



**City of Sherwood
PLANNING COMMISSION**

**Sherwood Police Facility
20495 SW Borchers Drive**

March 16, 2004

Regular Meeting -7:00 PM

A G E N D A

- 1. Call to Order/Roll Call**
- 2. Consent Agenda – March 2, 2004 PC Minutes will be available at the March 30, 2004 Special Planning Commission meeting**
- 3. Agenda Review**
- 4. Community Comments** *are limited to items NOT on the printed Agenda.*
- 5. Public Hearings:** (Commissioners declare conflict of interest, ex-parte contact, or personal bias) **Public Hearings** before the City Council and other Boards and Commissions shall follow the procedure identified in Resolution 98-743, adopted June 9, 1998 (copies available on table):
 - A. PA 04-01 Sign Code Plan Text Amendments:** amending text to reduce the maximum height and size of signs, and encourage business owners to combine signage; thereby reducing the total number of signs. Chapter 5, Section 5.700 Signs, Part 3 Zoning & Development Code. *(Anne Elvers, Associate Planner)*
 - B. PA 04-02 Decks in Rear Yard Setbacks Plan Text Amendments:** amending text that would reduce the setback to open space tracts of decks over 30 inches in height. Chapter 2, Section 2.305.05 Decks, Part 3 Zoning & Development Code. *(Dave Wechner, Planning Director)*
- 6. New Business**
- 7. Adjourn**

**ITEMS NOT COMPLETED BY 11:00 PM WILL BE CONTINUED
TO THE NEXT REGULARLY SCHEDULED MEETING**

APPROVED MINUTES

City of Sherwood, Oregon
Planning Commission Minutes
March 16, 2004

1. Call to Order/Roll Call

Vice-Chair Patrick Allen called the Planning Commission meeting to order at 7:00 PM.

Commission Members present:

Patrick Allen
Dan Balza
Kevin Henry
Jean Lafayette

Staff:

Dave Wechner, Planning Director
Anne Elvers, Associate Planner
Roxanne Gibbons, Recording Secretary

Commission Members absent:

Adrian Emery
Ken Shannon
Matt Nolan (appointed March 9, 2004)

2. Consent Agenda

The March 2, 2004 Planning Commission meeting minutes will be available for the March 30, 2004 Special Planning Commission meeting.

3. Agenda Review

Vice-Chair Allen announced he would like to discuss the March 30, 2004 Commission Agenda items under New Business.

Jean Lafayette asked if the TSP materials would be available tonight. Mr. Wechner responded that the TSP materials would not be handed out tonight.

There were no other comments.

4. Community Comments

There were no community comments.

5. Public Hearings

5A. PA 04-01 Sign Code Plan Text Amendments

Vice-Chair Allen opened the public hearing on PA 04-01.

Anne Elvers read the hearings disclosure statement and asked that Commission members reveal any conflicts of interest, ex-parte contact or bias.

There were no Commissioner disclosures.

Vice-Chair Allen called for the Staff Report.

Anne Elvers, Associate Planner, referred the Commission to the Staff Report dated March 9, 2004, a complete copy of which is contained in the City Planning File PA 04-01. She noted:

- City Council directed Staff to draft code language to address the height, area and design of signs in Sherwood.
- The motivators were to shorten the allowable height, lessen the allowable sign face area, prohibit pole signs, and not to make too many signs in Sherwood nonconforming with the adoption of these amendments. The recommendation includes that the sign face area be limited to the intensity of the use, such as number of businesses on site as opposed to the current language that speaks to site frontage.
- Staff added several definitions under Section 5.701.08:
 - Off-premise sign, sign face area, single business site, commercial center, commercial plaza and free-standing signs – monument sign and column sign.
- Section 5.702.08 Signs on Vacant Land are prohibited unless allowed as a temporary sign under Section 5.704, 5.705, 5.706 and 5.707.
- 5.703.01 Residential Zones, changes were made to permanent residential development sign criteria - limiting the number of signs, types of materials to be used, and added criteria for multi-family development signs.
- Section 5.703.02, the height of free-standing signs in commercial zones is lowered from 45 feet to 35 feet.
- Section 5.703.02A.6 that addresses Off-Premise Signs has been added.
- The allowable maximum area for a wall sign is decreased from 20% to 12% of the gross area face of the building or tenant space to which the sign is attached.

Mr. Wechner stated that Section 5.707 references Banner Signs. He discussed the criteria in Section 5.701.08 Definitions, Item E “Commercial Plaza” contained in the Staff Report.

Ms. Elvers stated that the proposed language reduces the sign face area and this will affect billboard signs.

Vice-Chair Allen called for public testimony, either proponent or opponent.

Keith Mays, 23237 S. Pine Street, Sherwood, Oregon 97140, addressed the Commission.

- He is aware that the Commission has been busy. He did not know if they had spent as much time as they would like on the text language being proposed tonight.
- He would encourage the Commission to continue this hearing to the March 30, 2004 Special Commission meeting, if they wished to spend more time on the sign code amendments. He thought the language could be tightened to protect existing businesses that have good signage and also prepare for future development.
- He provided Staff with some issues he thought should be covered in the code language.
- The Code should encourage businesses to get together and put up one sign. For instance, if you have a single business you would be allowed a certain sign height, but if you combined

several businesses in a “commercial plaza” on one sign, you would be allowed a higher sign height.

- It is important to reward businesses, based on square footage of the building, with the maximum sized sign. There would be a minimum and maximum sign size based on building square footage.
- He has heard concern regarding some of the newer residential monument signs. Monument signs are addressed in the Code, but the Commission could look at basing the size of monument sign on the number of lots.
- The wall sign criteria seems to be fair and reasonable.
- He would like to see a limited review on attached signs and more of a focus on commercial free-standing signs.
- He would endorse the Commission continuing their review of the sign code.

Vice-Chair Allen said most of the longer-term Commissioners feel that they have spent a lot of time reviewing the sign code over the last two years. The Commission is concerned about looking at too many specific issues and not being able to adopt anything. He would like to be able to amend the language tonight and make a recommendation to City Council. The Commission concurred.

Staff submitted for the record a sample study they had prepared that compared the current sign code and proposed language regarding the number of free-standing signs based on frontage versus sign face area based on the number of businesses. Four undeveloped sites along Highway 99W in the Office-Commercial (OC) zone were used as examples.

Vice-Chair Allen called for any further testimony. There being none, Vice-Chair Allen closed the public hearing on PA 04-01 Sign Code Plan Text Amendments, for Commission deliberations.

Vice-Chair Allen said by changing the standard on residential monument signs the City would force many subdivisions to replace their monument signs at an additional cost to the homeowners. He was not sure the Commission would want to do this. He referred to Section 5.701.05 existing nonconforming signs.

Mr. Wechner noted that if the sign face is reduced from 32 square feet to 16 or 12 square feet virtually every residential development would be required to replace their monument sign within five years.

The Commission agreed that residential signs should be exempted from meeting the retrofit.

The Commission made the following changes to the proposed plan text amendments:

- Section 5.701.05, add a reference that the nonconforming sign exclusion is for residential only and all commercial signs (wall and free-standing) will need to comply within five years. Staff will draft the language, “except permanent residential development signs”.
- Section 5.701.08, add definition for Pole Signs as Item G.

- Section 5.702.07, change the title from pole signs to “design standards” and include language “all pole signs and free-standing signs that do not meet the requirements....”.
- Section 5.703.02A2, Height Limit, change the height limit from 35 feet to 30 feet, and provide a 25% bonus for signs that consolidate three or more existing signs.
- Section 5.703.02, Wall Signs should be Item B (not A), add after first sentence, “Wall signs plus banner signs under Section XX, shall be no more than 20% of gross area face of the building or tenant space to which the sign is attached.”

Vice-Chair Allen recessed the meeting at 8:10 PM for a 5-minute break and reconvened the meeting at 8:15 PM.

Ms. Lafayette reviewed possible criteria free-standing heights:

- Type ‘A’ Single tenants - 150 and 300 square feet for the face and 25 foot sign height.
- Type ‘B’ Commercial centers - 250 and 500 square feet for the face and 30 foot height.
- Type ‘C’ Commercial plazas - 350 and 700 square feet for the face and 35 foot height maximum.
- Create an incentive for multiple tenant businesses would have a 30 foot height.

The Commission concurred that they would like to review the changes made tonight at the March 30, 2004 special meeting. Staff will update the draft language for Commission review.

Jean Lafayette moved the Planning Commission continue PA 04-01 Sign Code Plan Text Amendments to the March 30, 2004 Special Planning Commission meeting so the Commission can review all the changes made tonight to the draft language prior to making a recommendation to the City Council. Seconded by Dan Balza.

Vote for Passage of Motion: 4-Yes, 0-No, 0-Abstain

5B. PA 04-02 Decks in Rear Yard Setbacks Plan Text Amendments

Vice-Chair Allen opened the public hearing on PA 04-02 and called for the Staff Report.

Dave Wechner, Planning Director, referred the Commission to the Staff Report dated March 16, 2004, a complete copy of which is contained in the City Planning File PA 04-02. He noted:

- The current zoning language regulating decks does not directly address issues of lot size, topography and a proximity to sensitive areas.
- In Sherwood’s planned unit developments some decks are closer to publicly dedicated open space tracts than you would see in other subdivisions where the current standard is 20 feet from the rear yard.
- This standard applies to decks that are over 30 inches in height off the ground.
- There are property owners in Sherwood who are in support of this plan text amendment.
- Ken Huffer, Natural Resource Specialist, for the City has concerns about the proximity of decks to open space and how they would affect bird habitat or other wildlife function of the open space areas. The provision of a constructed space, with railings, may actually restrict

activity close to the rear property line as residents will tend to use their deck as a back yard and not use the ground itself more intensively.

- He entered into the record a letter from Renaissance Development Corporation that supported the plan text amendment. The first plot plan attached to the letter would not be in compliance even with the proposed code revisions. The second plot plan appears to be in compliance with the proposed language.
- He recommended inserting additional language in the second sentence to Section 2.305.05, “Decks 30 inches above grade that require a building permit placed on properties adjacent to wetland or open space tracts *publicly dedicated or in public ownership* may project into the required rear yard.....”
- Staff recommends approval of the plan text amendment to allow decks 30 inches above grade that require a building permit placed on properties adjacent to wetland or open space tracts may project into the required rear yard, but shall not be closer than ten (10) feet from the rear property line. All other decks will comply with the required setbacks for the underlying zoning district.

Vice-Chair Allen asked if there was anyone who wished to provide testimony.

Brent Morris, (proponent), 22376 SW Dewey Drive, Sherwood, Oregon 97140, addressed the Commission. He is a real estate agent representing Todd Plumhaw and Zan Zielinski, who live at 22407 SW Dewey Drive. He noted:

- The property at 22407 has had two sales fall through because the home has a deck that does not meet the current setback requirements.
- The seller has offered to remove the existing deck, but based on the limited back yard area, prospective buyers have decided the current deck is needed for aesthetic value and usefulness of the land.
- He supported the proposed plan text amendment.

There being no other testimony, Vice-Chair Allen closed the public hearing on PA 04-02 for Commission deliberations.

The Commission added the word “uncovered” to the beginning of the last sentence of the proposed text.

Kevin Henry moved the Planning Commission recommend to the City Council approval of PA 04-02 Decks in Rear Yard Setbacks Plan Text Amendments as amended based on findings, Staff Report, and public testimony. Seconded by Dan Balza.

**Vote for Passage of Motion: 3-Yes (Allen, Balza, Henry)
 1-No (Lafayette)
 0-Abstain**

Ms. Lafayette noted for the record that she did not support the deck plan text amendment. It was her opinion that in 5 years the City is going to see a lot of things they are going to regret by allowing decks to encroach into the rear yard setbacks.

6. New Business

Vice-Chair Allen asked if Staff could have the design review guidelines booklet for Old Town available for Commission review and consideration at the March 30, 2004 Special Commission meeting.

Mr. Wechner announced that the latest Draft Transportation System Plan should be available for review at the March 30, 2004 Special Commission meeting under New Business. This will not be the public hearing for the TSP.

Mr. Wechner announced that the members of SURPAC, City Council and Planning Commission are invited on a field trip, March 19, 2004, to view buildings that Thomas Hacker Architects have designed and built in the Portland Metropolitan area.

7. Adjourn

There being no further business to discuss, by motion Vice-Chair Allen adjourned the regular Commission meeting at 8:30 PM.

END OF MINUTES