subdivisions -- More than 50 lots.

E. Type V

The following legislative actions shall be subject to a Type V review process:

1. Plan Map Amendments
2. Plan Text Amendments
3. Planned Unit Development -- Preliminary Development Plan and Overlay District. (Ord. 2003-1148 § 3; 2001-1119; 99-1079; 98-1053)

Chapter 16.90 SITE PLANNING*

16.90.010 PURPOSE

16.90.020 SITE PLAN REVIEW

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

16.90.010 PURPOSE

1. Generally

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. (Ord. 86-851 § 3)

2. Objectives

Site planning review is intended to:

- A. Encourage development that is compatible with the existing natural and manmade environment, existing community activity patterns, and community identity.
 - B. Minimize or eliminate adverse visual, aesthetic or environmental effects caused by the design and location of new development, including but not limited to effects from:
 - 1. The scale, mass, height, areas, appearance and architectural design of buildings and other development structures and features.
 - 2. Vehicular and pedestrian ways and parking areas.
 - 3. Existing or proposed alteration of natural topographic features, vegetation and water-ways.
- (Ord. 86-851 § 3)

16.90.020 SITE PLAN REVIEW

1. Review Required

Except for single and two family uses, and manufactured homes located on individual residential lots as per Section 16.46.010, but including manufactured home parks, no building permit shall be issued for a new building or structure, or for the substantial alteration of an existing structure or use, and no sign permit shall be issued for the erection or construction of a sign relating to such building or structure until the proposed development has been reviewed in accordance with Chapter 16.72. For the purposes of Section 16.90.020, the term "substantial alteration" shall mean any development activity as defined by this Code that generally requires a building permit and may exhibit one or more of the following characteristics:

- A. The activity alters the exterior appearance of a structure, building or property.
 - B. The activity involves changes in the use of a structure, building, or property from residential to commercial or industrial.
 - C. The activity involves non-conforming uses as defined in Chapter 16.48.
 - D. The activity constitutes a change in a City approved plan, as per Section 16.90.020.
 - E. The activity involves the cutting of more than five (5) existing mature trees per acre, per calendar year.
 - F. The activity is subject to site plan review by other requirements of this Code.
 - G. Review of any proposed activity indicates that the project does not meet the standards of Section 16.90.020.
- (Ord. 2006-021)

2. Exemptions

The City shall make an initial determination whether a proposed project requires a site plan review or whether the project is exempt. The City Manager or his or her designee is authorized to waive site plan review when a proposed development activity clearly does not represent a substantial alteration to the building or site involved. The findings of the City

Manager or his or her designee shall be made in writing to the applicant. The action of the City Manager or his or her designee may be appealed as per Chapter 16.76. (Ord. 98-1053 § 1; 86-851)

3. Plan Changes and Revocation

A. Changes

Construction, site development, landscaping, tree mitigation, habitat preservation, and other development activities shall be carried out in accordance with the site development plans per Chapter 16.72. Any proposed changes to approved plans shall be submitted for review to the City. Changes that are found to be substantial, as defined by Section 16.90.020, that conflict with original approvals, or that otherwise may conflict with the standards of Section 16.90.020, shall be submitted for supplemental review together with a fee equal to one-half (1/2) the original site plan review fee. (Ord. 2006-021; 98-1053 § 1; 86-851)

B. Revocation

Any departure from approved plans shall be cause for revocation of applicable building and occupancy permits. Furthermore if, in the City's determination, a condition or conditions of site plan approval are not or cannot be satisfied, the site plan approval, or building and occupancy permits, shall be revoked. (Ord. 98-1053 § 1; 86-851)

4. Required Findings

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

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

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

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

D. The proposed development preserves significant natural features to the maximum extent feasible, including but not limited to natural drainage ways, wetlands, trees, vegetation, scenic views, and topographical features, and conforms to the applicable provisions of Division VIII of this Code and Chapter 5 of the Community Development Code. (Ord. 2006-021; 91-922 § 3; 86-851)

E. For a proposed site plan in the Neighborhood Commercial (NC), Office Commercial (OC), Office Retail (OR), Retail Commercial (RC), General Commercial (GC), Light Industrial (LI), and General Industrial (GI) zones, except in the Old Town Overlay Zone, the proposed use shall satisfy the requirements of Section 16.108.080 Highway 99W Capacity Allocation Program, unless excluded herein. (Ord. 2005-009 § 8)

F. For developments that are likely to generate more than 400 average daily trips (ADTs), or at the discretion of the City Engineer, the applicant shall provide adequate information, such as a traffic impact analysis or traffic counts, to demonstrate the level of impact to the surrounding street system. The developer shall be required to mitigate for impacts attributable to the project. The determination of impact or effect and the scope of the impact study shall be coordinated with the provider of the affected transportation facility.

G. The proposed ~~commercial, office, retail~~ multi-family, institutional development, and/or mixed-use development is oriented to the pedestrian and bicycle, and to existing and planned transit facilities. Urban design standards shall include the following:

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

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

3. The architecture of buildings shall be oriented to the pedestrian and designed for the long term and be adaptable to other uses. Aluminum, vinyl, and T-111 siding, metal roofs, and

artificial stucco material shall be prohibited. Street facing elevations shall have windows, transparent fenestration, and divisions to break up the mass of any window. Roll up and sliding doors are acceptable. Awnings that provide a minimum 3 feet of shelter from rain shall be installed unless other architectural elements are provided for similar protection, such as an arcade.

4. As an alternative to the above standards G. 1-3, the following Commercial Design Review Matrix may be applied to any commercial, multi-family, institutional and/or mixed use development (this matrix may NOT be utilized for developments within the Old Town Overlay). A development must propose a minimum of sixty percent (60%) of the total possible points to be eligible for exemption from standards G. 1-3 above. In addition, a development proposing between 15,001 and 40,000 square feet of floor area, parking or seating capacity and proposing a minimum of eighty percent (80%) of the total possible points from the matrix below may be reviewed as a Type II administrative review, per the standards of Section 16 72.010.1.B.

COMMERCIAL DESIGN REVIEW MATRIX

A. Building Design (xx Total Points Possible) Note: These standards may be applied to individual buildings or developments with multiple buildings.

1. Materials: Concrete, Artificial Materials (artificial or "spray" stucco, etc)=0; cultured stone, brick, stone, decorative-patterned masonry, wood=1; a mixture of at least 2 materials (i.e. to break up vertical façade)=2; a mixture of at least 3 materials (i.e. to break up vertical façade)=3; a mixture of at least 3 of the following materials: brick, stone, cultured stone, decorative-patterned masonry, wood=4. Note: No aluminum or T-111 siding permitted.
2. Roof Form: Flat (no cornice) or single-pitch (no variation)=0; distinctive from existing adjacent structures (not applicable to expansion of same building) OR either variation in pitch or flat roof with cornice treatment=1; distinctive from existing adjacent structures (not applicable to expansion of same building) AND either variation in pitch or flat roof with cornice treatment=2 Note: Pictures and/or artistic renderings must be submitted for review by the Planning Commission if metal roofs are proposed.
3. Glazing: 0-25% glazing on street-facing side(s)=0; 25-50% glazing on at least one street-facing side (inactive, display or façade windows)=1; 25-50% glazing on all street-facing sides (inactive, display or façade windows)=2 (2 points if there is only one street-facing side and it is 25-50% glazing with inactive windows); 25-50% glazing on at least one street-facing side (active glazing- actual windows) =3; 35-50% glazing on all street-facing sides (active glazing- actual windows)=4.
4. Fenestration: One distinct "bay" with no vertical building elements=0; multiple "bays" with one or more "bay" exceeding 30 feet in width=1; vertical building elements with no "bay" exceeding 30 feet in width=2; vertical building elements with no "bay" exceeding 20 feet in width=3.
5. Entrance Articulation: No weather protection provided=0; weather protection provided via awning, porch, etc. =1; weather protection provided via awning, porch, etc. AND pedestrian amenities such as benches, tables and chairs, etc provided near the entrance=4.
6. Structure Size: To discourage "big box" style development. Greater than 60,000 square feet=0; 40,000-60,000 square feet=1; 20,000-40,000 square feet=2; less than 20,000 square feet=3 (Note: If multiple buildings are proposed, average the building sizes in the development)

B. Building Location and Orientation (xx Total Points Possible)

1. Location: Building(s) not flush to any right-of-way (including required PUE adjacent to ROW, setbacks or visual corridor) (i.e. parking or drive aisle intervening)=0; Building(s) located flush to right-of-way on at least one side (with the exception of required setbacks, easements or visual corridors)=1; Building(s) flush to all possible right-of-way (with the exception of required setbacks, easements or visual corridors) (i.e. "built to the corner")=2
Note: If multiple buildings are proposed in one development, the points are achieved according to how many right-of-ways have buildings adjacent, not how many buildings are adjacent to right-of-way (i.e. if there is one building adjacent to each right-of-way, the development achieves two (2) points).
2. Orientation: Single-building site primary entrance oriented to parking lot=0; Single-building site primary entrance oriented to the pedestrian (i.e. entrance is adjacent to public sidewalk or adjacent to plaza area connected to public sidewalk)=2; Multiple-building site primary entrance to anchor tenant or primary entrance to development oriented to parking lot=0; Multiple-building site primary entrance to anchor tenant or primary entrance to development oriented to the pedestrian=2.
3. Secondary Entrance: Secondary pedestrian entrance provided adjacent to public sidewalk or adjacent to plaza area connected to public sidewalk=2 (Note: if primary entrance is oriented to the pedestrian, the project is automatically given these points without need for a second entrance).

C. Parking and Loading Areas (xx Total Points Possible)

1. Location of Parking: Greater than fifty percent (50%) of required parking is located to the front or side of building(s)=0; Twenty-five to fifty percent (25-50%) of required parking is located to the front and side of building(s)=1; Less than twenty-five percent (25%) of required parking is located to the front or side of the building(s) (when viewed from public street)=2; No parking is located between any building and a public street=3.
2. Loading Areas: Visible from public street and not screened=0; visible from public street and screened=1; not visible from public street=2
3. Vegetation: At least one "landscaped" island every 12-15 parking spaces in a row=0; at least one landscaped "island" every 10-12 parking spaces in a row=1; at least one landscaped "island" every 8-9 parking spaces in a row=2
4. Number of Parking Spaces (% of minimum required): 120% or more=0; 100-120%=1; 100%=2
5. Parking surface: Impervious=0; some pervious paving (10-25%)=1; partially pervious(25-50%)=2; mostly pervious(50-99%) =2; all pervious (100%)=3

D. Landscaping (xx Total Points Possible)

1. Tree Retention (based on tree inventory submitted with development application): Less than 50% of existing trees on-site retained=0; 51-70% of existing trees on-site retained=1; 71-85% of existing trees on-site retained=2; 86-100% of existing trees on-site retained=3.

2. Mitigation trees: Trees mitigated off-site or fee-in-lieu=0; some trees mitigated on-site = 1; trees mitigated on-site=2
3. Landscaping trees (in addition to mitigated trees on-site): Less than one tree for every 150 square feet of landscaping=0; 1-2 trees for every 150 square feet of landscaping=1; 2 or more trees for every 150 square feet of landscaping=2
4. Landscaped areas: Greater than twenty-five percent (25%) of landscaped areas are less than 100 square feet in size=0; Less than twenty-five percent (25%) of landscaped areas are less than 100 square feet in size=1; No landscaped areas are less than 100 square feet in size=2. Note: if there are no landscaped areas less than 100 square feet in size, the project receives two (2) points.
5. Landscaping trees greater than 3" caliper: <25%=0; 25-50%=1; >50%=2
6. Amount of Grass (shrubs and drought resistant ground cover are better): >50% of landscaped areas=0, 25-50% of landscaped areas=1; <25% of landscaped areas=2
7. Total amount of site landscaping (including visual corridor): <10% of gross site=0; 10-20% of gross site=1; >20% of gross site=2
8. Automatic Irrigation: No=0; Yes=2

E. Miscellaneous (xx Total Points Possible)

1. Equipment Screening (ground level- such as utility boxes, meters on building sides, etc): Equipment not screened=0; equipment partially screened by metal or wood fences=1; equipment partially screened by landscaping=2; equipment fully screened=3
 2. Equipment Screening (roof): Equipment not screened=0; equipment partially screened=1; equipment fully screened=2; equipment fully screened by materials mating building architecture/finishing=3 Note: The total amount of points possible for this standard is 3.
 3. Fences and Walls: Standard fencing and wall materials (i.e. wood fences, CMU walls, etc)=0; Fencing and wall materials match building materials=2
 4. Retaining Walls: Non-decorative=0; decorative=2
 5. On-site pedestrian amenities not adjacent to building entrances (benches, tables, plazas, water fountains, etc): No=0; Yes (1 per building)=1; Yes (more than 1 per building)=2
 6. Open Space provided for Public Use: No=0; Yes (<500 square feet)=1; Yes (>500 square feet)=2
 7. Leadership in Energy and Environmental Design (LEED) Certification (any level)=3
5. As an alternative to the above standards G.1-34, the Old Town Design Standards (Chapter 16.162) may be applied to achieve this performance measure.
6. As an alternative to the above standards G. 1-5, an applicant may opt to have a design review hearing before the Planning Commission to demonstrate how the proposed development meets or exceeds the intentions of the site plan standards. This design review hearing will be processed as a Type IV review with public notice and a public hearing.

16.94.030 OFF-STREET LOADING STANDARDS

1. Minimum Standards

A. A driveway designed for continuous forward flow of passenger vehicles for the purpose of loading and unloading passengers shall be located on the site of any school, or other public meeting place, which is designed to accommodate more than twenty five (25) persons at one time. (Ord. 86-851 § 3)

B. The minimum loading area for non-residential uses shall not be less than ten (10) feet in width by twenty-five (25) feet in length and shall have an unobstructed height of fourteen (14) feet.

Multiple uses on the same parcel or adjacent parcels may utilize the same loading area if it is shown in the development application that the uses will not have substantially overlapping delivery times. The following additional minimum loading space is required for buildings in excess of twenty thousand (20,000) square feet of gross floor area:

1. 20,000 to 50,000 sq. ft. - 500 sq. ft.
2. 50,000 sq. ft. or more - 750 sq. ft.

(Ord. 86-851 § 3)

2. Separation of Areas

Any area to be used for the maneuvering of delivery vehicles and the unloading or loading of materials shall be separated from designated off-street parking areas and designed to prevent the encroachment of delivery vehicles onto off-street parking areas or public streets. Off-street parking areas used to fulfill the requirements of this Chapter shall not be used for loading and unloading operations. (Ord. 86-851 § 3)

Chapter 16.118 PUBLIC AND PRIVATE UTILITIES*

16.118.010 PURPOSE

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

16.118.020 STANDARD

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

16.118.030 UNDERGROUND FACILITIES

Except as otherwise provided, all utility facilities, including but not limited to, electric power, telephone, natural gas, lighting, cable television, and telecommunication cable, shall be placed underground, unless specifically authorized for above ground installation, because the points of connection to existing utilities make underground installation impractical, or for other reasons deemed acceptable by the City.

16.118.040 EXCEPTIONS

Surface-mounted transformers, surface-mounted connection boxes and meter cabinets, temporary utility service facilities during construction, high capacity electric and communication feeder lines, and utility transmission lines operating at fifty thousand (50,000) volts or more may be located above ground. The City reserves the right to approve location of all surface-mounted transformers. (Ord. 2005-17 § 5; 91-922)

16.118.050 PRIVATE STREETS

The construction of new private streets servicing residential developments shall be prohibited unless it provides principal access to two or fewer residential lots or parcels i.e. flag lots. Provisions shall be made to assure private responsibility for future access and maintenance through recorded easements. Unless otherwise specifically authorized, a private street shall comply with the same standards as a public street identified in the Community Development Code and the Transportation System Plan. A private street shall be distinguished from public streets and reservations or restrictions relating to the private street shall be described in land division documents and deed records. A private street shall also be signed differently from public streets and include the words "Private Street". (Ord. 2005-009 § 5; 86-851)

16.142.030 Visual Corridors

A. Corridors Required

New developments located outside of the Old Town Overlay with frontage on Highway 99W, or arterial or collector streets designated on the Transportation Plan Map, attached as Appendix C, or in Section 5 of the Community Development Plan Part 2, shall be required to establish a landscaped visual corridor according to the following standards:

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

In residential developments where fences are typically desired adjoining the above described major street the corridor may be placed in the road right-of-way between the property line and the sidewalk. In all other developments, the visual corridor shall be on private property adjacent to the right-of-way. (Ord. 2006-021)

B. Landscape Materials

The required visual corridor areas shall be planted as specified by the review authority to provide a continuous visual and/or acoustical buffer between major streets and developed uses. Except as provided for above, fences and walls shall not be substituted for landscaping within the visual corridor. Uniformly planted, drought resistant street trees and ground cover, as specified in Section 16.142.050, shall be planted in the corridor by the developer. The improvements shall be included in the subdivision compliance agreement. (Ord. 2006-021)

C. Establishment and Maintenance

Designated visual corridors shall be established as a portion of landscaping requirements pursuant to Chapter 16.92. To assure continuous maintenance of the visual corridors, the review authority may require that the development rights to the corridor areas be dedicated to the City or that restrictive covenants be recorded prior to the issuance of a building permit. (Ord. 2006-021)

D. Required Yard

Visual corridors may be established in required yards, except that where the required visual corridor width exceeds the required yard width, the visual corridor requirement shall take precedence. In no case shall buildings be sited or trees be removed from within the required visual corridor, with the exception of front porches on townhomes, as permitted in Section 16.44.010(E)(4)(c). (Ord. 2006-021)

E. Pacific Highway 99W Visual Corridor

1. Provide a landscape plan for the highway median paralleling the subject frontage. In order to assure continuity, appropriate plant materials and spacing, the plan shall be coordinated with the City Planning Department and ODOT.

2. Provide a visual corridor landscape plan with a variety of trees and shrubs. Fifty percent (50%) of the visual corridor plant materials shall consist of groupings of at least five (5) native evergreen trees a minimum of ten (10) feet in height each, spaced no less than fifty (50) feet apart, if feasible. Deciduous trees shall be a minimum of four (4) inches DBH and twelve (12) feet high, spaced no less than twenty-five (25) feet apart, if feasible.

COMMERCIAL DESIGN REVIEW MATRIX

Building Design (21 Total Points Possible) Note: These standards may be applied to individual buildings or developments with multiple buildings.

Criteria	Number of Points:				
Materials:	0	1	2	3	4
Concrete, Artificial Materials (artificial or "spray" stucco, etc)=0; cultured stone, brick, stone, decorative-patterned masonry, wood=1; a mixture of at least 2 materials (i.e. to break up vertical façade)=2; a mixture of at least 3 materials (i.e. to break up vertical façade)=3; a mixture of at least 3 of the following materials: brick, stone, cultured stone, decorative-patterned masonry, wood=4. Note: No aluminum or T-111 siding permitted.					
Roof Form:	0	1	2		
Flat (no cornice) or single-pitch (no variation)=0; distinctive from existing adjacent structures (not applicable to expansion of same building) OR either variation in pitch or flat roof with cornice treatment=1; distinctive from existing adjacent structures (not applicable to expansion of same building) AND either variation in pitch or flat roof with cornice treatment=2 Note: Pictures and/or artistic renderings must be submitted for review by the Planning Commission if metal roofs are proposed.					
Glazing:	0	1	2	3	4
0-20% glazing on street-facing side(s)=0; >20% glazing on at least one street-facing side (inactive, display or façade windows)=1; >20% glazing on all street-facing sides (inactive, display or façade windows)=2 (2 points if there is only one street-facing side and it is >20% glazing with inactive windows); >20% glazing on at least one street-facing side (active glazing- actual windows) =3; >20% glazing on all street-facing sides (active glazing- actual windows)=4.					
Fenestration:	0	1	2	3	
One distinct "bay" with no vertical building elements=0; multiple "bays" with one or more "bay" exceeding 30 feet in width=1; vertical building elements with no "bay" exceeding 30 feet in width=2; vertical building elements with no "bay" exceeding 20 feet in width=3.					
Entrance Articulation:	0	1	2	3	4
No weather protection provided=0; weather protection provided via awning, porch, etc. =1; weather protection provided via awning, porch, etc. AND pedestrian amenities such as benches, tables and chairs, etc provided near the entrance but not covered=3; weather protection provided via awning, porch, etc. AND pedestrian amenities such as benches, tables and chairs, etc provided near the entrance and covered=4.					
Structure Size:	0	1	2	3	4
To discourage "big box" style development, Greater than 80,000 square feet=0; 60,000-79,999 square feet=1; 40,000-59,999 square feet=2; 20,000-39,999 square feet=3; less than 20,000 square feet=4. (Note: If multiple buildings are proposed, average the building sizes in the development)					

Building Location and Orientation (6 Total Points Possible)

Criteria **Number of Points:**

Location: 0 1 2

Building(s) not flush to any right-of-way (including required PUE adjacent to ROW, setbacks or visual corridor) (i.e. parking or drive aisle intervening)=0; Building(s) located flush to right-of-way on at least one side (with the exception of required setbacks, easements or visual corridors)=1; Building(s) flush to all possible right-of-way (with the exception of required setbacks, easements or visual corridors) (i.e. "built to the corner")=2 Note: If multiple buildings are proposed in one development, one point is awarded if one or more buildings are located adjacent to one or more right-of-way and two points are awarded if there is at least one building adjacent to each right-of-way.

Orientation: 0 1 2

Single-building site primary entrance oriented to parking lot=0; Single-building site primary entrance oriented to the pedestrian (i.e. entrance is adjacent to public sidewalk or adjacent to plaza area connected to public sidewalk and does not cross a parking area)=2;

or:

Multiple-building site primary entrance to anchor tenant or primary entrance to development oriented to parking lot=0; Multiple-building site primary entrance to anchor tenant or primary entrance to development oriented to the pedestrian=2.

Secondary Entrance: 2

Secondary pedestrian entrance provided adjacent to public sidewalk or adjacent to plaza area connected to public sidewalk=2 (Note: if primary entrance is oriented to the pedestrian, the project is automatically given these points without need for a second entrance).

Parking and Loading Areas (12 Total Points Possible)

Criteria **Number of Points:**

Location of Parking: 0 1 2 3

Greater than fifty percent (50%) of required parking is located to the front or side of building(s)=0; Twenty-five to fifty percent (25-49%) of required parking is located to the front and side of building(s)=1; Less than twenty-five percent (25%) of required parking is located to the front or side of the building(s) (when viewed from public street)=2; No parking is located between any building and a public street=3.

Loading Areas: 0 1 2

Visible from public street and not screened=0; visible from public street and screened=1; not visible from public street=2.

Vegetation: 0 1 2 3

At least one landscaped island every 12-15 parking spaces in a row=0; at least one landscaped island every 10-12 parking spaces in a row=1; at least one landscaped island every 8-9 parking spaces in a row=2; at least one landscaped island every 6-7 parking spaces in a row=3

Number of Parking Spaces (% of minimum required): 0 1 2

> 120% =0; 101-120%=1; 100%=2; >100% (i.e. joint use or multiple use reduction)=one bonus point

Parking surface: 0 1 2

Impervious=0; up to 25% of parking area pervious=1; greater than 25% of parking area pervious=2.

Landscaping (24 Total Points Possible)

Criteria **Number of Points:**

Tree Retention (based on tree inventory submitted with development application): 0 1 2 3 4

Less than 50% of existing DBH on-site retained=0; 51-60% of existing trees on-site retained=1; 61-70% of existing trees on-site retained=2; 71-80% of existing trees on-site retained=3; 81-100% of existing trees on-site retained=4

Mitigation trees: 0 1 2 3

Trees mitigated off-site or fee-in-lieu=0; 25-50% of trees mitigated on-site = 1; 51-75% of trees mitigated on-site=2; 76-100% of trees mitigated on-site=3

Landscaping trees (in addition to on-site mitigated trees): 0 1 2 3 4
Does not include Water Quality Facility Plantings

Less than one tree for every 500 square feet of landscaping=0; 1 tree for every 500 square feet of landscaping=1; 2 trees for every 500 square feet of landscaping=2; 3 trees for every 500 square feet of landscaping=3; 4 or more trees for every 500 square feet of landscaping=4

Landscaped areas: 0 1 2

Greater than twenty-five percent (25%) of landscaped areas are less than 100 square feet in size=0; Less than twenty-five percent (25%) of landscaped areas are less than 100 square feet in size=1; No landscaped areas are less than 100 square feet in size=2. Note: if there are no landscaped areas less than 100 square feet in size, the project receives two (2) points.

Landscaping trees greater than 3" caliper: 0 1 2

<25%=0; 25-50%=1; >50%=2

Amount of Grass (shrubs and ground cover are better): 0 1 2 3

>75% of landscaped areas=0; 50-75% of landscaped areas=1; 25-49% of landscaped areas=2; <25%=3

Total amount of site landscaping (including vis. corridor): 0 1 2 3 4

<10% of gross site=0; 11-15% of gross site=1; 16-20% of gross site=2; 21-25% of gross site=3; >25% of gross site=4

Automatic Irrigation: 0 1 2

No=0; Partial=1; Yes (all landscaping)=2

Miscellaneous (12 Total Points Possible)

Criteria	Number of Points:			
Equipment Screening (roof):	0	1	2	3
Equipment not screened=0; equipment partially screened=1; equipment fully screened=2; equipment fully screened by materials mating building architecture/finishing=3 Note: The total amount of points possible for this standard is 3.				
Fences and Walls:	0		2	
Standard fencing and wall materials (i.e. wood fences, CMU walls, etc)=0; Fencing and wall materials match building materials=2				
Retaining Walls:	0		2	
Non-decorative=0; decorative=2				
On-site pedestrian amenities not adjacent to building entrances (benches, tables, plazas, water fountains, etc):	0	1	2	
No=0; Yes (1 per building)=1; Yes (more than 1 per building)=2				
Open Space provided for Public Use:	0	1	2	3
No=0; Yes (<500 square feet)=1; Yes (500-1,000 square feet)=2; Yes (>1,000 square feet)=3				
Leadership in Energy and Environmental Design Certification		1		
Any level of LEED=1				



MEMORANDUM

City of Sherwood
 27046 SW Washington St
 Sherwood, OR 97140
 Tel: 503-626-9329
 Fax: 503-626-9524
 www.ci.sherwood.or.us

Mayor
 Keith Hays

Deputy Mayor
 Don Clark
 Police Chief
 Bruce Goff
 Fire Department
 Bruce Hesterson
 Fire Marshal
 Ken Weisiegel

City Manager
 Jan Patton

TO: Planning Commission
FROM: Julia Hajduk, Planning Manager
SUBJECT: Annual Report - 2008
DATE: January 3, 2009

Introduction

The purpose of this memo is to provide an overview of the Planning Department activities for calendar year 2008. This information is intended to continue to demonstrate the level of work, professionalism, and commitment made to customer service, zoning administration, and city planning in Sherwood. The report is organized into four sections or service delivery focus areas: customer service, current planning, long range planning, and special projects. The Department had a budget of 4.5 FTE; however we have only filled 4.25 this fiscal year.

Customer Service

City staff takes customer requests by any means: mail, e-mail, phone, fax, and walk in traffic. The entire Planning Department staff has customer service responsibilities. The Assistant Planner and Associate Planner position have the most visibility as they administer the counter planning services, along with the Administrative Assistant, Senior Planner and Planning Manager to a lesser extent. In addition, the Planning Department website has continued to be utilized as a communication tool. To reduce the number of phone calls from appraisers and realtors, staff has continued to improve the zoning tools to make it easier to locate zoning information. We are also updating and improving access to the zoning code. New this year was an interactive GIS system that appears to have significantly reduced the number of zoning information requests.

Regarding the volume of customer service inquiries, we started tracking the types of each on a per month basis in January 2005. The following table illustrates the numbers by inquiry method in 2008 compared to 2005, 2006 and 2007.

Method	Customer Contacts 2005	Customer Contacts 2006	Customer contacts 2007	Customer contacts 2008	Avg. Week 2008
Phone	1,531	2,344	1,530	924	17
E-mail	51	195	298	128	2
Walk-in	575	874	812	383	7
Mail	5	10	5	5	-
TOTAL	2,215	3,423	2645	1,440	26

By far the most frequent inquiry method continues to be the phone. This number is down compared to 2007 and while staff has noticed a decrease in calls it is also possible that a shift from a focus on current planning to long range planning over the past year resulted in less accurate tracking. It should also be noted that the phone calls tracked are general customer calls only, not project specific calls. Face to face contact is

the second most frequent contact and generally preferred for application submittals. E-mail requests decreased. There were significantly less inquiries this year; this could be a result of less developable residential land and a down economy however as stated previously there may be some margin of tracking error as well. Staff has recently developed a new handout to help people use the website more efficiently. We will continue to strive to improve the access and opportunities for the public to obtain information about projects, processes and the Code.

Current Planning

Staff has compiled all planning actions for 2008. Planning actions include all Type 1 thru Type 5 administrative and quasi-judicial applications that were submitted. Some have not been fully processed. The Department of Land Conservation and Development (DLCD) requires this information on an annual basis and the Sherwood Zoning & Community Development Code (SZCDC) also requires a registry of all decisions (Section 16.72.070). The following table summarizes the land use planning and zoning related actions by application type for 2008.

**Land Use Actions – 2008
TABLE**

Type of Action (File Prefix)	Amount
Pre-Application Conferences (PAC)	15
Type 1 – Ministerial (104)	
Administrative Variance (AV)	0
File Extension (FILE-EXT)	1
Final Plat Review (FNL)	1
Home Occupations (HO)	31
Lot Line Adjustments (LLA)	2
Sign Permits (SIGN)	2
Temporary Sign Permits	26
DMV Dealer Certificates – Zoning Clearance	1
Plan Review	24
Interpretation of Similar Uses (ISU)	1
Final Site Plan Review	8
Temporary Use Permits (TUP)	7
Type 2 – Administrative (11)	
Home Occupations (HO-2)	7
"Fast Track" Site Plan Review (SPR)	2
Expedited Land Divisions	0
Minor Land Partitions	2
Type 3 – Hearings Officer (6)	
Subdivisions (SUB) <50 lots	1
Variances (VAR)	0
Conditional Use Permits (CUP)	2
Site Plan Review <15K >40K SF	3
Type 4 – Planning Commission (8)	
Site Plan Review >40K SF or Old Town District	8
Subdivisions >50 lots	0
Type 5 – Legislative (4)	
Annexations (ANX)	0
Plan Amendments (PA)	4
Planned Unit Development (PUD) + Modification	0
TOTAL	148

Type I, II and III applications are down compared to last year. However, Type IV and V applications were consistent with those submitted in 2007. As the table above indicates, Type I applications account for the majority of land use actions in 2008 (70%). There was a slight decrease in plan reviews (34 last year compared to 24 this year) representative of the decline in building activity. A significant decrease in Type I Home Occupation (44 in 2007 compared to 24 in 2008) and Type II Home Occupation Permits (16 last year compared to 7 this year). It is possible that this is less representative of the number of HOPs in operation and more representative of a stability in home based businesses as the number of business licenses has not declined. The total number of applications processed declined by 59% (Type I applications declined 63%, Type II and III declined 43.5 %, Type IV and V did not decline).

In projecting for the future, we look at pre-apps as a guide. Out of the 15 pre-apps held in 2008, 7 led to application submittals. In addition, out of 34 pre-application conferences in 2007, 8 led to application submittals in 2008. Applications are expected to continue to decrease as a result of the unstable economy and the decreasing number of developable parcels within the city and a reduction in pre-applications is a reflection of that. The Brookman Road area could potentially see annexations in 2009 which should start generating land use applications as soon as early 2010. Area 48 is also in the early stages of concept planning which could lead to additional land use applications in late 2010.

As a result of a dwindling supply of large developable properties, staff was not surprised that there were no new planned unit development applications this year. However, with 13 site plans, this was by far the busiest part of the current planning program. Additional commercial, industrial, and multi-family applications are expected to continue to outpace traditional subdivisions over the next year. However, despite the decreasing number of lots created, Sherwood's population is estimated at 16,420 according to Portland State University's Population Research Center, which is another 1.0% increase.

The department sets a performance standard of 6-8 weeks 80 percent of the time for processing Type 2-4 applications once deemed complete. This date is calculated from completeness to the initial hearing or, for Type II applications, the decision. Of the 13 separate groups of Type II-IV applications processed (many are processed concurrently with one application) in 2008, four (29.6%) were not processed within 8 weeks. Of the four not processed within 8 weeks two were due to applicant requested continuances. Overall, staff was able to review the applications and prepare a staff report for projects within 8 weeks 70.4 percent of the time in 2008. The 80 percent threshold accounts for full dockets, applicant requests for 120 day rule extensions, protracted discussions of conditions or findings in the staff reports and new staff. We anticipated last year that we would to meet our targets or exceed them; however due to some complex issues several applications received were not able to meet our goal. It should be noted that were it not for applicant requested continuances, we would have met the goal 85.7% of the time. Staff has identified that the main reason continuances are required is because of inadequate data in the application submittal or proposals that, during review, require major modifications to the plan. To that end, staff has revamped the pre-application process to make sure it is as informative and effective as possible to get better quality applications in at the front end.

Long Range Planning

The long range planning program has 1.5 FTE "budgeted" to manage various Planning Commission, City Council, Parks & Recreation Board, and City Manager projects and policy initiatives. Staff was able to devote more time to long range projects as a result of current planning application shortages originally anticipated. As a result, the long range planning work program was more ambitious. This year we have begun the concept plan for the area 48 and Adams Avenue created city annexation maps, developed a sign code inventory and sign code updates, continued working on the Brookman Road Area concept plan, continued working on the Tonquin Trail plan, Commercial and Industrial Design Standards, and assisted in coordinating meetings with property owners to

facilitate development. As part of the Long range Planning program, staff also monitors and participates in County and Regional meetings to ensure that the City's voice is heard as regional planning efforts are being considered including monitoring and participating in the reserves process. In 2008 staff was able to attend meetings for regional projects including West Bull Mountain, Blue Ribbon Commission for trails, and Metro, Washington County and Clackamas County Rural and Urban reserves process.

Special Projects

The planning Department works on additional projects to implement or represent projects that don't specifically fall within a traditional planning role but provide great public benefit. This year these projects included, but are not limited to, Cannery Redevelopment assistance, Tree City USA application, population and demographics, economic development, Tonquin Trail Master Plan, and parks and recreation services. In 2008 staff was also able to work on additional special projects including but not limited to; Pine street subdivision, Mobile vending units and helping resolve issues with the Galbreath extension/ Gerda/ Tualatin- Sherwood Road intersection. The planning department had the opportunity to create annexation maps in addition to standardizing conditions of approval and staff reports.

Overall, 2008 was productive year in Sherwood. It did slow down in current planning but the long range projects have piled up over the years and we have taken this opportunity to focus on these important projects as well as additional special projects that provide internal and external efficiencies. In 2009, we anticipate wrapping up the Brookman Road Concept Plan, beginning the Area 48 Concept Plan, finishing the Concept Plan for the area included in the North Adams extension, continuing work on the Tonquin Trail Master Plan, adopting Commercial and Industrial Design Standards as well as new sign code language, entering the periodic review process and additional projects as assigned and/or as time allows.

Sherwood Planning Commission Meeting

Date: February 10, 2009

Meeting Packet

Approved Minutes Date Approved: _____

Request to Speak Forms

Documents submitted at meeting:

89. Commercial Design Matrix Results - Exh D

• Proposed Additional Changes to Commercial

Design Review Matrix in Sect 16.90.020.4.G.4 - Exh C

• Comments submitted by Eugene Stewart - not cataloged.

Planning Commission 2007-08 Work Plan - not cataloged

2009 Planning Work Program - Discussion Draft - " "

Commercial Design Review Matrix Results

Project:	Building Design	Building Location and Orientation	Parking and Loading	Landscaping	Misc	Total Points	Percentage	Notes
Hunter's Ridge	17/21	1/6	8/12	16/24	4/10	46/73	63%	Scored well on building design, parking and landscaping; all existing trees retained
Cedar Brook Professional	14/21	5/6	5/12	17/24	5/10	46/73	63%	Scored well on landscaping, building location, orientation and design
Area 59 Schools	12/21	5/6	4/12	10/24	10/10	41/73	56%	Scored well on building design and location and miscellaneous; scored poorly on landscaping (because of trees and grass) 3 points needed to "pass"
Walgreens	14/21	0/6	2/12	5/24	5/10	26/73	36%	Weak in building orientation, landscaping, tree retention, and on-site amenities; easy improvements could be made. 17 points needed to "pass"
Movie Theater/Rose's	7/21	1/6	5/12	9/24	2/10	24/73	33%	Weak in building design and orientation, landscaping, miscellaneous (fencing materials) 19 points needed to "pass"

02-10-09
Date

PC
Gov. Body

8a
Agenda Item

D
Exhibit #

Proposed Additional Changes to Commercial Design Review Matrix in Section
16.90.020.4.G.4

A.

4. Fenestration on street-facing elevation(s): One distinct "bay" with no vertical building elements=0; multiple "bays" with one or more "bay" exceeding 30 feet in width=1; vertical building elements with no "bay" exceeding 30 feet in width=2; vertical building elements with no "bay" exceeding 20 feet in width=3.

D.

2. Mitigation trees: Trees mitigated off-site or fee-in-lieu=0; some trees mitigated on-site = 1; trees mitigated on-site=2 Note: When no mitigation is required, the project receives two (2) points.
6. Amount of Grass (shrubs and drought resistant ground cover are better): >50% of landscaped areas=0; 25-50% of landscaped areas=1; <25% of landscaped areas=2 Note: Schools automatically receive the full two (2) points and are not penalized for amount of grass.

E.

- ~~3. Fences and Walls: Standard fencing and wall materials (i.e. wood fences, CMU walls, etc)=0; Fencing and wall materials match building materials=2~~
- ~~4. Retaining Walls: Non-decorative=0; decorative=2~~
3. Fences and Walls (Including Retaining Walls): Standard fencing and wall materials (i.e. wood fences, CMU walls, etc)=0; Fencing and wall materials match building materials=2.

Oregon's Statewide Planning Goals & Guidelines

GOAL 1: CITIZEN INVOLVEMENT

OAR 660-015-0000(1)

To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.

The governing body charged with preparing and adopting a comprehensive plan shall adopt and publicize a program for citizen involvement that clearly defines the procedures by which the general public will be involved in the on-going land-use planning process.

The citizen involvement program shall be appropriate to the scale of the planning effort. The program shall provide for continuity of citizen participation and of information that enables citizens to identify and comprehend the issues.

Federal, state and regional agencies, and special- purpose districts shall coordinate their planning efforts with the affected governing bodies and make use of existing local citizen involvement programs established by counties and cities.

The citizen involvement program shall incorporate the following components:

1. Citizen Involvement -- To provide for widespread citizen involvement.

The citizen involvement program shall involve a cross-section of affected citizens in all phases of the planning process. As a component, the program for citizen involvement shall include an officially recognized committee for

citizen involvement (CCI) broadly representative of geographic areas and interests related to land use and land-use decisions. Committee members shall be selected by an open, well-publicized public process.

The committee for citizen involvement shall be responsible for assisting the governing body with the development of a program that promotes and enhances citizen involvement in land-use planning, assisting in the implementation of the citizen involvement program, and evaluating the process being used for citizen involvement.

If the governing body wishes to assume the responsibility for development as well as adoption and implementation of the citizen involvement program or to assign such responsibilities to a planning commission, a letter shall be submitted to the Land Conservation and Development Commission for the state Citizen Involvement Advisory Committee's review and recommendation stating the rationale for selecting this option, as well as indicating the mechanism to be used for an evaluation of the citizen involvement program. If the planning commission is to be used in lieu of an independent CCI, its members shall be selected by an open, well-publicized public process.

available media should be used in the citizen involvement program.

C. CITIZEN INFLUENCE

1. Data Collection - The general public through the local citizen involvement programs should have the opportunity to be involved in inventorying, recording, mapping, describing, analyzing and evaluating the elements necessary for the development of the plans.

2. Plan Preparation - The general public, through the local citizen involvement programs, should have the opportunity to participate in developing a body of sound information to identify public goals, develop policy guidelines, and evaluate alternative land conservation and development plans for the preparation of the comprehensive land-use plans.

3. Adoption Process - The general public, through the local citizen involvement programs, should have the opportunity to review and recommend changes to the proposed comprehensive land-use plans prior to the public hearing process to adopt comprehensive land-use plans.

4. Implementation - The general public, through the local citizen involvement programs, should have the opportunity to participate in the development, adoption, and application of legislation that is needed to carry out a comprehensive land-use plan.

The general public, through the local citizen involvement programs, should have the opportunity to review each proposal and application for a land conservation and development action prior to the formal consideration of such proposal and application.

5. Evaluation - The general public, through the local citizen

involvement programs, should have the opportunity to be involved in the evaluation of the comprehensive land use plans.

6. Revision - The general public, through the local citizen involvement programs, should have the opportunity to review and make recommendations on proposed changes in comprehensive land-use plans prior to the public hearing process to formally consider the proposed changes.

D. TECHNICAL INFORMATION

1. Agencies that either evaluate or implement public projects or programs (such as, but not limited to, road, sewer, and water construction, transportation, subdivision studies, and zone changes) should provide assistance to the citizen involvement program. The roles, responsibilities and timeline in the planning process of these agencies should be clearly defined and publicized.

2. Technical information should include, but not be limited to, energy, natural environment, political, legal, economic and social data, and places of cultural significance, as well as those maps and photos necessary for effective planning.

E. FEEDBACK MECHANISM

1. At the onset of the citizen involvement program, the governing body should clearly state the mechanism through which the citizens will receive a response from the policy-makers.

2. A process for quantifying and synthesizing citizens' attitudes should be developed and reported to the general public.

F. FINANCIAL SUPPORT

Oregon's Statewide Planning Goals & Guidelines

DEFINITIONS

ACCRETION. The build-up of land along a beach or shore by the deposition of waterborne or airborne sand, sediment, or other material

AGRICULTURAL LAND. See definition in Goal 3, "Agricultural Lands."

ANADROMOUS. Referring to fish, such as salmon, which hatch in fresh water, migrate to ocean waters to grow and mature, and return to fresh waters to spawn.

ARCHAEOLOGICAL RESOURCES. Those districts, sites, buildings, structures, and artifacts which possess material evidence of human life and culture of the prehistoric and historic past. (See Historical Resources definition.)

AVULSION. A tearing away or separation by the force of water. Land which is separated from uplands or adjacent properties by the action of a stream or river cutting through the land to form a new stream bed.

BEACH. Gently sloping areas of loose material (e.g., sand, gravel, and cobbles) that extend landward from the low-water line to a point where there is a definite change in the material type or landform, or to the line of vegetation.

BENTHIC. Living on or within the bottom sediments in water bodies.

BRIDGE CROSSINGS. The portion of a bridge spanning a waterway not including supporting structures or fill located in the waterway or adjacent wetlands.

BRIDGE CROSSING SUPPORT STRUCTURES. Piers, piling, and similar structures necessary to support a bridge span but not including fill for causeways or approaches.

CARRYING CAPACITY. Level of use which can be accommodated and continued without irreversible impairment of natural resources productivity, the ecosystem and the quality of air, land, and water resources.

X **CITIZEN.** Any individual within the planning area; any public or private entity or association within the planning area, including corporations, governmental and private agencies, associations, firms, partnerships, joint stock companies and any group of citizens.

X **CITIZEN ADVISORY COMMITTEE (CAC).** A group of citizens organized to help develop and maintain a comprehensive plan and its land use regulations. Local governments usually establish one such group for each neighborhood in a city or each district in a county. CACs may also be known as neighborhood planning organizations, area advisory committees, or other local terms. CACs convey their advice and concerns on planning issues to the planning commission or governing body. CACs also convey information from local officials to neighborhood and district residents.

DEFLATION PLAIN. The broad interdune area which is wind-scoured to the level of the summer water table.

DEVELOP. To bring about growth or availability; to construct or alter a structure, to conduct a mining operation, to make a physical change in the use or appearance of land, to divide land into parcels, or to create or terminate rights to access.

DEVELOPMENT. The act, process or result of developing.

DIVERSITY. The variety of natural, environmental, economic, and social resources, values, benefits, and activities.

DUNE. A hill or ridge of sand built up by the wind along sandy coasts.

DUNE, ACTIVE. A dune that migrates, grows and diminishes from the effect of wind and supply of sand. Active dunes include all open sand dunes, active hummocks, and active foredunes.

DUNE, CONDITIONALLY STABLE. A dune presently in a stable condition, but vulnerable to becoming active due to fragile vegetative cover.

DUNE, OLDER STABILIZED. A dune that is stable from wind erosion, and that has significant soil development and that may include diverse forest cover. They include older foredunes.

DUNE, OPEN SAND. A collective term for active, unvegetated dune landforms.

DUNE, RECENTLY STABILIZED. A dune with sufficient vegetation to be stabilized from wind erosion, but with little, if any, development of soil or cohesion of the sand under the vegetation. Recently stabilized dunes include conditionally stable foredunes, conditionally stable dunes, dune complexes, and younger stabilized dunes.

DUNES, YOUNGER STABILIZED. A wind-stable dune with weakly developed soils and vegetation.

DUNE COMPLEX. Various patterns of small dunes with partially stabilized intervening areas.

ECOSYSTEM. The living and non-living components of the environment which interact or function together, including plant and animal organisms, the physical environment, and the energy systems in which they exist. All the components of an ecosystem are inter-related.

ENCOURAGE. Stimulate; give help to; foster.

ESTUARY. A body of water semi-enclosed by land, connected with the open ocean, and within which salt water is usually diluted by freshwater derived from the land. The estuary includes: (a) estuarine water; (b) tidelands; (c) tidal marshes; and (d) submerged lands. Estuaries extend upstream to the head of tidewater, except for the Columbia River Estuary, which by definition is considered to extend to the western edge of Puget Island.

HUMMOCK, ACTIVE. Partially vegetated (usually with beach grass), circular, and elevated mounds of sand which are actively growing in size.

HYDRAULIC. Related to the movement or pressure of water. Hydraulic hazards are those associated with erosion or sedimentation caused by the action of water flowing in a river or streambed, or oceanic currents and waves.

HYDRAULIC PROCESSES. Actions resulting from the effect of moving water or water pressure on the bed, banks, and shorelands of water bodies (oceans, estuaries, streams, lakes, and rivers).

HYDROGRAPHY. The study, description and mapping of oceans, estuaries, rivers and lakes.

HYDROLOGIC. Relating to the occurrence and properties of water. Hydrologic hazards include flooding (the rise of water) as well as hydraulic hazards associated with the movement of water.

IMPACT. The consequences of a course of action; effect of a goal, guideline, plan or decision.

INSURE. Guarantee; make sure or certain something will happen.

INTEGRITY. The quality or state of being complete and functionally unimpaired; the wholeness or entirety of a body or system, including its parts, materials, and processes. The integrity of an ecosystem emphasizes the interrelatedness of all parts and the unity of its whole.

INTERDUNE AREA. Low-lying areas between higher sand landforms and which are generally under water during part of the year. (See also Deflation Plain.)

INTERTIDAL. Between the levels of mean lower low tide (MLLT) and mean higher high tide (MHHT).

KEY FACILITIES. Basic facilities that are primarily planned for by local government but which also may be provided by private enterprise and are essential to the support of more intensive development, including public schools, transportation, water supply, sewage and solid waste disposal.

LCDC. The Land Conservation and Development Commission of the State of Oregon. The members appointed by the Governor and confirmed by the Oregon Senate in accordance with the requirements of ORS 197.030.

LITTORAL DRIFT. The material moved, such as sand or gravel, in the littoral (shallow water nearshore) zone under the influence of waves and currents.

MAINTAIN. Support, keep, and continue in an existing state or condition without decline.

PUBLIC GAIN. The net gain from combined economic, social, and environmental effects which accrue to the public because of a use or activity and its subsequent resulting effects.

QUALITY. The degree of excellence or relative goodness.

RECREATION. Any experience voluntarily engaged in largely during leisure (discretionary time) from which the individual derives satisfaction.

Coastal Recreation occurs in offshore ocean waters, estuaries, and streams, along beaches and bluffs, and in adjacent shorelands. It includes a variety of activities, from swimming, scuba diving, boating, fishing, hunting, and use of dune buggies, shell collecting, painting, wildlife observation, and sightseeing, to coastal resorts and water-oriented restaurants.

Low-Intensity Recreation does not require developed facilities and can be accommodated without change to the area or resource. For example, boating, hunting, hiking, wildlife photography, and beach or shore activities can be low-intensity recreation.

High-Intensity Recreation uses specially built facilities, or occurs in such density or form that it requires or results in a modification of the area or resource. Campgrounds, golf courses, public beaches, and marinas are examples of high-intensity recreation.

RESTORE. Revitalizing, returning, or replacing original attributes and amenities, such as natural biological productivity, aesthetic and cultural resources, which have been diminished or lost by past alterations, activities, or catastrophic events. For the purposes of Goal 16 estuarine restoration means to revitalize or reestablish functional characteristics and processes of the estuary diminished or lost by past alterations, activities, or catastrophic events. A restored area must be a shallow subtidal or an intertidal or tidal marsh area after alteration work is performed, and may not have been a functioning part of the estuarine system when alteration work began.

Active Restoration involves the use of specific positive remedial actions, such as removing fills, installing water treatment facilities, or rebuilding deteriorated urban waterfront areas.

Passive Restoration is the use of natural processes, sequences, and timing which occurs after the removal or reduction of adverse stresses without other specific positive remedial action.

RIPARIAN. Of, pertaining to, or situated on the edge of the bank of a river or other body of water.

RIPRAP. A layer, facing, or protective mound of stones randomly placed to prevent erosion, scour or sloughing of a structure or embankment; also, the stone so used. In local usage, the similar use of other hard material, such as concrete rubble, is also frequently included as riprap.

RURAL LAND. Land outside urban growth boundaries that is:

- (a) Non-urban agricultural, forest or open space,
- (b) Suitable for sparse settlement, small farms or acreage homesites with no or minimal public services, and not suitable, necessary or intended for urban use, or
- (c) In an unincorporated community.

SEDENTARY. Attached firmly to the bottom, generally incapable of movement.

WATER ORIENTED. A use whose attraction to the public is enhanced by a view of or access to coastal waters.

WATER-RELATED. Uses which are not directly dependent upon access to a water body, but which provide goods or services that are directly associated with water-dependent land or waterway use, and which, if not located adjacent to water, would result in a public loss of quality in the goods or services offered. Except as necessary for water-dependent or water-related uses or facilities, residences, parking lots, spoil and dump sites, roads and highways, restaurants, businesses, factories, and trailer parks are not generally considered dependent on or related to water location needs.

WETLANDS. Land areas where excess water is the dominant factor determining the nature of soil development and the types of plant and animal communities living at the soil surface. Wetland soils retain sufficient moisture to support aquatic or semi-aquatic plant life. In marine and estuarine areas, wetlands are bounded at the lower extreme by extreme low water; in freshwater areas, by a depth of six feet. The areas below wetlands are submerged lands.

16.02.040 Violations

Upon failure to comply with or maintain any provision of this Code, or with any restrictions or conditions imposed hereunder, the City may withhold or withdraw any City land use approvals, permits, licenses, or utility services until the appropriate correction(s) is made. Notwithstanding any such action taken by the City, any person, firm or corporation who violates, disobeys, omits, neglects, or refuses to comply with any of the provisions of this Code, or who resists the enforcement of such provisions, shall be subject to civil penalties of no more than five-hundred dollars (\$500.00) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

16.02.050 Interpretation

The provisions of this Code shall be interpreted as minimum requirements. When this Code imposes a greater restriction than is required by other provisions of law, or by other regulations, resolutions, easements, covenants or agreements between parties, the provisions of this Code shall control.

16.02.060 Savings Clause

Should any section, clause or provision of this Code be declared invalid by a court of competent jurisdiction, the decision shall not affect the validity of the Code as a whole or of the remaining sections. Each section, clause, and phrase is declared severable.

16.02.070 Conflicting Ordinances

X

All zoning, subdivision, and other land development ordinances previously enacted by the City are superseded and replaced by this Code.

16.02.080 Regional, State and Federal Regulations

All development within the City shall adhere to all applicable regional, State and Federal air quality, water quality, noise, odor, building, wetlands, solid waste, natural resource, and other regulations and statutes.

16.02.090 Community Development Plan

X

This Code shall be administered in conjunction with, and in a manner that is consistent with, the policies and strategies adopted in the City of Sherwood, Oregon, Community Development Plan, Part 2 of the City Comprehensive Plan. The City Zoning Map, the Transportation Plan Map, the Natural Resources and Recreation Plan Map, the Water Service Plan Map, the Storm Drainage Plan Map, and the Sanitary Sewer Service Plan Map are extracted from the Community Development Plan, and attached to this Code as appendices. References to these maps shall be deemed to include all applicable policies, standards and strategies contained in Chapters 4, 5, 6, and 7 of the Community Development Plan.

[<< previous](#) | [next >>](#)

evaluation and regulation of all City development.

C. PLAN ORGANIZATION

X The Sherwood Comprehensive Plan consists of three parts, Background Data and Analysis, the Community Development Plan and Community Zoning and Development Code. These sections correspond to the data base, plan, and implementing provisions respectively. Parts 1 and 2 are organized in sections relating to the seven major topics of the Plan: Citizen and Agency Participation and the Planning Process; Growth Management; Environmental Resources; Land Use; Transportation; Community Facilities and Services and Economic Development. The purpose and general content of each of these subject areas are summarized in the beginning of each section. Part 3 is organized by section under the Chapter headings of General Provisions; Land Use and Development; Administrative Procedures; Planning Procedures; Community Design; Public Improvements; and Subdivision, and Partitions; Environmental Resources; and Historic Resources.

D. THE PLANNING AREA

The Planning Area for the Sherwood Comprehensive Plan consists of that portion of the Portland Area Urban Growth Boundary acknowledged by the Land Conservation and Development Commission on December 14. Except for an area-wide UGB change/trade in Southern Washington County in 1987 where Sherwood had a net loss of about 15 acres, the boundary remained unchanged following the 1989 periodic review by both the City of Sherwood and the Metropolitan Service District, the agency responsible for changes to the Portland Area Urban Growth Boundary.

E. DEFINITIONS

All words, phrases and abbreviations used in this section of the Sherwood Comprehensive Plan, except where specifically defined in this subsection, shall carry their customary meanings when not inconsistent with the context. Words used in the present tense include the future tense; words used in the future tense include the present tense; the plural includes the singular and the singular includes the plural. The word "shall" is mandatory and the word "may" is permissive. A more complete list of plan and zone definitions is in the Community Development Code.

ACCESS: The way or means by which pedestrians and vehicles enter and leave property.

AESTHETICS: Judgments pertaining to the visual appeal of sites and structures.

AGRICULTURAL LAND: In western Oregon, land of predominantly Class I, II, III and IV soils and in eastern Oregon, land of predominantly Class I, II, III, IV, V and VI soils as identified in the Soil Capability Classification System of the United States Soil Conservation Service, and other lands which are suitable for farm use taking into consideration soil fertility, suitability for grazing, climatic conditions, existing and future availability of water for farm irrigation purposes, existing land use patterns, technological and energy inputs

GROSS DENSITY: Refers to all the land area.

NET DENSITY: Refers to the land area remaining after removal of land currently used for or estimated to be used for public and semi-public land uses.

DENSITY TRANSFER: The practice of allowing the permitted density of development in one part of a site to be added to other portions of the same site while maintaining the average overall density on the entire site. In certain cases density transfer may include transfer of density from unbuildable portions of a site in exchange for the dedication of a portion of the site for public purposes.

DEQ: Oregon State Department of Environmental Quality.

DLCD: Department of Land Conservation and Development; staff department for the Land Conservation and Development Commission (LCDC).

DU: Dwelling Unit.

DWELLING UNIT: A building or portion thereof used exclusively for residential occupancy.

SINGLE FAMILY: A detached building with one complete dwelling unit.

DUPLEX: A detached building with two complete dwelling units.

MULTI-FAMILY: A building with two or more complete dwelling units.

EASEMENT: The grant of the right to use a strip of land for specific purposes.

ENCOURAGE: Stimulate, give help to, foster.

EPA: Federal Environmental Protection Agency.

FAMILY: An individual or group of two or more persons living together as members of a single dwelling unit.

FLOOD PLAIN: Land adjacent to a water course that is covered with water during periods of flooding; normally defined as an area of land inundated by a flood having a 1% chance of occurring in any year.

FULL RANGE OF URBAN FACILITIES AND SERVICES: Refers to a minimum number and level of facilities and services required to support urban development. The facilities and services include sanitary sewer, water, drainage, schools, parks, transportation access, fire protection, police protection, and electric service. The level of the facility or service shall be determined by the City Engineer consistent with the Sherwood Comprehensive Plan and

environmental performance standards.

PRESERVE: To save from change or loss and reserve for a special purpose.

PROVIDE: Prepare, plan for, and supply what is needed.

RIGHT-OF-WAY: A strip of land reserved for public purposes such as roadways and utility lines.

RURAL LAND: Lands outside of the Urban Growth Boundary.

X SCPAC: Sherwood Citizens Planning Advisory Committee.

SMSA: Standard Metropolitan Statistical Area, U.S. Bureau of Census, i.e. Portland SMSA.

STRIP DEVELOPMENT: A pattern of development characterized by a narrow area of use located along major streets with multiple driveway access to individual uses and parcels.

SUBDIVISION: The division of a parcel of land into four or more lots requiring the creation of a road or street.

STRUCTURE: Anything constructed or erected, the use of which requires location on the ground, or attached to something having a permanent location on the ground, but not including fences up to 42 inches in height, tents, vehicles, or poles and appurtenances thereto used for the provision of public utilities.

URBAN GROWTH BOUNDARY: A line defining the area expected to be needed to accommodate City growth to the year 2010, coincident with the Portland Urban Growth Boundary, (UGB). Also referred to as the Urban Planning Area.

Sherwood community as a whole by careful monitoring and continued use of the Comprehensive Plan.

3. To create an awareness of the planning process, and to encourage citizen involvement so that the citizens decisions reached reflect the broadest technical opinion.
4. To speak to those issues involving the community as a whole, rather than specific areas that may be affected by growth decisions.

X The full texts of the Citizen Involvement Program and SCPAC bylaws as well as a more detailed account of citizen involvement during plan development is contained in Background Data and Analysis, Section 1.

Consistent with provisions of LCDC Goal 1, the Sherwood Citizens Planning Advisory Committee (SCPAC) shall conduct an evaluation of the City's Citizen Involvement Program (CIP) and include the evaluation with the Plan when it is submitted for LCDC acknowledgment. SCPAC will conduct an evaluation of the CIP each year on the anniversary of initial Plan acknowledgment at the time of each Plan update.

X Preceding the 1989 Plan update, the City evaluated the adopted CIP in relation to the update process. Because of the minimal response to advertised citizen participation solicitation and the nature of a limited update, versus full plan development, the City appointed one eleven (11) member advisory committee responsible for all elements of the update. The elaborate system of subcommittees was not possible nor deemed necessary. The adopted CIP program remains unchanged, however, and will be evaluated with each Plan update.

C. AGENCY INVOLVEMENT

LCDC Goal 2 requires that "each plan and related implementation measure shall be coordinated with the plans of affected governmental units." The City and its consultants have coordinated work on the Plan in its various phases with interested agencies. Coordination has occurred in the area of data provision and consistency, goal and policy development and implementation of current programs and procedures. Specifically, the City has received and reviewed State agency coordination programs pursuant to ORS 197.80 and have taken advantage of technical assistance offered in several cases. The City will provide the following agencies with plan products for review and comment during progressive plan phases.

1. Land Conservation and Development Commission
2. Metropolitan Service District
3. Washington County
4. Cities of Tualatin, Wilsonville, and Tigard

deemed necessary by the City Council as provided in this Section. Annual amendment and revision for compliance with the above regional goals, objectives and plans shall be consistent with any schedule for reopening of local plans approved by the Land Conservation and Development Commission (LCDC).

Amendments to the maps and text of this Part shall comply with the provisions of Part 3 Chapter 4 Section 4.200.



Planning Commission 2007-08 Work Program (Quarterly Report – April 2007)

Revised June 2007 per recommendation from Mayor

Planning Commission Members:

Chair, Patrick Allen, Vice Chair: (vacant), Jean Lafayette, Dan Balza, Matt Nolan, Adrian Emery, & Todd Skelton

Council Liaison: David Grant

City Staff/Project Managers: Julia Hajduk (JH), Heather Austin (HA), Rob Dixon (RD), Gene Thomas (GT) & Cynthia Butler (CB)

Priority	Item	Status	Hearing Date/(PM)
High			
	Area 54-55 Concept Plan (Brookman Addition)	CET Fund request submitted to Metro	Through 2007(JH)
	Commercial & Light Industrial Design and Landscaping Standards	<ul style="list-style-type: none"> • Need to scope/evaluate/find templates (car dealerships, buffering standards, and architectural design) • Develop recommendations and take through planning process 	Spring/Summer 2007 (HA) Winter 2008 (HA)
	Sanitary Sewer & Stormwater Master Plans	Proposals due September 19 to Engineering Department	6/2007 (GT)
	Old Town Master Plan	<ul style="list-style-type: none"> • Consider whether town center designation should be expanded to include Old Town • Need to scope and apply for funding (JH) • Begin planning process 	Spring/summer 2007 (JH/RD) Summer 2007 (JH) Winter 2008
Medium/High			
	Feasibility study for Cedarbrook Way extension south between Meinecke and 99W	Need to scope project (costs to study, staffing, scheduled, etc) which should include looking at current zoning and uses, potential alignments, potential permitting issues, estimated construction costs, funding options based on potential and highest and best uses of property, comparison of tax revenues upon development, and potential code and/or comprehensive plan changes based on study findings and recommendations.	Fall 2007/Winter 2008
	Area 48 Concept Plan (Quarry Area w/ Tualatin)	Negotiating new boundary with Tualatin	2008-09 JH
	Annual Housekeeping Bill	Fix scrivener errors, outdated references, etc.	Not scheduled
Medium/Low			
	Code Review: mobile vendors	Need to scope/evaluate problem/find templates	Not scheduled
	PUD Guidelines for Mixed-Use Development	Determine appropriate level of commercial/office in PUD	Not scheduled
	Review sign code	Need to scope/evaluate problem	Not scheduled



Priority	Item	Status	Hearing Date/(PM)
Other			
	Cellular/Wireless Facilities Review Standards	Need to scope/evaluate problem	Not scheduled
	Improve Public Involvement Process: Goal 1 – increase public engagement	On-going (Improve delivery of project information)	On-going
	Review Neighborhood Commercial zoning and uses		Not Scheduled
	Planning Commission training	Schedule semi-annual training opportunities	June 2007
	Mixed use overlay		Not Scheduled
	Preparation for periodic review		Not scheduled



2009 Planning Work Program – Discussion Draft

Planning Commission Members:

Chair, Patrick Allen, Jean Lafayette, Matt Nolan, Adrian Emery, Todd Skelton, Lisa Walker, Raina Volkmer

Council Liaison: Dave Heironmous

City Staff/Project Managers: Julia Hajduk (JH), Heather Austin (HA), Zoe Monahan (ZM), Michelle Miller (MM)

Priority	Item	Status	Schedule/PM
High			
	Area 54-55 Concept Plan (Brookman Addition)	At City Council	February 2009/JH
	Commercial Design Standards	Recommendations developed – in process	February 2009/HA
	Industrial Design standards	Develop recommendations and take through planning process	Not scheduled/ HA
	Area 48 Concept Plan (Quarry Area w/ Tualatin)	Beginning process – existing conditions report under development	2008-Jan 2010/HA
	Adams Avenue Concept Plan	In development – alternatives process	June 2009/JH
Medium/High			
	Review temporary use sign portion of the sign code	Need to scope	Not scheduled
	Brookman Implementation/Annexation		Not scheduled
	Preparation for periodic review		
	Housekeeping Bill	Fix scrivener errors, outdated references, etc.	Not scheduled
Medium/Low			
	Code Review: mobile vendors	Need to scope/evaluate problem/find templates	Not scheduled
	PUD Guidelines for Mixed-Use Development	Determine appropriate level of commercial/office in PUD	Not scheduled
Other			
	Cellular/Wireless Facilities Review Standards	Need to scope/evaluate problem	Not scheduled
	Improve Public Involvement Process: Goal 1 – increase public engagement	On-going (Improve delivery of project information)	On-going
	Review Neighborhood Commercial zoning and uses		Not Scheduled
	Planning Commission training	Schedule semi-annual training opportunities	
	Mixed use overlay		Not Scheduled
	Review tree ordinance – CITIZEN REQUEST		
Other Long Range Planning Tasks			
	Reserves process		JH/MM
	Tonquin Trail study		MM

APPROVED
MINUTES

City of Sherwood, Oregon
Draft Planning Commission Minutes
February 10, 2009

Commission Members Present:

Chair Allen
Jean Lafayette
Todd Skelton
Raina Volkmer
Todd Skelton

Staff:

Julia Hajduk, Planning Manager
Heather Austin, Senior Planner
Karen Brown, Recording Secretary

Commission Members Absent: Commission Emery and Commissioner Nolan

Council Liaison –

1. **Call to Order/Roll Call – Chair Allen** called the meeting to order. **Zoe Monahan** called roll
2. **Agenda Review – Commercial Design Standards Update**
3. **Consent Agenda – Chair Allen** asked for comments or questions. None were given. Commissioner Lafayette moved to accept the consent agenda. Commissioner Walker seconded the motion. All were in favor. The motion carried.
4. **Staff Announcements –** Julia introduced Zoe to the Commission. Julia updated everyone on the Brookman Road project by saying that Planning Staff and City Council will be talking on February 17th, 2009 about the policy direction that needs to be taken. It is likely that staff will request that a decision be withheld until March 3rd, 2009. There has been new information released in the I-5/99 connector project and hopefully decisions will be made on the connector project at their meeting scheduled for February 25, 2009. Staff would like to wait so that any new decisions made can be factored into the discussion held by the City Council.
5. **City Council Comments –** There is a new Council Liaison, Dave Heironimus.
6. **Community Comments –** None were given.
7. **Old Business –**
8. **New business – Chair Allen** opened the public hearing on PA08-04 Commercial Design Standards update and read the public hearing script. He then asked the Commission to disclose any conflicts of interest. None were disclosed.

Heather Austin presented the Staff report. No comprehensive plan changes are proposed with this update. The applicable State goals, comprehensive plan policies and the related development code sections are included. There are also several sections of code language including the new process for a "Design Upgraded" site plan review which is the expedited process, changes to the matrix including alternatives to the existing standards. the current option which is to use the current Old Town standards and the additional option that would allow an applicant that may not meet any of the standards, but believe they have a stellar project and want to come before the Planning Commission and have more of a discretionary review. There are also a couple of "house-keeping" items including clarification of the "off street loading standards" and clarification that 8' Public Utility Easements are not required in the Old Town Overlay since building in that area are required to be built flush to the right-of-way. The change also includes clarification regarding the construction of new private streets. Construction of new private streets is prohibited unless you are serving 2 or more lots in a residential area.

Commissioner Lafayette asked if the intent was to allow commercial and industrial areas to have multiple lots served by one private street, but not allow residential development streets to serve only one lot.

Heather agreed that her understanding was correct and went onto explain that the intent of the private street section was to prevent situations like major flag lots where several lots being accessed of a private street behind the street, rather than building a public street. In commercial developments the scenario is often seen where staff requires shared access between two parcels then a third will want to take access, but are precluded because access is limited to two.

The final change to the code language includes on more house-keeping item. The proposed change is to not require the visual corridor in the Old Town overlay as again, the building are required to be built to the property line. The vision clearance triangle standard will still be required to insure traffic safety.

Heather continued her presentation by saying that Exhibit B that was handed out in the packets is the matrix that staff will use to review site plans. The additional exhibits include a review of some existing developments and how they would score using the matrix.

Reviewing the Matrix results, (exhibit D) the two locations that scored the highest using the proposed criteria are Hunter's Ridge and Cedar Brook Professional Building. Hunter's Ridge scored well on building design, parking and landscaping. The good scores on parking came about since most of the parking is under the structure in a garage. They also did well on their total landscaping. They retained all of the existing trees adjacent and in the sensitive areas. Cedar Brook Professional Building has been built with the current standards including being oriented to the street also scored well on landscaping and building location. She also included the area 59 Schools as the code language does cover institutional uses. At this time they are pretty close to passing. One suggestion she would make can be found on exhibit C. Item d-6 gives higher points for lower amounts of grass, but she suggests not penalized schools for having larger amounts of grass. Walgreens, which is one that the Commission generally liked did not score as

well. The building is oriented in the middle of the lot with parking all the way around, the landscaping is primarily grass. The tree count is low as well as the tree retention (every tree was removed from the site). These issues could be easily remedied. It scored well on the materials due to the use of brick and the window glazing. Amenities could be added such as benches by the front entrance and increase landscaping by adding landscaped islands in the parking stalls that would raise their score. The theater and Rose's are weak in building design and orientation, pretty weak in landscaping as well. There are some miscellaneous issues as well like the use of wood fencing. There would be quite a few improvements that would need to be made to this site.

She found some points where the point values in the matrix don't match the point value in the code section, so she would recommend that the matrix number be what are adopted if there is a recommendation made as well as the exhibit C changes. On exhibit C there are several other changes recommended including: fenestration, mitigation of trees, amount of grass and the change to fences and walls to include retaining walls.

Chair Allen wanted to summarize what the design review system will be. He sees it being presented as Staff offering choices to the developer: the first option is the very prescriptive, thou shall or thou shall not, alternatively you can use the Design Review Matrix and "pick and choose" how your project will meet the standard as long as you get 60% of the score. Additionally if the project receives 80% of the score there is then an expedited process that will be allowed. If none of those options are appropriate then the developer can bring their proposal to the Planning Commission and undergo a Design/Review hearing. Lastly, developers can also follow the Old Town Review Design Criteria.

Heather confirmed that his summary follows her intent.

Commissioner Lafayette was reviewing the existing review standards asked for clarification on item 3 as to what minimum standards are currently required.

Heather addressed the question from her own experience doing site plan reviews; if the development has windows, be it 2 or 20, it has windows. Awnings do have a requirement of 3' of shelter so they are easier to verify. She is open to suggestions on clarifications on minimum window standards.

Conversation between Heather, Commissioner Lafayette and Chair Allen continued regarding the viability of letting Developers use the original standards requiring the use all 3 of the original standards, as well as the definition of "designed for the long term". Heather explained that "designed for the long term" relates to the use of the building and that those uses may change over time. So design of the building should not be based on current use. Her example was that Taco Bell should not be built in the shape of a bell. If that use changes, the building shape should not be prohibitive to new uses.

Chair Allen opened the meeting to public testimony.

Patrick Lucas a Sherwood resident addressed the Commission by first saying he thinks the City is heading in the right direction trying to fix some existing issues. One of his

main concerns though relates to private streets, 16.118.050. He is currently developing two medical office buildings; Cedar Brook Dental Buildings. Those buildings front Meinecke, Cedar Brook Way, Handley and Hwy 99. When the building were in review by the Planning Department there were issues regarding orientation to pedestrian way. He interpreted the code to say that since Handley Street is the only street that actually has access to the building that would be his front. He was told by staff that the front entrance needed to either face Hwy 99 or Meinecke, and that no parking would be allowed between Handley Street and the front door. On certain parcels it seems difficult to determine orientation. He sees from a City's stand point, the buildings along Tualatin-Sherwood road, near the theater that "back" to the road and that the code was written to try to correct that. As it was written, basically everything in Sherwood is now non-conforming use. He appealed the decision that was made on his property and was able to negotiate putting a door on Meinecke Road and reduced some parking spaces to work out his site plan.

Regarding the private road issue: he has submitted an independent living facility plan and had not received notice on the property next door so they didn't know where the road was going to align. They have since realigned Cedar Brook Way and changed their whole plan, and now have a private driveway. They have buildings that will front Meinecke even though there will be no access off of Meinkecke Road. Is it interpreted that pedestrian access and the front door will be off Meinecke and off Cedar Brook, but that the real access is a private drive in the back since there is no access from Meinecke? Under the private street plan serving residential developments; is that just residential developments or would the street/private driveway have to become a public street? If it does have to become a public street it would totally mess up his current plan. He wants to be sure that the code changes don't somehow "throw a monkey wrench in everything."

Chair Allen asked Heather is she would like to respond.

She did by saying, that while the project Patrick is referring to is in a commercially zoned property, but it was the intent to make it easier for commercial properties to do private streets. Adding the residential statement, "the construction of new private streets serving residential developments shall be prohibited, unless it provides principle access to two or fewer residential lots." So, private streets that are not serving residential developments are not prohibited now with this new code language. It is meant to limit the limit on private streets to residential developments. Patrick's property is considered a commercial development even though it is assisted living.

A conversation ensued among staff, commissioners regarding concerns about the language being residential uses or zones. Commissioner Lafayette stated that in the past they have interpreted the code by applying commercial design standards to an industrial zoned property because that is what the use is going to be. She understands Patrick's concerns because he has a residential use on a single lot and he has now created a private street which seems to be counter intuitive.

As a result of the discussion Heather suggested amending the language to say, "the construction of new private streets serving single family residential developments."

Commissioner Lafayette wanted to address the concern about determining the front of a building and why a project like Hunter's Ridge, that looks so good would not have scored high enough to be fast tracked.

Julia answered by saying that one of the things the alternative will allow is flexibility. What staff was hoping to accomplish is that while they want to have things at a pedestrian friendly scale and attractive to people viewing developments, they still wanted some flexibility.

Ryan Givens a Land Planner with WRG Design addressed the Commission by saying that his firm represents many commercial developers and the type of development they typically see in this area includes a large anchor tenant in the rear and the along the street a more traditionally oriented out-parcel that would block the parking. That is the type of development he has been tracking this proposal against and comparing the standards up against. He feels that this is a very good second attempt at this proposal, however does have one recommendation under the parking and loading area section of the code. Currently the way he reads the code you don't get any points if you locate in front or on the side of the building. Based on his earlier example with the anchor tenant in the back the proposed language would not allow that type of development. He would suggest removing the language "to the front and side of buildings" and replace it with "between any building and a public street." He believes that would allow some really good commercial development with these standards.

Eugene Stewart, a Sherwood resident began by questioning the citizens' involvement in this process as outlined by the Goal 1 in the Oregon's Statewide Planning Goals and Guidelines. He began by referring to page 3, section 6, and reading the section titled, Revisions. "the general public, through local citizen involvement programs should have the opportunity to review..."

Chair Allen reminded Mr. Stewart that the Planning Commission has been designated as the Citizen Involvement Committee for the City of Sherwood since they are all citizen volunteers. Chair Allen asked if Mr. Stewart wanted to provide a citizen input on this meetings subject, as it would be helpful to the Commission.

Mr. Stewart stated that one of his concerns is that if some of the ideas being discussed now had been brought forward sooner, there might have been a chance to develop a better plan than what is being proposed. He feels that FOOT (Friends of Old Town) had never been appraised of this process or given an opportunity to provide any input.

Chair Allen asked staff if any of the Old Town Design Standards will be effected by the proposed changes.

Heather stated that it does not. All that is being done is clarification of inconsistencies in the code. Currently, staff requires developers to provide a visual corridor if you are on an arterial, but in the Old Town Standards that cannot be accomplished because it is required that the buildings be pulled up flush with the right-of-way

Chair Allen added that specifically they are removing the things in other parts of the code that conflict with the Old Town Review Standards. The Old Town Review Standards are being kept exactly as they are.

Mr. Stewart asked if at the same time is staff considering parking in Old Town.

Chair Allen advised that the parking is not the issue being reviewed in this meeting.

Mr. Stewart's went on to say that he believes the Citizen's Advisory Committee is the Committee that is responsible for the 1989 Comprehensive Plan. (Chair Allen interjected that the Planning Commission is that body).

Mr. Stewart continued by saying, the CCI, the Committee for Citizen's Involvement is known as the Sherwood Citizen's Planning and Advisory Committee. They have not been involved in this process. It seems to him that if you read the code enough, Part One of the comprehensive plan, the ordinance that created it has been stricken. He asked rhetorically if we are doing an effective job of citizen's involvement. He doesn't know. As big of an issue as this is there doesn't seem to be much citizen participation. He thinks the Planning Commission and staff should strive to obtain more involvement. What his concern is that we are going to become one of those city's where everything looks the same. He went on to say that if you look at other old town areas around what is unique about all of them is the fact that there were individuals that developed each particular pieces of property. They haven't tried to conform. He feels that by trying to set a straight and narrow pattern you are taking away some good things that could have happened.

He stated that he was submitting this in the hopes that maybe he could get written comment on what the citizen's involvement program is.

Chair Allen asked if anyone else wished to speak. No other comments were given. He then closed public testimony on PA 08-04 and asked for final staff comments.

Heather began with responses to Mr. Lucas and Mr. Givens' testimony. Regarding the testimony by Mr. Lucas and concerns voiced by Commissioner Lafayette as to why Hunter's Ridge did not score higher she explained that it is very possible it could have been scored higher. What she had used for her scoring were the old plans that were submitted. She wanted to review them as if she were receiving a new submittal and only had the information provided in front of her, and not visiting the site. Hunter's Ridge may have amenities not shown on their original plans like benches or other pedestrian amenities that would increase their score.

Regarding the location of parking brought up in the testimony given by Mr. Givens believes that his proposal meets what she was suggesting. The wording stating parking of no greater than 50% and the different percentages between any building and a public street would accomplish the same outcome. She has no concerns about changing the wording as suggested.

Chair Allen asked for a possible change of wording regarding the alternative that developers can come to the Planning Commission as a design review body. He feels that

changing the terms to say if a project meets or exceeds the objectives in 16.90.010.2. That way there would be a standard already written that they can refer to. Heather agreed.

Commissioner Lafayette asked about a statement that Heather had made early in her staff report about the matrix and code not matching.

Heather clarified her statement by saying that while she was reviewing the matrix she noticed that the point values in exhibit B don't exactly line up. An example is the LEED Certification in the code language shows you would get 3 points for that. The matrix had been adjusted to give 1 point. Projects were missing out on a many points and we have not seen a LEED project in Sherwood yet. We may in the near future, but 3 points seemed to be a lot to miss out on for something so rarely seen. The matrix embedded within the code values will be changed to reflect the values in exhibit B.

Chair Allen mentioned that the way Heather described LEED is exactly the opposite of what he understood. Heather suggested in that situation maybe a bonus point would be more appropriate. There is a bonus award possible earlier in the matrix already. For joint use or multiple use reduction for parking spaces you get 1 bonus point. They did not want to subtract points for projects just meeting the parking standards, because they met the standard, but they did want to give points for going beyond and using joint parking and reduction of impervious surfaces.

Chair Allan suggest removing the LEED points from the base calculation of points and adding them back in as 3 bonus points if met.

Commissioner Walker ask if there should be something added to the policy that stipulates the new process be reviewed in a designated amount of time to ensure it is meeting the intent.

Julia brought up the point that processing and adopting this is probably not the place to request that review. It is something that can and should be done, but not written into the ordinance.

Heather agreed that it could be added to the process.

Commissioner Lafayette referred to exhibit A-2, page 2 under required findings the language referrers to the proposed office retail, multi family, institutional AND/OR mixed use development. The Commission recommended changing the language to say ... multi-family, institutional or mixed use. Omit the word and.

Staff and the Commission discussed an issue brought up by Commissioner Lafayette. She wants to be sure that this process really is going to make it easier for developers to submit a product that is better in the end rather than defaulting to items 1,2 and 3. Heather believes that there are 3 main issues she has heard about from the developers. Primary front entrances are being oriented to the street, buildings being located adjacent to and flush to the street and the architectural building being oriented to the pedestrian.

Julia added that this new criteria is adding more flexibility to meeting the standards. Chair Allen offer a synopsis using the Rose's development as an example. If they came in today and wanted to be located in the middle of the parking lot, they would be told that they cannot have the sea of parking between the building and the street. You need to build tight to the street and have the windows and an entrance on the street. Under the current code, the steps 1,2,and 3 would be commercial difficult to do. That gets back to Commissioner Lafayette's point, that in a case like that, an applicant would not go through was is in the current standard prescriptive code, they could try to do something different by keeping the entrance toward the parking, which is logical, but would utilize other options like using different building materials and the visual make-up of the building to offset the lost points on the entrance location and possibly still meet the score requirement.

Heather agreed and gave the new Taco Bell as an example. They had to orient their building to the street, which is not the typical Taco Bell layout. In this situation it is a very good decision for them. There is a bus layover very near the entrance and is a highly used pedestrian location. Using the prescriptive standards there was the best use. Due to the fact that the Taco Time building was in such poor repair it had to be demolished. Once it was demolished the new Taco Bell had to be located closer to the street and basically the whole site had to be re-oriented even though there us to be a fast food restaurant in the same location.

Chair Allen listed the items that had been discussed:

1. Clarification of the language on private roads that would tie that to single family residential developments
2. How to determine the "front" of a building
3. The issue raised by Chair Allen regarding the standard being the objectives at the beginning of the code section 16.90.010
4. The language brought up in public testimony suggesting that between any building and a public street for loading and parking
5. The bonus discussion on the matrix having to do with LEED certification.
6. Removing the and/or statement

Commissioner Lafayette moved to continue PA 08-04 to the February 24, 2009 meeting. Motion seconded and voted on. All were in favor. The motion carried.

Chair Allen then turned to Julia for the Staff Report for the Annual Report.

Julia began by telling the Commission that this report is something that had been started 4 years ago and she feels is still valuable. The Commission has each been given a copy of the report in their packets.

She believes that the customer service tally's and the number of land us applications reflect the state of the economy and should not come as a great surprise. We have noticed a decrease in all areas of contact, the phone, walk-in, e-mails. The department has still been very though, and have worked on a lot of long range planning and continue to gear up for more in the near future.

In response to a question Julia explained that the term ministerial refers to something handled “over the counter”. Something with clear objective like home occupation permits and temporary use permits.

Chair Allen thanked Julia for the report and commented on how dramatic the fall off of contacts has been.

Julia agreed and went onto say that even though we have not been as busy at the counter the report doesn’t really reflect the amount of time that is being spent with applicants. Staff is trying to get a better capture of the time actually being spent.

Chair Allen asked if the Planning Department review goes into a dedicated fund that could built up as a reserve then when times get tough use those funds and work on long range planning.

Julia’s response was no that it is all general fund. The department was able to see this coming a little ahead of time and certainly have more staff working on long range planning projects. With Area 48 the department had to shift the plan and will utilize the consultant on a much smaller basis, partially due to lack of funds as well as having increase staff time available.

Julia then presented information on the status of the purpose statement and the work plan. Julia had sent an e-mail to the City Attorney asking how to use the purpose statement as a factor when making land use decisions. The response from the attorney said, where there is discretion, the Planning Commission can interpret the purpose statement as an approval criteria and apply it as such during a land use application. If the decision is appealed to Council and Council accepts the Planning Commissions’ findings, then that becomes valid at LUBA. The attorney also said that amending the purpose statement in the code to make its role an approval criterion would be clearer. This is where the work plan piece comes in. It could be rolled into another code update or another action at a later date.

Chair Allen asked if it would be possible to find a place to do a one-time code provision that says unless contradicted by other specific code language any purpose statement in this code should be considered criteria for the area that is addressed.

Julia’s concern is that it could be misleading to applicants. They could think they understand the criteria and not realized that there is an item in Chapter 1 that they have missed. She will however ask the question.

Next Meeting

Chair Allen closed the meeting at

End of minutes.