



Home of the Tualatin River National Wildlife Refuge

ORDINANCE 2006-018

AN ORDINANCE APPROVING A PLAN MAP AND TEXT AMENDMENT, ADDING A NEW CHAPTER 8 TO THE SHERWOOD COMMUNITY DEVELOPMENT PLAN COMPREHENSIVE PLAN PART 2, INCLUDING A CONCEPT PLAN FOR A NEW NEIGHBORHOOD, AMENDING THE TRANSPORTATION PLAN MAP IN CHAPTER 6, SANITARY SEWER AND STORMWATER MAPS IN CHAPTER 7, AMENDING CHAPTERS 2 & 5 OF THE SHERWOOD ZONING & COMMUNITY DEVELOPMENT CODE, AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the existing Comprehensive Plan (Part 2) was approved by Ordinance 91-922, and outlines a system wide land use policy consistent with Statewide Planning Goals; and

WHEREAS, Metro brought Area 59, an 85 acre area, into the urban growth boundary in December 2002, and the City initiated concept planning in December 2004, and approved the establishment of a Citizens Advisory Committee (CAC) via Resolution 2004-090 on October 12, 2004; and

WHEREAS, the CAC met over the course of a year in 2005, referred to as Phase 1, and recommended a concept plan map in December 2005, revised by the Planning Commission in February 2006, and approved by the City Council via Resolution 2006-017 on April 18, 2006, which authorized city staff to begin the plan amendment application consistent with Section 4.201 of the Sherwood Zoning & Community Development Code (SZCDC); and

WHEREAS, the plan amendment application, referred to as Phase 2, was required to implement the concept plan map through new zoning designations, comprehensive plan policies and map amendments, and amendments to the SZCDC consistent with the criteria in Section 4.203.01 & 4.203.02 to approve a change to the Comprehensive Plan Map and Text, Statewide Land Use Planning Goals, Transportation Planning Rule (OAR 660-012), Metro Urban Growth Management Functional Plan standards, and Metro Ordinance 02-969B; and

WHEREAS, the Sherwood Planning Commission held a work session open to the public on May 9, conducted a public hearing on the proposed plan map and text amendment, referred to as File No. PA 06-01, on July 25, 2006, deliberated a

recommendation on August 8, 2006 and recommended approval of the plan map and text amendment to the City Council on September 12, 2006; and

WHEREAS, the Sherwood City Council conducted a joint work session with the Planning Commission on July 18, 2006 and held a public hearing on the proposed plan map and text amendment on November 8, 2006; and

WHEREAS, the Sherwood City Council has received the application materials, the City's Planning Staff reports (PA 06-01), supporting documents, exhibits, and the Planning Commission findings, and the Council reviewed the materials submitted, and the findings of fact of the proposal, and conducted a required public hearing for a Type 5 Legislative amendment on December 5, 2006.

NOW, THEREFORE, THE CITY ORDAINS AS FOLLOWS:

Section 1. Commission Review & Public Hearings. That the application for a Plan Map & Text Amendment (File No. PA 06-01) to add Chapter 8 – UGB Additions, including the Area 59 Concept Plan Map to the Comprehensive Plan (Part 2), amend the Transportation Plan Map Chapter 6 and by reference the Transportation System Plan, Sanitary Sewer Master Plan Map and Stormwater Master Plan Map in Chapter 7, amend the Sherwood Plan & Zone Map, amend the SZCDC Chapter 2 (Section 2.202 - Planned Unit Development (PUD)), Section 2.204 – Townhomes, Section 2.303 - Fences, Walls, & Hedges), and Chapter 5 (Section 5.102.04E – Site Plan Review) was subject to full and proper review, and public hearings were held before the Planning Commission on July 25 and the City Council on November 8, 2006 and December 5, 2006.

Section 2. Findings. After full and due consideration of the application, multiple City Staff reports, the record, findings, including those made during Phase 1 hereafter referenced and adopted, and of the evidence presented at the public hearings, the Council finds that the proposed plan map and text amendments are appropriate to revise the Sherwood Community Development Plan (Part 2) and Sherwood Plan & Zone Map, and Sherwood Zoning & Community Development Code (Part 3) consistent with state law. The Council adopts the findings of fact contained in the staff reports from Phase 1 – Concept Plan, and Phase 2 – Implementation (July 18 and September 5, 2006) and the summary of recommendations from the Planning Commission to the City Council dated October 27, 2006 and a final report dated November 17, 2006. Further, the Council finds that, although they chose not to implement the mixed use overlay zone at this time, the findings made in the record, specifically the July 18, 2006 report, continue to apply and meet local, regional and state criteria.

Section 3. Approval. The Plan Map & Text Amendments are hereby **APPROVED**; the specific amendments approved by this Ordinance are:

- 2-A – Comprehensive Plan - Chapter 8
- 2-B – Zoning and Community Development Code amendments to Chapters 2 & 5

- 2-C - Sherwood Plan & Zone Map for Area 59
- 2-F - Transportation Plan Map and the Water, Sewer and Storm System Map
- 2-K – Adopted Concept Plan map

Additional out-of-sequence exhibits are identified in the record of decision, which is adopted by reference and included in the 11-8-06 Council packet materials.

Section 4. Manager Authorized. The Planning Supervisor is hereby directed to take such action as may be necessary to document the adoption of said amendment.

Section 5. Effective Date. This ordinance shall become effective the 30th day after its final adoption by the City Council and signature of the Mayor. Duly approved by the City Council and signed by the Mayor this 18th day of January, 2007.



 Keith S. Mays, Mayor

Attest:


 Sylvia Murphy, City Recorder

	AYE	NAY
Luman	<u>✓</u>	_____
King	<u>✓</u>	_____
Henderson	<u>✓</u>	_____
Heironimus	<u>✓</u>	_____
Grant	<u>✓</u>	_____
Durrell	<u>absent</u>	_____
Mays	<u>✓</u>	_____

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MEMORANDUM

TO: Sherwood City Council

FROM: David F. Doughman, City Attorney's Office *DFD*

SUBJECT: Area 59 Ordinance

DATE: January 5, 2007

At its January 16, 2007 meeting the City Council will be asked to confirm the amendments it made on December 5, 2006 to Ordinance No. 2006-018. This is the Ordinance that enacts the plan and map amendments for Area 59. The Council passed the Ordinance at its December 5 meeting with certain changes to what staff originally proposed. Staff has since memorialized those changes.

Given the relative intricacy of the issues, we want to provide the Council the opportunity to review the changes incorporated by staff. We are confident that they accurately reflect the amendments made by the Council on December 5 and believe all that remains at this point is for the Mayor to sign the Ordinance. The Council closed the hearing on December 5 and no further public process is required. As such it is appropriate for this item to be placed on the Council's consent agenda for the January 16 meeting.

If any Councilor has questions regarding staff's changes or if for any other reason would rather address this item during the Council's regular agenda that is perfectly acceptable. The item may simply be removed from the consent agenda and discussed during the Council's regular agenda.

TO: Sherwood City Council
FROM: Julia Hajduk, Interim Planning Supervisor
THROUGH: Rob Dixon, Community Development Director
SUBJECT: Ordinance 2006-018 (Area 59) with amendments as approved 12/5/06

STAFF REPORT/EXECUTIVE SUMMARY

Summary: At the December 5, 2006 Council meeting the Council adopted Ordinance 2006-018 with amendments. The Ordinance and Exhibits have been amended per Council approval. With adoption of the consent agenda, the Council will affirm that the amendments made are consistent with the original approval and authorize the Mayor to sign. The Ordinance will become effective 30 days after the Mayor has signed.

Previous Council Actions: see above

Alternatives: If the Council does not agree that the changes reflected in the attached Ordinance and Exhibits are consistent with the approval, the issue will need to be removed from the consent agenda for further discussion and direction to staff.

Financial Implications: N/A.

Recommendation: Staff recommends Council affirm that the attached Ordinance reflects the amendments approved by Council at the December 5, 2006 meeting by adopting the consent agenda.

Attachments:

Ordinance 2006-018 as amended with exhibits:

- 2-A – Comprehensive Plan - Chapter 8
- 2-B – Zoning and Community Development Code amendments to Chapters 2 & 5 (track changes)
- 2-C - Sherwood Plan & Zone Map for Area 59
- 2-F - Transportation Plan Map and the Water, Sewer and Storm System Map
- 2-K – adopted Concept Plan map

URBAN GROWTH BOUNDARY ADDITIONS

A. INTRODUCTION

The urban growth boundary (UGB) has largely remained unchanged since it was drawn in the 1980s. The planning period of the last “periodic review” of the Comprehensive Plan in 1991 was extended from 2000 from the original adoption of the Comprehensive Plan – Part 1 (1980) to 2010. Conversely, the City of Sherwood experienced rapid growth in the 1990s and continues to add more residents in the twenty-first century. Policy makers did not anticipate rapid changes to the UGB when policies were established over fifteen years ago and the 1990 population was 3,093.

The Metro Council added over approximately 700 acres to the Sherwood portion of the regional UGB in two separate decisions in 2002 and 2004. Metro will consider additional lands in 2007 to meet a twenty year supply of residential land in a five year periodic review interval. Metro requires a “concept plan” prior to annexation by a local jurisdiction. A concept plan is similar to a master plan, but with less detail; it outlines the future land uses, public facilities, and other urban services, but does not mandate the specifics associated with an actual development proposal.

In order to plan for the projected period of strong growth pressure in the Sherwood Urban Area the City has developed a new element to the Comprehensive Plan – Part 2 referred to as Chapter 8 – Urban Growth Boundary Additions. This Chapter will support and reinforce the adopted policies in Chapter 4 – Growth Management and will overlap in other areas. Additions are considered lands that are officially added to the regional UGB and the growth management policies are intended to guide the decision-making process prior to addition of more land and while land is ready to urbanize. The ultimate level, rate, and direction of growth can, to a large extent, depend on the urban growth management policies and objectives of the City, Metro, and the State. This Chapter of the Plan contains the data, assumptions, policy goals, objectives, and implementation strategies to accomplish the community’s needs and vision as expressed in the respective concept plans as well as general goals and objectives for consistent UGB additions. A brief narrative of each concept plan is also included to capture the unique and historical aspects of the concept planning process.

This Chapter will also summarize the results and recommendations of each concept plan over time as new additions are made to the UGB the Plan can respond accordingly. Sections are organized by each concept plan that reinforces the overall policy goals and objectives. For example, in 2004 the City established the Area 59 Citizens Advisory Committee (CAC) to make recommendations to be reviewed and revised by the Planning Commission and City Council. This Plan element designates specific land, such as Area 59, within the UGB to meet the needs of a projected population increase; provides for the orderly and economic extension of urban services; and specifies policies for the conversion of rural, agricultural and urbanizable land to certain urban uses. The overall purpose of this Chapter is to establish policies for the management of the City's UGB additions consistent with LCDC Goal 14 and Title 11 of the Metro Urban Growth Management Functional Plan (i.e. Functional Plan).

Until 1985, this Plan was a complementary plan, that is, it applied within the City limits. The

Washington County Comprehensive Plan continued to apply to land within the Sherwood Planning Area, but outside of the City limits, via the Sherwood Community Plan. The Washington County/Sherwood Urban Planning Area Agreement (UPAA) was developed to meet intergovernmental coordination requirements of LCDC Goal 1, and details the on-going relationship between the City and County in developing, implementing, and revising their respective Comprehensive Plans for the Sherwood Planning Area. This agreement was updated biennially, the most recent in 1988. Recent amendments to the agreement have been approved by the City Council in 2006 (Resolution 2006-037) and are incorporated into this section. Additional amendments will be adopted and reviewed separately from any plan amendment process for a concept plan.

B. URBAN GROWTH BOUNDARY DATA & ASSUMPTIONS

The Sherwood Urban Growth Boundary (UGB) is currently defined as the area west of Cipole Road, east of Elwert Road, north of Brookman Road, and south of the Tualatin River National Wildlife Refuge and is included within the regionally adopted Metro Urban Growth Boundary.

The growth assumptions developed and selected for Sherwood during the previous Plan preparation in 1991 were low. At that time, the Plan projected 5,355 people in the urban area by 1988 as opposed to an actual 10,600 people by 2000 projected in the 1980 Plan. This difference arose from a projected 7% to 12% annual increase anticipated by connection of the Sherwood sewer system to the Durham Sewage Treatment Plant owned and operated by Clean Water Services. Since then growth has overwhelmed Sherwood: the population according to the 2000 US Census was 11,791 and 14,410 in 2005 inside the City limits, according to an estimate by Portland State University’s Population Research Center.

Sherwood has become a bedroom community for families that work elsewhere in the Portland Metro area. According to the Washington County Tax Assessor’s Office, the residential to non-residential tax base ratio is 80 percent residential and 20 percent non-residential. This jobs housing imbalance does not provide a sustainable economy for providing urban services and has repercussions on providing cost-effective urban services.

The Metro Region 2040 Growth Concept Map designates land use for future urban growth areas. The following table summarizes the acreage, planned land use designation, applicable planned densities, and the year the land was brought into the UGB.

Table VIII -1 - Summary of UGB Additions 2002-2004

UGB Addition	Year	Acres	2040 Land Use Type	Planned Density*
Area 59	2002	85	Outer Neighborhood	7.3 to 10 units per acre
Area 54-55	2002	235	Inner Neighborhood	9.6 to 10 units per acre
99W Areas	2002	23	Employment/Industrial	N/A
Area 48	2004	354	Industrial	N/A

*Metro Code 3.07.170 describes the design type as persons per acre versus units per acre. This metric is converted to planned density for comparison purposes.

As the above table illustrates, the design types provide a range of net densities within

developable areas. The Metro Housing Rule (OAR 600-007-035) requires Sherwood to plan for six (6) units per acre. The maximum density of ten (10) units per acre is a requirement under Title 11 of the Metro Functional Plan where the minimum density threshold is set by the design type in the 2040 Growth Concept Map. Concept plans for UGB additions will need to account for these minimum and maximum ranges. For the purposes of concept planning UGB additions, 25 percent of each subject area is netted from the gross density calculation to plan for public facilities, including streets, utilities, stormwater retention, and dedicated open space. Dedicated parks and civic uses are not counted towards a density calculation.

Table VIII – 2: Concept Plan Summary by Area

Land Use	Acres	Planned Density	Lot Size / Square Feet
AREA 59			
Single-family detached	19	5 – 8 units per acre	5,000 – 7,000 SF
Single-family attached	5	8 – 10 units per acre	2,500 – 5,000 SF
Live-Work / Neighborhood Commercial	3	8-10 units per acre	2,500 – 5,000 SF > 40,000 SF (.3 FAR)
Civic/Institutional Public	29		150,000 – 300,000
Open Space (Goal 5)	12.5		
Neighborhood Park	3.5		
Streets (right-of-way)	12		
Area 54-55 – Brookman	TBD		
Area 48 – Tonquin Industrial	TBD		
99W Areas	TBD		

Annexation in Sherwood requires voter approval. Sherwood has the choice of devising an annexation plan that would determine the pace, criteria, and size of future annexations. An annexation plan is a Title 11 requirement, but this is intended to address the delivery of services among multiple jurisdictions. It is assumed that Sherwood will provide most urban service short of emergency response, and continue to have a voter annexation process. This policy choice will substantially limit the amount of developable property because annexations require a petition by the owner to be referred to the ballot and voter approval.

During the 1989-90 Plan update the City adopted an additional provision to be incorporated into the Urban Planning Area Agreement, which governs the administration of planning duties between the City and Washington County. Since the Sherwood Comprehensive Plan employs a one-map system wherein an illustrative requirement fulfills a dual role by serving as both Plan Map and Zone Map, the map establishes land use designations or zones for unincorporated portions of the Urban Planning Area. Therefore, to simplify the process, the agreement provides that with adequate notice to the affected property owners, upon annexation of any property within the urban planning area to the City, the land use designation specified by the Sherwood Comprehensive Plan and Zone Map is automatically applied to the property on the effective date of the annexation (as authorized by ORS 215.130(2)a and after adequate notice to the property owner). As it relates to the concept planning process, a general land use designation, such as residential, civic, or commercial is proposed and approved consistent with the Region 2040 Growth Concept Map. Subsequently, through the implementation or legislative process, actual zoning designations are applied through a plan amendment to the Plan and Zone Map for adoption.

C. GENERAL POLICY GOALS AND OBJECTIVES

Goal 1: To adopt and implement an orderly urban growth boundary addition and management policy which will accommodate future growth consistent with established growth limits, planned residential densities, neighborhood oriented services, employments opportunities, and land carrying capacity based on environmental quality and livability.

OBJECTIVES

Policy 1 Focus growth into areas contiguous to existing development rather than "leap frogging" over developable property.

Policy 2 Encourage development within areas that have access to public facility and street extensions in the existing city limits.

Policy 3 Encourage annexation inside the UGB where City services area available and can be extended in a cost-effective and efficient manner.

Policy 4 When Metro and Sherwood designates future urban growth areas, consider lands with poorer agricultural soils before prime agricultural lands, lands that are contiguous to areas planned for urban services, and land that resides in Washington County to reduce confusion over jurisdictional administration and authority.

Policy 5 Achieve the maximum preservation of natural and historic resources and features consistent with Goal 5 of the Statewide Land Use Planning program and Chapter 5 of this Plan.

Policy 6 Provide multi-modal access and traffic circulation to all new development that reduces reliance on single occupant vehicles (SOV) and encourages alternatives to cars as a primary source of transportation.

Policy 7 Establish policies for the orderly extension of community services and public facilities to areas added for new growth consistent with the ability of the community to provide necessary services. New public facilities should be available in conjunction or concurrently with urbanization in order to meet future needs. The City, Washington County, and special service districts should cooperate in the development of a capital improvements program in areas of mutual concern. Lands within the urban growth boundary shall be available for urban development concurrent with the provision of the key urban facilities and services.

Policy 8 Provide for phased and orderly transition from rural to suburban or urban uses. Larger UGB expansion areas shall include a phased development plan to achieve a sustainable transition over time.

- Policy 9 To provide a regionally consistent population projection methodology and the accurate allocation of people, a revised population projection for Sherwood should be developed and coordinated with other County jurisdictions, Washington County, and Metro during periodic review of the Metro UGB and Sherwood's Comprehensive Plan.
- Policy 10 - The City of Sherwood shall lead the concept planning for areas contiguous to the existing UGB. The City of Sherwood and special districts, such as Tualatin Valley Fire & Rescue, are the primary service providers. Washington County does not want to provide urban services outside of city limits. Sherwood will work cooperatively with the County, special districts, and neighboring cities, including Tualatin, to determine urban service boundaries, service delivery, and when feasible share resources, such as public facilities to encourage cooperation, cost-effective delivery, and economic development in future growth areas.
- Policy 11- As part of the concept planning process, the City will submit findings from any study or technical analysis to inform Metro on appropriate future revisions to the Urban Growth Boundary (UGB) in conformance with the Metro 2040 Growth Concept Plan and the need to accommodate urban growth to the year 2017 and beyond. The City will work with neighboring cities, Washington County, and Metro on an "urban reserve" program that identifies future lands beyond a 20 year planning horizon to facilitate efficient and well planned public facilities and services.
- Policy 12 - Changes to concept plans can be made prior to implementation based on supported evidence and may be proposed by the City, County, special districts, and individuals in conformance with City, County, and Metro procedures for amendment of their respective Comprehensive Plans. Concept plan maps shall be adopted in this Chapter and new development shall conform to the land uses, transportation network, parks and open space, and other applicable concept level designs.
- Policy 13 - Generally, new concept plans shall conform to Title 11 requirements and any conditions of approval related to the addition of the land. Concept plans shall strive to balance the needs of existing and new residents and businesses to ensure a sustainable tax base to deliver services. Mixed residential and mixed use shall be considered for each concept plan as an opportunity to provide neighborhood and civic oriented services within walking distance, efficient, transportation alternatives, and a variety of housing and employment choices.
- Policy 14 - Generally, new neighborhoods shall be designed and built based on architectural form as opposed to land based regulatory tools, such as setbacks, lot sizes, and lot coverage. In lieu of these requirements more shared and usable open space and parks can be dedicated to the public in addition to any non-buildable areas. Furthermore, a form-based code is preferable to reduce regulatory hurdles and costs for customers and the City, respectively.
- Policy 15 - The City shall work with the Tualatin River National Wildlife Refuge on a long

term urbanization plan that could include provision of urban services and preservation of additional lands for fish and wildlife habitat.

Policy 16 - Consistent with Goal 1, the City shall establish an advisory committee to develop evaluation criteria and a concept plan for any area over 20 acres while collecting input from affected agencies, property owners, and other stakeholders.

Policy 17 As new UGB areas are added and approved through the concept planning process, the geographic boundaries of Sherwood will change. Specifically, a new UGB boundary with Tualatin needs to be determined through the concept planning process for Area 48 (Quarry Area).

Policy 18 - Regarding the concept planning process, the following steps shall be required to initiate the concept plan through annexation:

- (1) Governance: Determine jurisdictional boundaries and urban service providers.
- (2) Concept Plan: Develop a concept plan consistent with Metro 2040 Growth Concept.
- (3) Implementation: Adopt comprehensive plan policies, zoning codes, etc. by ordinance.
- (4) Annexation: Allow property owners to petition the City for annexation after concept plan implementation is substantially complete.

Policy 19 City plan and zoning designations will be determined consistent with the Metro 2040 Growth Concept Design Types illustrated on the 2040 map, unless the 2040 map designation is inappropriate, in which case the City will propose that Metro change their map consistent with City policy.

Policy 20 The City shall find outside sources of funds, including participation in Metro's Construction Excise Tax program, to finance the concept planning in lieu of general funds.

MAPPING OF URBAN GROWTH BOUNDARY ADDITIONS

Goal 2: The addition of land to the Urban Growth Boundary is depicted on the Plan and Zone Map in Chapter 4. Each new area added will have a concept plan map in this Chapter that illustrates the general layout of land uses, streets, and open spaces. The mapping of concept plan areas shall generally conform to Metro's Title 11:J requirements for an "urban growth diagram." The following considerations shall be used based on the "Livable New Communities" handbook published in 2002:

Policy 1 Identify local and regional Goal 5 resource areas such as creeks, floodplains, wetlands, and historic sites.

- Policy 2 Identify transportation corridors, including: railroad tracks, streets, paths, as well as public transportation, school bus, and truck routes.
- Policy 3 Use property lines to facilitate eventual development in existing dispersed land use patterns that make implementation of master plans more difficult due to definability, service provision, cost sharing of facilities, and coordination among jurisdictions.
- Policy 4 Identify public facility service locations and providers, which would best utilize and deliver the service.
- Policy 5 Identify land use types consistent with the Metro Growth Concept Plan Map including residential, commercial, mixed-use centers, industrial, parks, and civic uses.

Area 59 – A New Neighborhood in Sherwood

Background

As mentioned previously Area 59 is an 85 acre area brought into the UGB in 2002. “Area 59” is a nameless designation placed by Metro and does not reflect the local history of the area. “Blue Town”, as it was called by the pioneer families at the turn of the 20th century, is predominantly a rural residential and farming community. Blue Town received its name because German immigrants painted farm buildings the same color blue. The area is characterized by historic farmhouses, newer large lot country estates, rolling hillsides, a neatly groomed landscape, stunning views of Mount Hood, and forested riparian areas that feed Chicken Creek and the Tualatin River Basin. The CAC developed a list of new names for the neighborhood, but none were recommended to the policymakers. Without a clear designation, future development will be assigned subdivision names for final platting purposes. The City has a policy choice, and a clear opportunity, to designate a coherent new neighborhood either as part of implementation or through some other yet to be determined process.

Area 59 is the first UGB expansion area that required a concept plan under Metro’s Functional Plan Title 11 requirements. The relatively small size of the subject area offered an opportunity to the stakeholders to create a neighborhood scale plan with roads, land uses, and public spaces all integrated into the existing urban fabric of Sherwood. The City took the lead in concept planning the area because the County did not express an interest and the Sherwood School District lacked expertise in land use planning and real estate development. The City provided the planning through general funds and in kind services.

Public Involvement

The City officially initiated the concept planning process in late 2004. The City Council established a Citizens Advisory Committee (CAC) via Resolution 2004-090 on October 12, 2004 to guide the development process and provide recommendations to the Planning Commission. The City held numerous types of meetings to develop a concept plan for Area 59. These included: work sessions open to the public, a public workshop (the first charrette in Sherwood), a field trip, regular public meetings with two advisory groups, and finally public hearings. Throughout the concept planning process individual electronic notice was sent to those that expressed interest. A project website was developed on the City’s homepage to provide a clearinghouse for all meeting materials and project binders were created for public use at City Hall and the Library. Although not required for the

concept planning phase, the City sent mailed notice twice: after the second Citizens Advisory Committee (CAC) meeting in March 2005 and prior to the charrette in July 2005. Monthly project updates were provided in the *Archer* portion of the *Sherwood Gazette* in addition to numerous newspaper articles that appeared in the *Oregonian*.

In addition to general public outreach efforts, the CAC met from December 2004 to December 2005 to rigorously review City staff and consultant findings. The CAC consisted of three representatives from the City Council, Planning Commission, and Parks Board, two property owners from Area 59, two property owners who reside in the County but outside the study area, and the Sherwood School District. A technical advisory committee, referred to as the "Project Team," was established by the Planning Department to advise City staff on regulatory and technical issues that pertain to concept planning. Affected agencies include:

- Clean Water Services
- ODOT
- DLCD
- Metro
- Washington County
- Raindrops to Refuge
- Tualatin Valley Water District
- Tualatin Valley Fire & Rescue

The Project Team met periodically (five times) from January 2005 to October 2005 to review consultant and staff findings, draft alternatives, and various staff reports on the framework of a concept plan. The CAC met six times in addition to the charrette that was held in July 2005 at the Sherwood Police Facility. The combined efforts of the advisory committees resulted in one set of goals for the project referred to as the "Goals Matrix."

Issue	Citizen's Advisory Committee	Project Team
<i>Land Use</i>	Single family units only, no apartment complexes.	Goal conflicts resolved: Metro density requirements (Metro Housing Rule).
	Mixed use: Small retail/commercial with housing above.	
	Schools (30 acres): Middle & Elementary Meet timeline for increased enrollment.	
<i>Quality of Life</i>	Recreational fields: Co-share fields & facilities with schools?	Natural area protection & Goal 5 resources.
	Green Space: Parks (tennis courts), trails, greenways, open space.	Open spaces: Integrate active & passive parks; Co-locate these to other lands.
	Livability: "Proud to live there".	Create unique neighborhood structure: "Sense of place".
	Farmland: Allow existing agriculture; co-exist with new neighborhood.	
<i>Transportation</i>	Traffic management plan	Connectivity: Road system, bicycle & pedestrian pathways; off-site mitigation.
<i>Public Facilities</i>		Adequate water supply & pressure for fire suppression.
		Address stormwater impacts; provide sanitary sewer.
		Infrastructure Costs? Avoid expensive and determine how to pay.

The above goals, a balancing act or competing priorities, were the basis for the development of evaluation criteria. The design alternatives produced through the charrette were analyzed and "graded" based on the criteria approved by the CAC and Project Team. Staff made findings throughout the process that demonstrated how the evaluation criteria were met or not met for each alternative.

Land Use

Notwithstanding the competing stakeholder objectives, the primary focus of the concept plan was to determine a location and an adequate size site for new school facilities. The original impetus for the UGB expansion, via Metro Ordinance 2002-969B, was to provide a new elementary and middle school for the rising enrollment in the Sherwood School District 88J. In short, once a new school site was identified the remaining land use pieces of the puzzle fell into place around the school. After a thorough examination of the charrette alternatives through a traffic analysis and CAC review, the process eventually determined that a 29 acre site was adequate to co-locate the facilities along with recreation fields and attendant uses related to school business. Some stakeholders wanted more land while others wanted a new school on less land. The remaining "pieces" or in this case buildable land was planned for a mix of residential and neighborhood commercial served by a street grid network of local street and a north-south and east-west neighborhood route to reduce vehicle miles traveled, encourage alternative modes of transportation, provide emergency access, and a site for a neighborhood park to serve the new neighborhood and the existing west side neighborhoods.

Policy Outcomes

In December 2005, the Citizens Advisory Committee recommended a third party alternative that was based on a hybrid of two designs - Alternative A/G. The Planning Commission recommended a revised Alternative A/G to the City Council in February 2006, which was approved, albeit in lesser detail, via Resolution 2006-017 in April 2006. This policy direction authorized the City to initiate the plan amendment process to implement the concept plan map through the comprehensive plan and zoning code.

The following map illustrates the adopted concept plan for Area 59 through the plan amendment process.

Insert Area 59 Concept Plan Map

CHAPTER 2

LAND USE AND DEVELOPMENT

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CHAPTER 2

LAND USE AND DEVELOPMENT

2.200 SPECIAL USES

2.201 GENERAL PROVISIONS

Special uses included in Section 2.200 are uses which, due to their effect on surrounding properties, must be developed in accordance with special conditions and standards. These conditions and standards may differ from the development standards established for other uses in the same zoning district. When a dimensional standard for a special use differs from that of the underlying zoning district, the standard for the special use shall apply. (Ord. 86-851 § 3)

2.202 PLANNED UNIT DEVELOPMENT (PUD)

2.202.01 Purpose

- A. PUDs integrate buildings, land use, transportation facilities, utility systems and open space through an overall site design on a single parcel of land or multiple properties under one or more ownerships. The PUD process allows creativity and flexibility in site design which cannot be achieved through a strict adherence to existing zoning and subdivision standards.
- B. The PUD district is intended to achieve the following objectives:
 1. Encourage efficient use of land and resources that can result in savings to the community, consumers and developers.
 2. Preserve valuable landscape, terrain and other environmental features and amenities as described in the Comprehensive Plan or through site investigations.
 3. Provide diversified and innovative living, working or neighborhood shopping environments that take into consideration community needs and activity patterns.
 4. Achieve maximum energy efficiency in land uses. (Ord. 86-851 § 3)
 5. Promote innovative, pedestrian-friendly, and human scale design in architecture and/or other site features that enhance the community or natural environment. (Ord. 2001-1119 § 1)

2.202.02 Preliminary Development Plan

**Exhibit 2-B
(changes to Chapters 2 and 5, Sherwood Zoning and Community Development Code, Part 3)**

A. Generally

A PUD Preliminary Development Plan shall be submitted for the review and approval in accordance with Section 3.200. PUDs shall only be considered on sites that are unusually constrained or limited in development potential, as compared to other land with the same underlying zoning designation, because of: natural features such as floodplains, wetlands, and extreme topography, or man-made features, such as parcel configuration and surrounding development. The applicant shall describe the unusual conditions qualifying the site for PUD consideration, and the Commission shall cite findings of fact validating these conditions. (Ord. 2001-1119 § 1; 86-851)

B. Content

The Preliminary Development Plan application shall include the following ~~mapping and written documentation narrative~~:

1. Existing conditions map(s) showing: All properties, existing uses, and zoning districts within three hundred (300) feet, topography at five (5) foot intervals, floodplain, significant natural vegetation and features, private and public facilities including but not limited to utilities, streets, parks, and buildings, historic and cultural resources, property boundaries, lot lines, and lot dimensions and area.
2. Listing of all property owners adjacent to the PUD as per Section 3.202.03, including names and addresses, and a listing of all persons, including names and addresses, with an interest in the property subject to the PUD application.
3. Proposal map(s) showing: Alterations to topography, floodplain, natural vegetation, trees and woodlands, and other natural features, all streets, utility alignments and easements, parks and open space, historic and cultural resources, other public and utility structures, and any other dedicated land features or structures, the parceling, lot consolidation, adjustments, or subdivision of land including basic parcel dimensions and areas, the phasing of the PUD, siting and orientation of proposed new structures, including an identification of their intended use.
4. Narrative describing: the intent of the PUD and how general PUD standards as per Section 2.202 are met, details of the particular uses, densities, building types and architectural controls proposed, form of ownership, occupancy and responsibility for maintenance for all uses and facilities, trees and woodlands, public facilities to be provided, specific variations from the standards of any underlying zoning district or other provisions of this Code, and a schedule of development.

Exhibit 2-B

(changes to Chapters 2 and 5, Sherwood Zoning and Community Development Code, Part 3)

5. If the PUD involves the subdivision of land, the proposal shall also include a preliminary subdivision plat and meet all requirements of Section 7.200. The preliminary subdivision shall be processed concurrently with the PUD. (Ord. 2001-1119 § 1; 86-851)

6. Architectural Pattern Book: A compendium of architectural elevations, details, and colors of each building type shall be submitted with any PUD application. The designs shall conform to the site plan urban design criteria in Section 5.102.04G or any other applicable standards in the Code. A pattern book shall act as the architectural control for the homeowner's association or the commercial owner. An Architectural Pattern Book shall address the following:
 - a. Illustrative areas within the development application covered by the pattern book.
 - b. An explanation of how the pattern book is organized, and how it to be used.
 - c. Define specific standards for architecture, color, texture, materials, and other design elements.
 - d. Include a measurement or checklist system to facilitate review of the development for conformity with the pattern book.
 - e. Include the following information for each building type permitted outright or conditionally proposed in the PUD:
 - Massing, facades, elevations, roof forms, proportions, materials, and color palette.
 - Architectural relevance or vernacular to the Pacific Northwest.
 - Doors, windows, siding, and entrances, including sash and trim details.
 - Porches, chimneys, light fixtures, and any other unique details, ornamentation, or accents.
 - A fencing plan with details that addresses the relationship between public space and maintaining individual privacy subject to Section 2.303.

C. Commission Review

The Commission shall review the application pursuant to Section 3.200 and may act to recommend to the Council approval, approval with conditions or denial. The Commission shall make their decision based on the following criteria:

1. The proposed development is in substantial conformance with the Comprehensive Plan and is sited in an area that is unusually constrained due to existing natural or man-made features, while protecting the environmental resources of the site and adjacent properties as identified in the Comprehensive Plan, and dedication of at least 15 percent of the buildable portion of the site to the public in the form of usable open space or park,

**Exhibit 2-B
(changes to Chapters 2 and 5, Sherwood Zoning and Community Development Code, Part 3)**

subject to the review of the Parks & Recreation Board or to a private entity managed by a homeowners association.

2. That exceptions from the standards of the underlying zoning district are warranted by the unique design and amenities incorporated in the development plan.
3. That the proposal is in harmony with the surrounding area or its potential future use, and incorporates unified or internally compatible architectural treatments, vernacular, and scale subject to review and approval in Section 2.202.02B(6).
4. That the system of ownership and the means of developing, preserving and maintaining parks and open spaces are acceptable.
5. That the PUD will have a beneficial effect on the area which could not be achieved under-using the underlying zoning district.
6. That the proposed development, or an independent phase of the development, can be substantially completed within one (1) year from date of approval.
7. That adequate public facilities and services are available or are made available by the construction of the project.
8. That the general objectives of the PUD concept and the specific objectives of the various categories of the PUDs described in Section 2.202 have been met. (Ord. 2001-1119 § 1; 98-1053; 86-851)
9. The minimum area for a Residential PUD shall be five (5) acres, unless the Commission finds that a specific property of lesser area is suitable as a PUD because it is unusually constrained by topography, landscape features, location, or surrounding development, or qualifies as “infill” as defined in Section 2.202.05(C)(3). (Ord. 2001-1119 § 1)

D. Council Action

Upon receipt of the findings and recommendations of the Commission, the Council shall conduct a public hearing pursuant to Section 3.200. The Council may approve, conditionally approve, or deny the Preliminary Development Plan. A Council decision to approve the Preliminary Development Plan shall be by ordinance establishing a PUD overlay zoning district. The ordinance shall contain findings of fact as per Section 2.202.02, state all conditions of approval, and set an effective date subject to approval of the Final Development Plan as per Section 2.202.03. (Ord. 2001-1119 § 1; 86-851)

E. Effect of Decision

**Exhibit 2-B
(changes to Chapters 2 and 5, Sherwood Zoning and Community Development Code, Part 3)**

Approval of the Preliminary Development Plan shall not constitute final acceptance of the PUD. Approval shall, however, be binding upon the City for the purpose of preparation of the Final Development Plan, and the City may require only such changes in the plan as are necessary for compliance with the terms of preliminary approvals. (Ord. 86-851 § 3)

2.202.03 Final Development Plan

A. Generally

Upon approval of the PUD overlay zoning district and preliminary development plan by the Council, the applicant shall prepare a detailed Final Development Plan as per Sections 2.202 and 4.100, for review and approval of the Commission. The Final Development Plan shall comply with all conditions of approval as per Section 2.202.02. In addition, the applicant shall prepare and submit a detailed site plan ~~if applicable~~for any non-single-family structure or use not addressed under Section 2.202.02B(6), for review and approval, pursuant to the provisions of Section 5.100. The site plan shall be processed concurrently with the Final Development Plan. (Ord. 86-851 § 3)

B. Final Subdivision Plat

If the PUD involves the subdivision of land, a final plat shall be prepared and submitted for final approval, pursuant to Section 7.300. The final plat shall be processed concurrently with the Final Development Plan. (Ord. 86-851 § 3)

2.202.04 General Provisions

1. Phasing

- a. The City may require that development be done in phases, if public facilities and services are not adequate to serve the entire development immediately.
- b. Any PUD which requires more than twenty four (24) months to complete shall be constructed in phases that are substantially complete in themselves and shall conform to a phasing plan approved as part of the Final Development Plan.

2. Failure to Complete

- a. When substantial construction or development of a PUD, or any approved phase of a PUD, has not taken place within one (1) year from the date of approval of a Final Development Plan, the Commission shall determine whether or not the PUD's continuation, in whole or in part, is in the public interest.

**Exhibit 2-B
(changes to Chapters 2 and 5, Sherwood Zoning and Community Development Code, Part 3)**

- b. If continuation is found not to be in the public interest, the Commission shall recommend to the Council that the PUD be extinguished. The Council, after public hearing, may extend the PUD, extend with conditions, or extinguish the PUD.

B. Changes in Approved Plans

1. Major Changes

Proposed major changes in a Final Development Plan shall be considered the same as a new ~~petit~~application, and shall be made in accordance with the procedures specified in Section 2.202.

2. Minor Changes

Minor changes in a Final Development Plan may be approved by the Council without further public hearing or Commission review, provided that such changes do not increase densities, change boundaries or uses, or change the location or amount of land devoted to specific uses.

(Ord. 86-851 § 3)

2.202.05 Residential PUD

A. Permitted Uses

The following uses are permitted outright in Residential PUD when approved as part of a Final Development Plan:

1. Varied housing types, including but not limited to single-family attached dwellings, zero-lot line housing, row houses, duplexes, cluster units, and multi-family dwellings.
2. Related NC uses which are designed and located so as to ~~exclusively~~ serve the PUD district and neighborhood.
3. All other uses permitted within the underlying zoning district in which the PUD is located. (Ord. 86-851 § 3)

B. Conditional Uses

A conditional use permitted in the underlying zone in which the PUD is located may be allowed as a part of the PUD upon payment of the required application fee and approval by the Commission as per Section 4.300. (Ord. 86-851 § 3)

C. Development Standards

**Exhibit 2-B
(changes to Chapters 2 and 5, Sherwood Zoning and Community Development Code, Part 3)**

1. Density

The number of dwelling units permitted in a Residential PUD shall be the same as that allowed in the underlying zoning district, except as provided in Section 2, below.

2. Density Transfer

Where the proposed PUD site includes lands within the base floodplain, wetlands and buffers, or steeply sloped areas which are proposed for public dedication, and such dedication is approved as a part of the preliminary development plan, then a density transfer may be allowed adding a maximum of 20% to the overall density of the land to be developed.

3. Minimum Lot Size

The minimum lot size required for single-family, detached dwellings is 5,000 square feet, unless the subject property qualifies as infill, defined as: parent parcel of 1.5 acres or less proposed for land division, where a maximum 15% reduction in lot size may be allowed from the minimum lot size. (Ord. 2001-1119 § 3; 86-851)

2.202.06 Non-Residential (Commercial or Industrial) PUD

A. Permitted Uses

Any commercial, industrial or related use permitted outright in the underlying zoning district in which the PUD is located, may be permitted in a Non-Residential PUD, subject to Chapter 8. (Ord. 91-922 § 3; 86-851)

B. Conditional Uses

A conditional use permitted in the underlying zoning district in which the PUD is located may be allowed as a part of the PUD upon payment of the required application fee and approval by the Commission. (Ord. 86-851 § 3)

C. Development Standards

1. Floor Area

The gross ground floor area of principal buildings, accessory buildings, and future additions shall not exceed sixty percent (60%) of the buildable portion of the PUD.

2. Site and Structural Standards

**Exhibit 2-B
(changes to Chapters 2 and 5, Sherwood Zoning and Community Development Code, Part 3)**

Yard setback, type of dwelling unit, lot frontage and width and use restrictions contained in this Code may be waived for the Non-Residential PUD, provided that the intent and objectives of Section 2.202 are complied with in the Final Development Plan. Building separations shall be maintained in accordance with the minimum requirements of the Fire District.

3. Perimeter Requirements

Unless topographical or other barriers within the PUD provide reasonable privacy for existing uses adjacent to the PUD, the Commission shall require that structures located on the perimeter of the PUD be:

- a. Setback in accordance with provisions of the underlying zoning district within which the PUD is located and/or:
- b. Screened so as to obscure the view of structures in the PUD from other uses.

4. Height

Maximum building height is unlimited, provided a sprinkler system is installed in all buildings over two (2) stories, as approved by the Fire District, excepting that where structures are within one hundred (100) feet of a residential zone, the maximum height shall be limited to that of the residential zone.

5. Community Design Standards

For standards relating to off-street parking and loading, energy conservation, historic resources, environmental resources, landscaping, access and egress, signs, parks and open space, on-site storage, and site design, see Chapters 5, 8 and 9.

6. Density Transfer

Where the proposed PUD includes lands within the base floodplain, a density transfer may be allowed in accordance with Section 8.304.05.

7. Minimum Site Area

a. Commercial PUD

Minimum area for a Commercial PUD shall be five (5) acres. Development of a Commercial PUD of less than five (5) acres may be allowed if the PUD can be developed consistent with the intent and standards of Section 2.202, as determined by the Commission.

**Exhibit 2-B
(changes to Chapters 2 and 5, Sherwood Zoning and Community Development Code, Part 3)**

b. Industrial PUD

The minimum site area for an Industrial PUD shall be twenty (20) acres. (Ord. 91-922 § 3; 86-851)

2.204 TOWNHOMES

2.204.01 Townhome Standards

A. Generally

A townhome may be located on property zoned MDRH, HDR, or in other zones as specified in an approved Planned Unit Development, provided that the townhome meets the standards contained below, and other applicable standards of Chapter 5 - Community Design. Such developments that propose townhomes can do so as condominiums on one parent lot, or in a subdivision, but shall do so in groups known as “townhome blocks,” which consist of groups no less than two attached single-family dwellings and no more than six in a block, that meet the general criteria of 2.204.01B below, and specific design and development criteria of this Chapter. (Ord. 2002-1126 § 2)

B. Standards

1. Each townhome shall have a minimum dwelling area of twelve-hundred (1,200) square feet in the MDRH zone, and one-thousand (1,000) square feet in the HDR zone. Garage area is not included within the minimum dwelling area.
2. Lot sizes shall average a minimum of two-thousand five-hundred (2,500) square feet in the MDRH zone, and one-thousand eight-hundred (1,800) square feet in the HDR zone, unless the property qualifies as “infill,” and meets the criteria of 2.204.01D below. If proposed as a subdivision, lots shall be platted with a width of no less than twenty (20) feet, and depth no less than seventy (70) feet.
3. The townhome shall be placed on a perimeter foundation, the units must meet the front yard, street-side yard, and rear yard setbacks of the underlying zone, if abutting a residential zone designated for, or built as, single-family detached housing.
4. All townhomes shall include at least two (2) off-street parking spaces in the HDR zone, and two and one-half (2-1/2) spaces in the MDRH zone; garages and/or designated shared parking spaces may be included in this calculation. The City Engineer may permit diagonal or angle-in parking on public streets within a townhome development, provided that adequate lane width is

**Exhibit 2-B
(changes to Chapters 2 and 5, Sherwood Zoning and Community Development Code, Part 3)**

maintained. All townhome developments shall include a parking plan, to be reviewed and approved with the Site Plan application.

5. All townhomes shall have exterior siding and roofing which is similar in color, material and appearance to siding and roofing commonly used on residential dwellings within the City, or otherwise consistent with the design criteria of Chapter 2.204.01E, Design Standards.
6. All townhomes in the MDRH zone shall have an attached or detached garage.
7. All other community design standards contained in Chapters 5, 8 and 9 relating to off-street parking and loading, energy conservation, historic resources, environmental resources, landscaping, access and egress, signs, parks and open space, on-site storage, and site design that are not specifically varied by Section 2.204, shall apply to townhome blocks.
8. Developments over two (2) acres shall accommodate an open space area no less than five percent (5%) of the total subject parcel. Parking areas may **not** be counted toward this five percent (5%) requirement.
9. Side yard setbacks shall be based on the length of the townhome block; a minimum setback to the property line* on the end of each “townhome block” shall be provided relative to the size of the block, as follows:

• Greater than 140 feet	10 feet minimum
• 121 feet to 140 feet	8 feet minimum
• 100 feet to <u>120</u> 50 feet	6 feet minimum
• Less than 100 feet	5 feet minimum

*In the case of condominium projects where no property line may exist at the end of each townhome block, the setback shall be applied as a minimum area of separation, as applied to *each* townhome block.

(Ord. 2002-1126 § 2)

C. Occupancy

1. No occupancy permit for any townhome shall be issued by the City until the requirements of site plan review and the conditions of the approved final site plan are met. Substantial alteration from the approved plan must be resubmitted to the City for review and approval, and may require additional site plan review before the original hearing authority.
2. The owner(s) of the townhomes, or duly authorized management agent, shall be held responsible for all alterations and additions to a townhome block or to individual homes within the block, and shall ensure that all necessary

**Exhibit 2-B
(changes to Chapters 2 and 5, Sherwood Zoning and Community Development Code, Part 3)**

permits and inspections are obtained from the City or other applicable authority prior to the alterations or additions being made.
(Ord. 2002-1126 § 2)

D. Infill Standard

The minimum lot size required for single-family, attached dwellings (townhomes) may be reduced by a maximum of 15% if the subject property is ~~one (1.5 acres (43,560 sq ft))~~ or less, and the subject property is surrounded by properties developed at or in excess of minimum density for the underlying zone. (Ord. 2002-1126 § 2)

E. Design Standards

Each townhome block development shall require the approval of a site plan, under the provisions of Chapter 5.102, and in compliance with the standards listed below. The site plan shall indicate all areas of townhome units, landscaping, off-street parking, street and driveway or alley locations, and utility access easements. The site plan shall also include a building elevation plan, which show building design, materials, and architectural profiles of all structures proposed for the site.

1. **Building Mass:** The maximum number and width of consecutively attached townhomes shall not exceed ~~sixeight (86)~~ units or one-hundred ~~eighfifty (18050)~~ feet from end-wall to end-wall.
2. **Designation of Access/Alleys:** Townhomes shall receive vehicle access only from the front or rear lot line exclusively, not both. If alleys are used for access they shall be created at the time of subdivision approval and built to City standards as illustrated in the Transportation System Plan.
3. **Street Access:** Townhomes fronting on a neighborhood route, collector, or arterial shall use alley access, either public or private, and comply with all of the following standards in order to minimize interruption of adjacent sidewalks by driveway entrances and conflicts with other transportation users, slow traffic, improve appearance of the streets, and minimize paved surfaces for better stormwater management. Direct access to local streets shall only be used if it can be demonstrated that due to topography or other unique site conditions precludes the use of alleys.
 - a. Alley loaded garages shall be set back a minimum five feet to allow a turning radius for vehicles and provide a service area for utilities.
 - b. WhenIf garages face the street, the garage doors shall be recessed behind the front elevation (living area, covered porch, or other architectural feature) by a minimum of one (1) foot.

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(changes to Chapters 2 and 5, Sherwood Zoning and Community Development Code, Part 3)

- bc.** The maximum allowable driveway width facing the street is two (2) feet greater than the width of the garage door. The maximum garage door width per unit is sixty percent (60%) of the total building width. For example, a twenty (20) foot wide unit may have one 12-foot wide recessed garage door and a fourteen (14) foot wide driveway. A 24-foot wide unit may have a 14-foot, 4-inch wide garage door with a 16-foot, 4-inch wide driveway.
- 4. Building Design:** The intent of the following standards is to make each housing unit distinctive and to prevent garages and blank walls from being a dominant visual feature.
- a. The front façade of a townhome may not include more than forty percent (40%) of garage door area.
- b. The roofs of each attached townhome must be distinct from the other through either separation of roof pitches or direction, variation in roof design, or architectural feature. Hipped, gambrel, gabled, or curved (i.e. barrel) roofs are required. Flat roofs are not permitted.
- c. A minimum of fifty percent (50%) of the residential units within a block's frontage shall have a front porch in the MDRH zone. Front porches may encroach six (6) feet beyond the perimeter foundation into front yard, street-side yard, and landscape corridor setbacks for neighborhood routes and collectors, and ten (10) feet for arterials, and are not subject to lot coverage limitations, in both the MDRH and HDR zones. Porches may not encroach into the clear vision area, as defined in Section 2.301.
- d. Window trim shall not be flush with exterior wall treatment for all windows facing public right-of-ways. Windows shall be provided with architectural surround at the jamb, head and sill.
- e. All building elevations visible from the street shall provide doors, porches, balconies, windows, or architectural features to provide variety in façade. All front minimum of fifty percent (50%) of front street-facing elevations, and a minimum of twenty-fifty percent (250%) of side and rear street-facing building elevations, as applicable, shall meet this standard. The standard applies to each full and partial building story. Alternatively, in lieu of these standards, the Old Town Design Standards in Section 9.202 may be applied.
- f. The maximum height of all townhomes shall be that of the underlying zoning district standard, except that: twenty-five percent (25%) of townhomes in the MDRH zone may be 3-stories, or a maximum of forty (40) feet in height if located more than one-hundred fifty (150)

Exhibit 2-B
(changes to Chapters 2 and 5, Sherwood Zoning and Community Development Code, Part 3)

feet from adjacent properties in single-family (detached) residential use.

~~g. Townhome developments which propose alley-loaded garages shall provide a mix of street access garages, unless impractical due to lot depth, the proximity or function of local streets, or other factors identified in the parking plan.~~

5. Vehicular Circulation: All streets shall be constructed in accordance with applicable City standards in the Transportation System Plan and shall be ~~curbed~~. The minimum paved street improvement width shall be:

a. Local Street: ~~Thirty-six~~Twenty-eight (36~~28~~) feet, with parking allowed on ~~two~~one (21) sides.

~~b. Neighborhood Route: Thirty-six (36) feet, with parking on both sides.~~

~~c. Collector: Thirty-four (34) feet with parking on one side, fifty (50) feet with parking on both sides.~~

~~d. In lieu of a new public street, or available connection to an existing or planned public street, a private 20 foot minimum driveway, without on-street parking, and built to public improvement standards, is allowed for infill properties as defined in Section 2.204.01D. All townhome developments in excess of thirty (30) units require a secondary access.~~

~~be.~~ Any existing or proposed street within the townhome block that, due to volumes of traffic, connectivity, future development patterns, or street location, as determined by the City, functions as a neighborhood route or —minor—collector or higher functional classification street/roadway based on connectivity, shall be constructed to full City public improvement standards. (Ord. 2002-1126 § 2)

2.303 FENCES, WALLS AND HEDGES

2.303.01 Generally

- A. Purpose: The fence standards promote the positive benefits of fences without negatively impacting the community or endangering public or vehicle safety. Fences can create a sense of privacy, protect children and pets, provide separation from busy streets, and enhance the appearance of property by providing attractive landscape materials. The negative effect of fences can include the creation of street walls that inhibit police and community surveillance, decrease the sense of community, hinder the safe movement of pedestrians and vehicles, and create an unattractive appearance. These standards are intended to promote the positive aspects of fences and to limit the negative ones.
- B. Definition: For purposes of this Section, a corner lot adjoining two (2) City streets shall have both yards adjoining the streets considered as front yards.
- C. Types of Fences: The following standards apply to walls, fences, hedges, mounds, and screens of all types (or a combination thereof) whether open, solid, wood, metal, wire, masonry, plant vegetation or other materials.
- D. Location:
 - 1. Fences up to forty-two inches (42”) high are allowed in required front building setbacks.
 - 2. Fences up to six feet (6’) high are allowed in required side or rear building setbacks.
 - 3. Additionally, all fences shall be subject to the clear vision provisions of Section 2.301.
- E. Provisional Locations:
 - 1. On corner lots in residential areas, where a home is characterized as back-to-back (See diagram adopted herein as shown in the illustration of these text provisions):
 - a. A six-foot (6’) fence may extend into the required second front yard in an amount not to exceed fifty percent (50%) of the distance measured between the house and sidewalk.
 - b. Said fence may not extend beyond eight feet (8’) from the rear of the house toward the front.

**Exhibit 2-B
(changes to Chapters 2 and 5, Sherwood Zoning and Community Development Code, Part 3)**

2. On corner lots in residential areas where a home is characterized as back-to-front (See diagram adopted herein as shown in the illustration of these text provisions):
 - a. A six-foot (6') fence may extend into the second required front yard in an amount no greater than five feet (5') from the house.
 - b. Said fence may not extend beyond eight feet (8') from the rear of the house to the front.
 3. Fences in yards affecting cul-de-sacs are exempt from Section E.
- F. Provisional Conditions: The following conditions are applied to those fences constructed pursuant to Section E.
1. The clear vision standards of Section 2.301 apply and take precedence over these provisions in the event of conflict between this Section and Section 2.303.
 2. Wire/chain link fencing is not allowed along any residential street frontage.
- G. General Conditions
1. In all cases, the following standards are applied:
 - a. Chain link fencing is not allowed in any required residential front yard setback.
 - b. The finished side of the fence must face the street.
 - c. Wood fences along side yards that are shared between two properties shall be a "good neighbor" design with alternating boards.
 - d. Buffering: If a proposed development is adjacent to an existing farming operation, a buffer plan that includes, but is not limited to, setbacks, fencing, landscaping, and maintenance via a homeowner's association shall be submitted and approved as part of the preliminary plat or site plan review process per Section 5.102 and Section 7.200.
- ~~A fence permit from the City is required for all fences~~
- H. Administrative Variance: The City Manager or his/her designee may grant an administrative variance to this Section.
- I. Abatement of Fences in Non-Compliance
1. Fences that do not conform to Section E of this Code must come into compliance when the house is sold, when other permits are issued, or by

Exhibit 2-B

(changes to Chapters 2 and 5, Sherwood Zoning and Community Development Code, Part 3)

September 1, 2003, whichever is earlier. Fences constructed affecting cul-de-sacs or fences creating inadequate site distances pursuant to Section 2.301 must come into compliance immediately.

2. Chain link fences forty-two inches (42") or under in front yard setbacks, erected prior to adoption of this ordinance, or other fences which, when installed, were legal under the Municipal Code of Ordinances effective at that time, are exempt from Section 1.

- J. Penalties: Violations of Section 2.303.01 shall be subject to the penalties defined by Section 1.101.04.

(Ord. 96-1014 § 1; 93-964; 86-851)

Exhibit 2-B
(changes to Chapters 2 and 5, Sherwood Zoning and Community Development Code, Part 3)

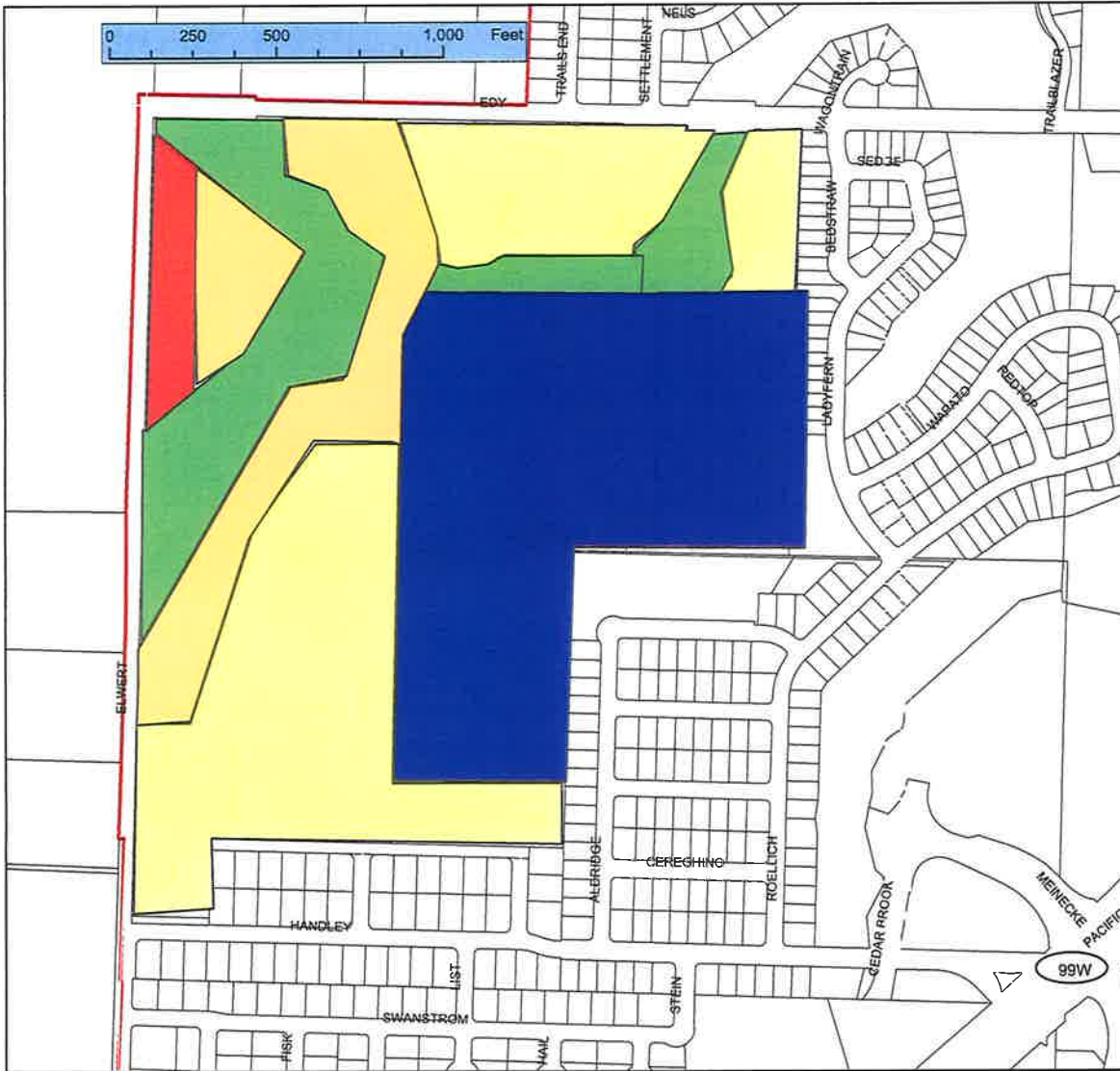
5.102.04 Required Findings

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 Chapter 2, and all provisions of Chapters 5, 6, 8 and 9.
- 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 feasible extent, including but not limited to natural drainageways, wetlands, trees, vegetation, scenic views, and topographical features, and conforms to the applicable provisions of Chapter 8 of this Code and Chapter 5 of the Community Development Code. (Ord. 91-922 § 3; 86-851)
- F. 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 6.307 Highway 99W Capacity Allocation Program, unless excluded herein. (Ord. 2005-009 § 8)

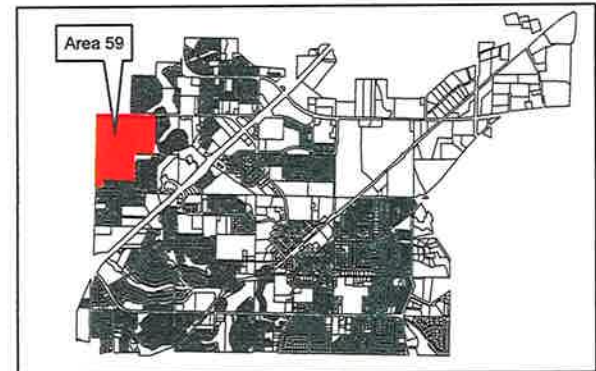


Area 59 Zone Matrix- Option 1

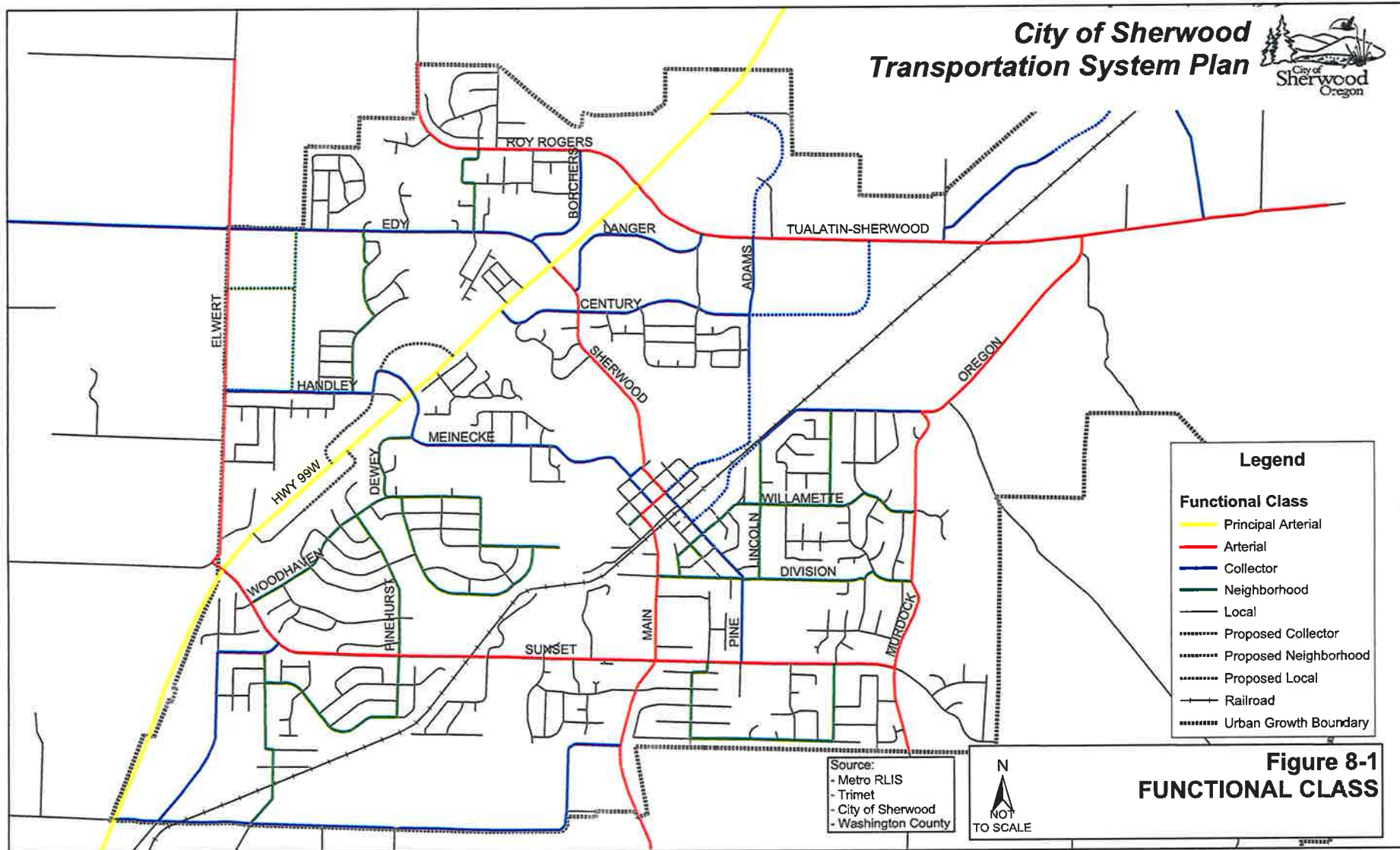


Legend

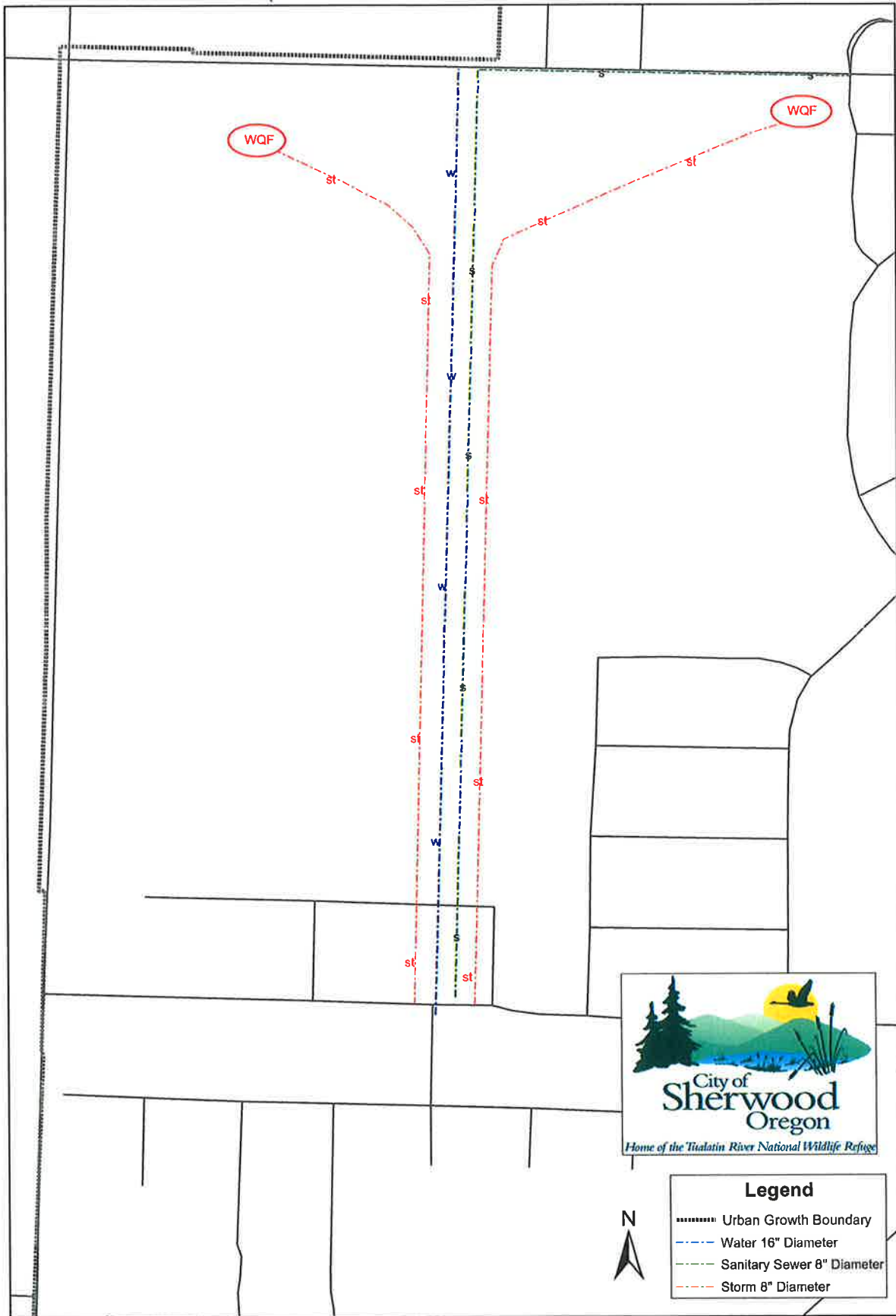
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	Medium Density Residential High
	Neighborhood Commercial
	Institutional and Public
	Open Space
	Urban Growth Boundary

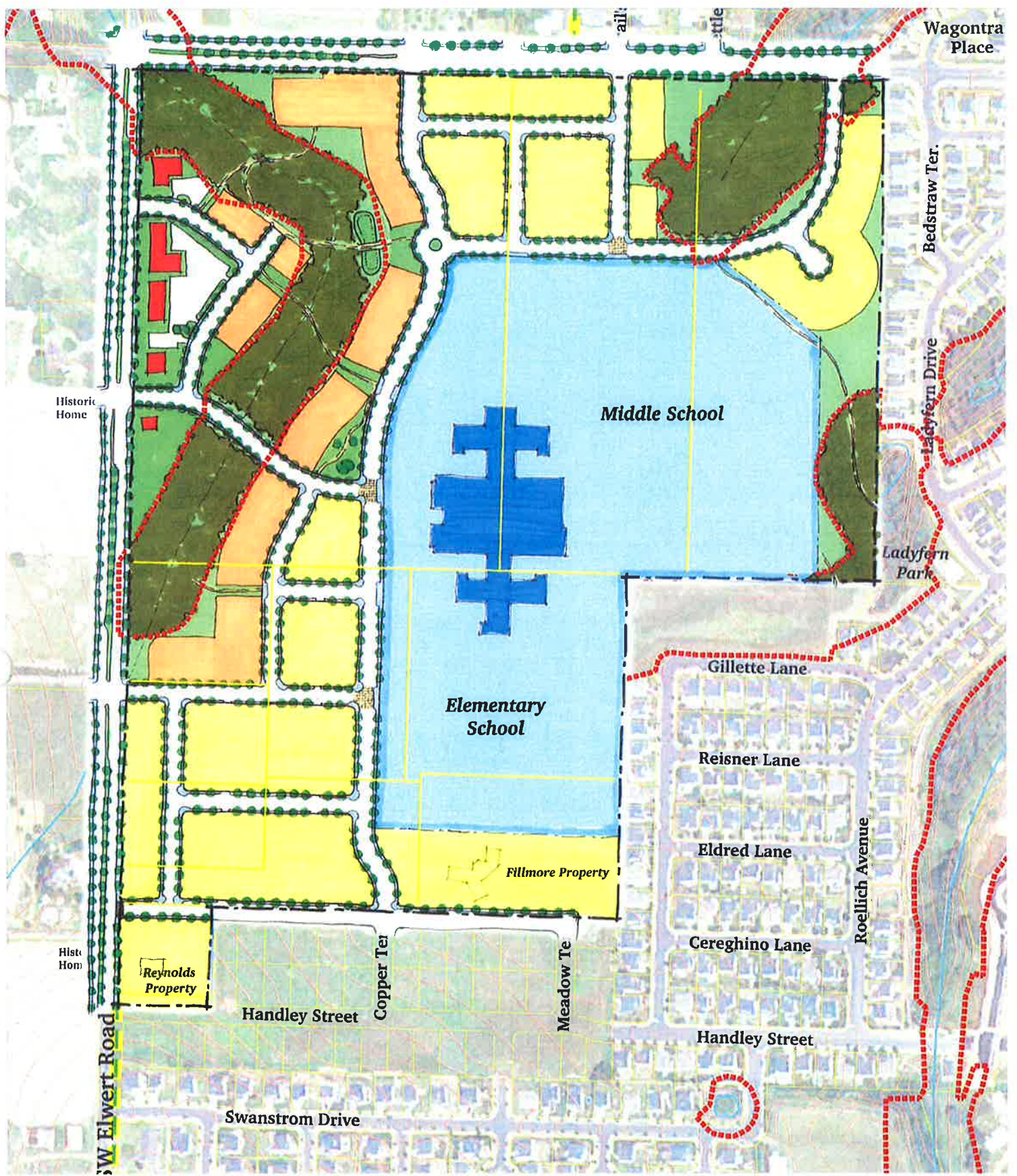


Map Created May 24, 2006
 Source: RLIS Lite 2005 and Sherwood Shapefiles
 PA 06-01- Exhibit 2C



Area 59 Public Facility Map: Water, Sewer and Storm System Plan





LEGEND

- School
- Park
- Single Family
- Townhome / Small Lot
- Neighborhood Commercial / Mixed Use
- Natural Area
- Lot Lines
- Goal 5 Boundaries

Area 59 Neighborhood

Sherwood, Oregon
 Exhibit 2-K Approved Concept Plan
Alternative E
 with Lots and Goal 5 Boundaries

